

Agenda Order

<b>Tab 1</b>	<b>SB 178</b> by <b>Rouson</b> ; Agronomic Study on Emerging Crops					
<b>Tab 2</b>	<b>SB 466</b> by <b>Leek (CO-INTRODUCERS) Burgess, Osgood, Rouson</b> ; Identical to H 00659 Florida Museum of Black History					
<b>Tab 3</b>	<b>CS/SB 678</b> by <b>CM, Truenow</b> ; Similar to CS/CS/H 00139 Pawnbroker Transaction Forms					
<b>Tab 4</b>	<b>CS/SB 700</b> by <b>AG, Truenow</b> ; Similar to CS/CS/H 00651 Department of Agriculture and Consumer Services					
396046	A	S	RCS	AEg, Truenow	btw L.2372 - 2373:	03/26 06:23 PM
976366	A	S	RCS	AEg, Truenow	Delete L.2963 - 3675.	03/26 06:23 PM
<b>Tab 5</b>	<b>CS/SB 736</b> by <b>EN, Truenow (CO-INTRODUCERS) Brodeur</b> ; Similar to CS/H 00733 Brownfields					
264904	A	S	RCS	AEg, Truenow	Delete L.408 - 424:	03/26 06:23 PM
<b>Tab 6</b>	<b>SB 796</b> by <b>Bradley</b> ; Similar to H 00645 General Permits for Distributed Wastewater Treatment Systems					
<b>Tab 7</b>	<b>SB 1162</b> by <b>Leek (CO-INTRODUCERS) Brodeur</b> ; Identical to H 00735 Water Access Facilities					
<b>Tab 8</b>	<b>SB 1226</b> by <b>DiCeglie</b> ; Similar to H 00655 Pet Insurance and Wellness Programs					

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**APPROPRIATIONS COMMITTEE ON AGRICULTURE,  
 ENVIRONMENT, AND GENERAL GOVERNMENT**

**Senator Brodeur, Chair**  
**Senator Berman, Vice Chair**

**MEETING DATE:** Wednesday, March 26, 2025  
**TIME:** 3:30—5:30 p.m.  
**PLACE:** Pat Thomas Committee Room, 412 Knott Building

**MEMBERS:** Senator Brodeur, Chair; Senator Berman, Vice Chair; Senators Arrington, Burton, Collins, DiCeglie, Fine, Grall, McClain, Pizzo, Rodriguez, Sharief, and Truenow

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
		Review and Discussion of Fiscal Year 2025-2026 Budget Issues Relating to: Department of Agriculture and Consumer Services Department of Citrus Department of Environmental Protection Fish and Wildlife Conservation Commission Department of Business and Professional Regulation Department of Financial Services Office of Financial Regulation Offices of Insurance Regulation Florida Gaming Control Commission Department of Lottery Department of Management Services Division of Administrative Hearings Florida Commission of Human Relations Public Employees Relations Commission Public Service Commission Department of Revenue	Discussed
1	<b>SB 178</b> Rouson	Agronomic Study on Emerging Crops; Requiring Florida Agricultural and Mechanical University to conduct an agronomic study on emerging crops in this state, subject to legislative appropriation; requiring Florida Agricultural and Mechanical University to submit a report to the Governor and the Legislature by a specified date, etc.  AG 03/11/2025 Favorable AEG 03/26/2025 Favorable FP	Favorable Yeas 12 Nays 0
2	<b>SB 466</b> Leek (Identical H 659)	Florida Museum of Black History; Providing legislative intent; establishing the Florida Museum of Black History Board of Directors; prohibiting specified members of the board from holding state or local elective office while serving on the board; requiring that the board work jointly with the Foundation for the Museum of Black History, Inc., etc.  CA 03/11/2025 Favorable AEG 03/26/2025 Favorable RC	Favorable Yeas 12 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Appropriations Committee on Agriculture, Environment, and General Government  
 Wednesday, March 26, 2025, 3:30—5:30 p.m.

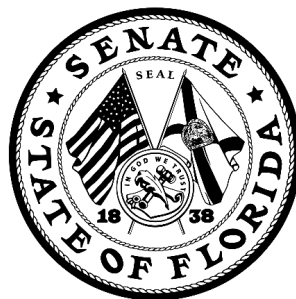
TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
3	<b>CS/SB 678</b> Commerce and Tourism / Truenow (Similar CS/CS/H 139)	Pawnbroker Transaction Forms; Authorizing pawnbroker transaction forms to be in digital or printed formats; authorizing a pawnbroker to use either format; revising recordkeeping requirements, etc.  CM 03/10/2025 Fav/CS AEG 03/26/2025 Favorable RC	Favorable Yeas 12 Nays 0
4	<b>CS/SB 700</b> Agriculture / Truenow (Similar CS/H 651, Compare H 1159, S 84, S 1194)	Department of Agriculture and Consumer Services; Providing that certain positions in the department are exempt from the Career Service System; prohibiting a person from knowingly or willfully performing certain actions on lands classified as agricultural; requiring that certain lands acquired or owned by an electric utility be offered for fee simple acquisition by the department before the land may be offered for sale or transfer to a private individual or entity; requiring local governmental entities to issue permits for electric vehicle charging stations based on specified standards and provisions of law, etc.  AG 03/11/2025 Fav/CS AEG 03/26/2025 Fav/CS FP	Fav/CS Yeas 8 Nays 4
5	<b>CS/SB 736</b> Environment and Natural Resources / Truenow (Similar CS/H 733)	Brownfields; Deleting a provision requiring certain property owners to provide information regarding institutional controls to the local government for mapping purposes; revising the conditions under which an applicant who has rehabilitated a contaminated site may submit and claim certain tax credits; deleting the definition of the term "monetary compensation"; revising the date by which the Department of Environmental Protection must issue annual site rehabilitation tax credit certificate awards, etc.  EN 03/11/2025 Fav/CS AEG 03/26/2025 Fav/CS RC	Fav/CS Yeas 12 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Appropriations Committee on Agriculture, Environment, and General Government  
 Wednesday, March 26, 2025, 3:30—5:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
6	<b>SB 796</b> Bradley (Similar H 645)	General Permits for Distributed Wastewater Treatment Systems; Authorizing the Secretary of Environmental Protection to grant a general permit for the replacement of an existing onsite sewage treatment and disposal system with a distributed wastewater treatment system under certain circumstances; providing for the installation of distributed wastewater treatment units to proceed without any further action by the Department of Environmental Protection if a permittee submits a notification to the department at least a specified number of days before installation, etc.  EN 03/11/2025 Favorable AEG 03/26/2025 Favorable FP	Favorable Yeas 12 Nays 0
7	<b>SB 1162</b> Leek (Identical H 735, Compare H 1001, S 1388)	Water Access Facilities; Providing sovereignty submerged land leases for Clean Marine Manufacturer facilities; providing competitive grant programs for the construction and maintenance of publicly owned parking for boat-hauling vehicles and trailers, etc.  EN 03/11/2025 Favorable AEG 03/26/2025 Favorable FP	Favorable Yeas 12 Nays 0
8	<b>SB 1226</b> DiCeglie (Similar H 655)	Pet Insurance and Wellness Programs; Revising the definition of the term "property insurance" to include a pet insurance option; providing that certain practices relating to pet wellness programs are unfair methods of competition and unfair or deceptive acts or practices; creating the "Pet Insurance Act"; requiring pet insurers to disclose certain requirements for required medical examinations of a pet by a veterinarian, etc.  BI 03/10/2025 Favorable AEG 03/26/2025 Favorable FP	Favorable Yeas 12 Nays 0

Other Related Meeting Documents



# **Senate Appropriations Committee on Agriculture, Environment, and General Government**

**FY 2025-2026 Committee Budget Proposal**

*Budget Spreadsheet*

Senator Brodeur, Chair  
Senator Berman, Vice Chair

March 26, 2025

## APPROPRIATIONS COMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT

Row #	Issue Code	Agency / Department Issue Title	FY 2025-2026 COMMITTEE PROPOSAL							Row #	
			Rate	FTE	GR	NR GR	LATF	NR LATF	Other TF		All Funds
1		<b>AGRICULTURE &amp; CONSUMER SERVICES</b>								1	
2	1100001	Startup (OPERATING)	214,658,295	3,794.25	141,653,608			152,922,842	2,405,696,263	2,700,272,713	2
3	1100002	Startup Recurring Fixed Capital Outlay (DEBT SERVICE/OTHER)						100,000,000		100,000,000	3
4	17C99C0	Realign Enterprise Cybersecurity Resiliency - Add			39,567				619,877	659,444	4
5	1800120	Transfer Position(S) From Ag Law To Consumer - Add	1,985,333	37.00					3,317,241	3,317,241	5
6	1800130	Transfer Position(S) From Ag Law To Consumer - Deduct	(1,985,333)	(37.00)					(3,317,241)	(3,317,241)	6
7	1800140	Transfer Position(S) From Food Safety To Consumer - Add	89,329	2.00					216,219	216,219	7
8	1800150	Transfer Position(S) From Food Safety To Consumer - Deduct	(89,329)	(2.00)					(216,219)	(216,219)	8
9	1800470	Transfer Division Information Technology Staff To The Office Of Agriculture Technology Services - Add	666,980	9.00	130,939			134,710	703,431	969,080	9
10	1800480	Transfer Division Information Technology Staff To The Office Of Agriculture Technology Services - Deduct	(666,980)	(9.00)	(130,939)			(134,710)	(703,431)	(969,080)	10
11	2002010	Realign Operating Budget - Deduct			(600,000)					(600,000)	11
12	2002020	Realign Operating Budget - Add			600,000					600,000	12
13	2400110	Fuel Inspection Equipment							1,200,000	1,200,000	13
14	24010C0	Information Technology Infrastructure Replacement			2,687,500	2,687,500				2,687,500	14
15	2401000	Replacement Equipment			13,267,640	13,267,640				13,267,640	15
16	2401500	Replacement Of Motor Vehicles			188,248	188,248			4,610,221	4,798,469	16
17	2402100	Additional Equipment							550,000	550,000	17
18	2402400	Additional Equipment - Motor Vehicles							666,864	666,864	18
19	2402500	Replacement Equipment - Boats, Motors, And Trailers							150,000	150,000	19
20	2405000	Laboratory Equipment - Agricultural Environmental Services			1,000,500	800,500				1,000,500	20
21	2503080	Direct Billing For Administrative Hearings							(28,416)	(28,416)	21
22	3000220	Division Of Food, Nutrition, And Wellness USDA Child Nutrition Program Sponsors Growth And Expansion Support	737,500	11.00					1,328,659	1,328,659	22
23	3000230	Executive Direction Additional Staff - Construction Section	181,500	3.00					474,599	474,599	23
24	3005040	Additional Staff - Division Of Marketing	238,000	5.00	93,190	6,338			374,336	467,526	24
25	33V0240	Permit-Less Carry Impact Reductions	(698,280)	(20.00)					(6,179,037)	(6,179,037)	25
26	3400120	Fund Shift From Citrus Inspection Trust Fund To General Revenue - Add			5,421,493					5,421,493	26
27	3400130	Fund Shift From Citrus Inspection Trust Fund To General Revenue - Deduct							(5,421,493)	(5,421,493)	27
28	3600PC0	Florida Planning, Accounting, And Ledger Management (PALM) Readiness			2,834,396	2,834,396				2,834,396	28
29	36255C0	Information Technology Operations			6,813,000	5,600,000				6,813,000	29
30	36280C0	Information Technology Security Enhancements			3,901,422	756,812				3,901,422	30
31	4900220	Interdiction Stations	1,267,608	30.00	2,001,369	144,122			667,698	2,669,067	31
32	4900270	Mollusk Survey Program							1,050,972	1,050,972	32
33	4900280	Fertilizer Rate Study			6,000,000	6,000,000				6,000,000	33
34	4900430	Land Management							22,000,000	22,000,000	34

## APPROPRIATIONS COMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT

Row #	Agency / Department		FY 2025-2026 COMMITTEE PROPOSAL								Row #
	Issue Code	Issue Title	Rate	FTE	GR	NR GR	LATF	NR LATF	Other TF	All Funds	
35	4900600	Farmers Feeding Florida			38,000,000					38,000,000	35
36	4900730	Farm Share Program			8,000,000	8,000,000				8,000,000	36
37	4900780	Gulf Coast Shellfish And Hatchery Research Grants			500,000	500,000				500,000	37
38	4900900	Increase Contracted Services							1,000,000	1,000,000	38
39	4900910	Increase Operating Costs			1,827,789				2,422,986	4,250,775	39
40	4901065	Transfer General Revenue Funding To Agricultural Emergency Eradication Trust Fund			16,700,000	16,700,000				16,700,000	40
41	4901700	Agriculture Projects			2,624,100	2,624,100				2,624,100	41
42	4904007	Support For Food Bank			1,800,000	1,800,000				1,800,000	42
43	4904030	Florida Children'S Initiative			1,310,000	1,310,000				1,310,000	43
44	4906600	Citrus Health Response Program							5,990,528	5,990,528	44
45	4906700	Emergency Food Distribution Program							2,500,908	2,500,908	45
46	4908705	Beef Marketing And Research			5,000,000					5,000,000	46
47	4908710	Citrus Research			190,000,000	190,000,000			3,000,000	193,000,000	47
48	4908740	Citrus Packing Equipment			10,000,000	10,000,000				10,000,000	48
49	6201000	Citrus Canker Eradication Judgements			3,500,000	3,500,000				3,500,000	49
50	080140	Agriculture And Aquaculture Natural Disaster Loan Program			75,000,000	75,000,000				75,000,000	50
51	082002	Conservation And Rural Land Protection Easements And Agreements			50,000,000	50,000,000			100,000,000	150,000,000	51
52	083625	Statewide Agricultural Restoration Projects							30,000,000	30,000,000	52
53	083626	Reforestation			4,000,000	4,000,000				4,000,000	53
54	083643	Maintenance, Repairs And Construction - Statewide			6,975,000	6,975,000				6,975,000	54
55	083703	Maintenance and Repairs State Farmers' Markets - Statewide			3,000,000	3,000,000				3,000,000	55
56	083715	Code And Life Safety - State Farmers' Markets - Statewide			4,049,600	4,049,600				4,049,600	56
57	087571	Facilities Construction And Major Renovations			119,000,000	119,000,000				119,000,000	57
58	140032	Support For Local Food Banks			5,350,000	5,350,000				5,350,000	58
59	140036	Fuel Transfer Switch Modernization			10,000,000	10,000,000				10,000,000	59
60	140043	Infrastructure Investment And Jobs Act Funding - Energy Programs							24,118,070	24,118,070	60
61	140046	Inflation Reduction Act Funding - Energy Programs							11,000,000	11,000,000	61
62	140057	Food Bank Infrastructure			12,000,000	12,000,000				12,000,000	62
63	140230	Grants And Aids - Animal Facilities			1,000,000	1,000,000				1,000,000	63
64	140250	Florida State Fair Authority			13,738,800	13,738,800				13,738,800	64
65	145550	Agricultural Promotion And Education Facilities			23,175,000	23,175,000				23,175,000	65
66	146556	United States Department Of Energy Special Projects							1,675,000	1,675,000	66
67	<b>Total</b>	<b>AGRICULTURE &amp; CONSUMER SERVICES</b>	<b>216,384,623</b>	<b>3,823.25</b>	<b>792,452,222</b>	<b>594,008,056</b>	<b>252,922,842</b>	<b>-</b>	<b>2,609,468,035</b>	<b>3,654,843,099</b>	<b>67</b>
68											68
69		<b>DEPARTMENT OF CITRUS</b>									69
70	<b>1100001</b>	<b>Startup (OPERATING)</b>	<b>3,264,167</b>	<b>28.00</b>	<b>5,650,000</b>				<b>21,785,647</b>	<b>27,435,647</b>	<b>70</b>
71	1600060	Transfer Pos And Rate From Be 5701 To Be5702 - Deduct	(39,322)	(1.00)					(63,807)	(63,807)	71
72	1600070	Transfer Position And Rate From Be 5701 To Be5702 -Add	39,322	1.00					63,807	63,807	72

## APPROPRIATIONS COMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT

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73	3600PC0	Florida Planning, Accounting, And Ledger Management (PALM) Readiness			725,000	725,000				725,000	73
74	4400000	Increased Advertising Promotional Campaigns			7,000,000	2,000,000				7,000,000	74
75	4900010	Citrus Recovery Program			2,000,000	2,000,000				2,000,000	75
76	<b>Total</b>	<b>DEPARTMENT OF CITRUS</b>	<b>3,264,167</b>	<b>28.00</b>	<b>15,375,000</b>	<b>4,725,000</b>	<b>-</b>	<b>-</b>	<b>21,785,647</b>	<b>37,160,647</b>	76
77											77
78		<b>ENVIRONMENTAL PROTECTION</b>									78
79	<b>1100001</b>	<b>Startup (OPERATING)</b>	<b>178,223,675</b>	<b>3,166.50</b>	<b>22,956,895</b>		<b>155,238,460</b>		<b>344,211,587</b>	<b>522,406,942</b>	79
80	<b>1100002</b>	<b>Startup Recurring Fixed Capital Outlay (DEBT SERVICE/OTHER)</b>			<b>10,000,000</b>		<b>448,547,177</b>			<b>458,547,177</b>	80
81	17C99C0	Realign Enterprise Cybersecurity Resiliency - Add							1,291,113	1,291,113	81
82	1800480	Combine Office Of Emergency Response Budget Entity Withh Law Enforcement Budget Entity - Deduct	(1,546,956)	(23.00)					(18,021,568)	(18,021,568)	82
83	1800490	Combine Office Of Emergency Response Budget Entity Withh Law Enforcement Budget Entity - Add	1,546,956	23.00					18,021,568	18,021,568	83
84	2000220	Realign Budget Between Categories In Water Resource Management - Deduct							(1,077,035)	(1,077,035)	84
85	2000230	Realign Budget Between Categories In Water Resource Management - Add							1,077,035	1,077,035	85
86	2000790	Realign Budget Between Categories - Office Of Coastal And Aquatic Managed Areas - Deduct							(500,000)	(500,000)	86
87	2000800	Realign Budget Between Categories - Office Of Coastal And Aquatic Managed Areas - Add							500,000	500,000	87
88	2401500	Replacement Of Motor Vehicles							1,500,000	1,500,000	88
89	2503080	Direct Billing For Administrative Hearings							7,405	7,405	89
90	3000210	Increase Staff - Recreation And Parks	62,333	1.00					104,285	104,285	90
91	3400750	Fund Shift Land Management Funding From Recurring To Nonrecurring - Deduct					(10,237,210)			(10,237,210)	91
92	3400760	Fund Shift Land Management Funding From Recurring To Nonrecurring - Add					10,237,210	10,237,210		10,237,210	92
93	3600PC0	Florida Planning, Accounting, And Ledger Management (PALM) Readiness							2,400,000	2,400,000	93
94	36203C0	Electronic Document Management System (EDMS)							2,853,114	2,853,114	94
95	36312C0	Application Infrastructure Support Services - Technology And Information Services							634,083	634,083	95
96	36340C0	Permit Lifecycle Unified Management System (PLUMS) - Regulatory Programs							2,951,596	2,951,596	96
97	4400520	Miami Waterkeeper - Investigating Water Quality In Biscayne Bay			750,000	750,000				750,000	97
98	4405040	Municipal Waste Reduction And Research Using Cerawave Microwave Plasma			2,000,000	2,000,000				2,000,000	98



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	Issue Code	Issue Title	Rate	FTE	GR	NR GR	LATF	NR LATF	Other TF		All Funds
99	4405045	Byrne Ocean Conservation, Dba: Water Warrior Alliance Ocean Sweep Trash Collection Tournaments			148,000	148,000				148,000	99
100	4405055	Septic System Smart Devices			1,000,000	1,000,000				1,000,000	100
101	4500060	Monroe County Reef Protection			650,000	650,000				650,000	101
102	4500440	Water Quality Improvements			10,800,000	10,800,000				10,800,000	102
103	4800230	Increase Grants And Aids - Local Hazardous Waste Collection - Waste Management							450,000	450,000	103
104	4900100	Increase In Rental Costs Associated With Leased Space			66,287		57,349		(21,603)	102,033	104
105	5000100	Increase Operating Capital Outlay - Air Resources Management							760,000	760,000	105
106	5200140	Increase To Payments To Counties In Lieu Of Taxes							225,000	225,000	106
107	5300110	Increase Land Management - Water Management Districts - Water Policy And Ecosystems Restoration			3,500,000	3,500,000				3,500,000	107
108	5300460	Tide Station Recovery And Maintenance - State Lands							650,000	650,000	108
109	5700310	Increased Operational Costs							50,000	50,000	109
110	6500210	Land And Resource Management							22,000,000	22,000,000	110
111	6500500	Increase Funding For Park Operating Costs							1,500,000	1,500,000	111
112	080039	State Park Facility Improvements							15,000,000	15,000,000	112
113	080167	Lake Apopka Restoration					5,000,000	5,000,000		5,000,000	113
114	080524	Dry Cleaning Solvent Contaminated Site Cleanup							7,000,000	7,000,000	114
115	083045	Land Acquisition			850,000	850,000				850,000	115
116	083643	Maintenance, Repairs And Construction - Statewide			3,000,000	3,000,000				3,000,000	116
117	083654	Natural Resource Damage Restoration - Deepwater Horizon Oil Spill							2,000,000	2,000,000	117
118	084108	Land Acquisition, Environmentally Endangered, Unique/ Irreplaceable Lands, Statewide					100,000,000	100,000,000		100,000,000	118
119	084108	Land Acquisition, Environmentally Endangered, Unique/ Irreplaceable Lands, Statewide					(100,000,000)			(100,000,000)	119
120	084110	Working Waterfronts Program			1,000,000	1,000,000				1,000,000	120
121	084112	Land Acquisition-Florida Communities Trust			7,000,000	7,000,000			3,000,000	10,000,000	121
122	084550	Ocklawaha River Restoration			6,250,000	6,250,000				6,250,000	122
123	087127	Natural Resource Damage Restoration - Final Restoration - Deepwater Horizon Oil Spill							500,000	500,000	123
124	087131	Harmful Algal Blooms Mitigation			10,000,000	10,000,000				10,000,000	124
125	087133	Coral Reef Restoration			9,500,000	9,500,000				9,500,000	125
126	087889	Petroleum Tanks Cleanup							195,000,000	195,000,000	126
127	088502	Hazardous Waste Contaminated Site Cleanup							8,000,000	8,000,000	127
128	089070	Debt Service							(16,933,904)	(16,933,904)	128
129	089080	Debt Service - Save Our Everglades Bonds							(6,577,852)	(6,577,852)	129
130	140001	Federal Land And Water Conservation Fund Grants							15,000,000	15,000,000	130
131	140002	Florida Recreation Development Assistance Grants			12,165,411	12,165,411				12,165,411	131
132	140011	Local Trail Management Grant Program							4,000,000	4,000,000	132

**APPROPRIATIONS COMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT**

Row #	Agency / Department		FY 2025-2026 COMMITTEE PROPOSAL								Row #
	Issue Code	Issue Title	Rate	FTE	GR	NR GR	LATF	NR LATF	Other TF	All Funds	
133	140061	Florida Coastal Zone Management Program							1,440,443	1,440,443	133
134	140065	Flooding And Sea Level Rise Resilience Plan - Statewide							100,000,000	100,000,000	134
135	140067	Florida Resiliency Revolving Loan Program							100,000,000	100,000,000	135
136	140076	Grants And Aid - Non-Point Source (NPS) Management Planning Grants			5,000,000	5,000,000				5,000,000	136
137	140078	Resilient Florida Planning Grants							18,000,000	18,000,000	137
138	140122	Clean Marina							500,000	500,000	138
139	140126	Beach Projects - Statewide					2,542,082	2,542,082		2,542,082	139
140	140129	Drinking Water Facility Construction - State Revolving Loan			22,140,204	22,140,204			213,186,348	235,326,552	140
141	140131	Wastewater Treatment Facility Construction			22,738,936	22,738,936			339,588,907	362,327,843	141
142	140134	Solid Waste Management							3,000,000	3,000,000	142
143	140185	National Recreational Trail Grants							2,730,000	2,730,000	143
144	140555	Wauchula Demolition Of Hazardous Electric Generator Building			4,000,000	4,000,000				4,000,000	144
145	140556	Gilchrist County Solid Waste Transfer Facility			2,000,000	2,000,000				2,000,000	145
146	140557	Hillsborough County Ybor Harbor Improvements			750,000	750,000				750,000	146
147	140558	Brooksville Critical Facility Power Backup Plan			960,000	960,000				960,000	147
148	140559	Cedar Key Water And Sewer District Backup Generators			500,000	500,000				500,000	148
149	140694	Local Parks			10,494,206	10,494,206				10,494,206	149
150	140893	Grants And Aids - Red Tide Management			5,000,000	5,000,000				5,000,000	150
151	141109	Grants And Aids - Apalachicola Bay Area Of Critical State Concern			5,000,000	5,000,000				5,000,000	151
152	141115	Grants And Aids - Florida Keys Area Of Critical State Concern			20,000,000	20,000,000				20,000,000	152
153	141118	Northern Everglades And Estuaries Protection					33,151,846	33,151,846		33,151,846	153
154	141118	Northern Everglades And Estuaries Protection			(10,000,000)		10,000,000			-	154
155	141122	Grants And Aids - C-51 Reservoir Implementation			70,000,000	70,000,000				70,000,000	155
156	141138	Grants And Aids - Alternative Water Supply			50,000,000	50,000,000				50,000,000	156
157	141117	Everglades Restoration					(64,000,000)			(64,000,000)	157
158	141150	Everglades Restoration			6,148,979	6,148,979	64,000,000			70,148,979	158
159	141151	Everglades Restoration - Comprehensive Everglades Restoration Plan (CERP) - C-111 South Dade			54,346,161	54,346,161				54,346,161	159
160	141152	Everglades Restoration - Comprehensive Everglades Restoration Plan (CERP) - Indian River Lagoon South			102,374,446	102,374,446				102,374,446	160
161	141153	Everglades Restoration - Comprehensive Everglades Restoration Plan (CERP) - Caloosahatchee River (C-43) West Basin Storage					90,000,000	90,000,000		90,000,000	161
162	141154	Everglades Restoration - Comprehensive Everglades Restoration Plan (CERP) - Biscayne Bay Coastal Wetlands			7,000,000	7,000,000				7,000,000	162
163	141155	Everglades Restoration - Comprehensive Everglades Restoration Plan (CERP) - Central Everglades Planning Project (CEPP) South			15,000,000	15,000,000				15,000,000	163

**APPROPRIATIONS COMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT**

Row #	Agency / Department		FY 2025-2026 COMMITTEE PROPOSAL								Row #
	Issue Code	Issue Title	Rate	FTE	GR	NR GR	LATF	NR LATF	Other TF	All Funds	
164	141156	Everglades Restoration - Comprehensive Everglades Restoration Plan (CERP) - Central Everglades Planning Project (CEPP) North			47,771,823	47,771,823	104,608,177	104,608,177		152,380,000	164
165	141157	Everglades Restoration - Comprehensive Everglades Restoration Plan (CERP) - Central Everglades Planning Project (CEPP) Eaa					84,075,852	84,075,852		84,075,852	165
166	141158	Everglades Restoration - Loxahatchee River Watershed Restoration			19,290,000	19,290,000				19,290,000	166
167	141159	Everglades Restoration - Western Everglades Restoration Project (WERP)			25,756,289	25,756,289				25,756,289	167
168	141160	Everglades Restoration - Lake Okeechobee Component A Reservoir (LOCAR)			8,978,273	8,978,273				8,978,273	168
169	141161	Everglades Restoration - Lake Okeechobee Watershed Restoration Project (LOWRP)					50,000,000			50,000,000	169
170	149936	Grants And Aids - Water Quality Improvements - Everglades Restoration					(50,000,000)			(50,000,000)	170
171	143276	Small County Wastewater Treatment Grants						8,000,000		8,000,000	171
172	143278	Grants And Aids - Sewer Overflow And Stormwater Reuse Municipal Grants (OSG) Program						1,169,000		1,169,000	172
173	146081	Grants And Aids - Harmful Algal Blooms Management			5,000,000	5,000,000				5,000,000	173
174	149950	Grants And Aid - Wastewater Grant Program						200,000,000		200,000,000	174
175		<i>Water Projects</i>						200,000,000		200,000,000	175
176		<i>Total Maximum Daily Loads</i>						25,000,000		25,000,000	176
177		<i>Indian River Lagoon</i>						50,000,000		50,000,000	177
178		<i>Biscayne Bay</i>						20,000,000		20,000,000	178
179		<i>Innovative Technologies</i>						10,000,000		10,000,000	179
180	149951	Grants And Aids - State Revolving Loan Program Assistance						1,500,000		1,500,000	180
181	149953	Drinking Water - Emerging Contaminants						25,607,000		25,607,000	181
182	149954	Wastewater - Emerging Contaminants						7,177,000		7,177,000	182
183	<b>Total</b>	<b>ENVIRONMENTAL PROTECTION</b>	<b>178,286,008</b>	<b>3,167.50</b>	<b>601,885,910</b>	<b>578,862,728</b>	<b>909,709,187</b>	<b>429,615,167</b>	<b>1,957,965,278</b>	<b>3,469,560,375</b>	<b>183</b>
184											184
185		<b>FISH &amp; WILDLIFE</b>									185
186	<b>1100001</b>	<b>Startup (OPERATING)</b>	<b>135,477,477</b>	<b>2,208.50</b>	<b>72,297,222</b>		<b>118,874,073</b>		<b>243,764,594</b>	<b>434,935,889</b>	<b>186</b>
187	17C99C0	Realign Enterprise Cybersecurity Resiliency - Add			861,020					861,020	187
188	2401500	Replacement Of Motor Vehicles			2,200,000	2,200,000				2,200,000	188
189	2402500	Replacement Equipment - Boats, Motors, And Trailers			2,000,000	2,000,000				2,000,000	189
190	2402630	Acquisition Of Heavy Duty Equipment For Land Management			1,677,000	1,677,000				1,677,000	190
191	2402640	Acquisition Of Grant-Funded Equipment						783,000		783,000	191
192	2503080	Direct Billing For Administrative Hearings						67,385		67,385	192
193	3300060	Reduction Of Trust Fund Authority Based On Historical Reversions						(1,130,000)		(1,130,000)	193

**APPROPRIATIONS COMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT**

Row #	Agency / Department		FY 2025-2026 COMMITTEE PROPOSAL							Row #	
	Issue Code	Issue Title	Rate	FTE	GR	NR GR	LATF	NR LATF	Other TF		All Funds
194	3405300	Fund Shift Various Trust Fund Appropriations To General Revenue - Deduct							(8,382,244)	(8,382,244)	194
195	3405310	Fund Shift Various Trust Fund Appropriations To General Revenue - Add			8,382,244					8,382,244	195
196	3600PC0	Florida Planning, Accounting, And Ledger Management (PALM) Readiness			949,360	949,360				949,360	196
197	36225C0	Electronic Document Management System Expansion			300,000	300,000				300,000	197
198	36275C0	Maintaining Software Licensing And Security Compliance			350,000					350,000	198
199	36344C0	Law Enforcement Field Officers Laptop Computers			720,000	720,000				720,000	199
200	4002100	Florida Bass Conservation Center Specialist	45,000	1.00	82,710	5,431				82,710	200
201	4106000	Enhancing Conservation Stewardship Of Florida'S Fish And Wildlife Resources			1,000,000	1,000,000				1,000,000	201
202	4402500	Exotic And Nuisance Wildlife Rapid Response And Management			2,000,000	2,000,000				2,000,000	202
203	4403800	Land Management And Public Use							22,000,000	22,000,000	203
204	6503700	Law Enforcement Body Worn Cameras			805,000	805,000				805,000	204
205	7001200	Oyster Restoration And Monitoring In Apalachicola And The Big Bend			400,000	400,000				400,000	205
206	8104010	Fish And Wildlife Foundation Of Florida Projects							250,000	250,000	206
207	8104300	Cooperative Endangered Species Conservation Fund Grant Projects							250,000	250,000	207
208	8104400	Wildlife Restoration Grant Projects							5,000,000	5,000,000	208
209	8106100	Grant-Funded Deepwater Horizon Resource Damage Restoration Projects							5,540,146	5,540,146	209
210	8106210	National Fish And Wildlife Foundation Projects - Apalachicola Bay Oyster Restoration							800,000	800,000	210
211	082800	Boating Infrastructure							6,000,000	6,000,000	211
212	083045	Land Acquisition							2,666,667	2,666,667	212
213	084030	Oyster Restoration And Recovery			5,000,000	5,000,000				5,000,000	213
214	084230	Fish And Wildlife Research Institute Facility Repairs			2,045,500	2,045,500				2,045,500	214
215	084419	Minor Repairs And Renovations At Regional Operating Facilities			708,850	708,850				708,850	215
216	087126	National Fish And Wildlife Foundation - Deepwater Horizon Oil Spill							9,200,000	9,200,000	216
217	087945	Habitat Restoration			2,000,000	2,000,000				2,000,000	217
218	140004	Artificial Fishing Reef Construction Program			300,000	300,000			300,000	600,000	218
219	140010	Mote Marine Laboratory			500,000	500,000				500,000	219
220	140060	Derelict Vessel Removal Program			1,536,658	1,536,658			2,963,342	4,500,000	220
221	140270	Florida Boating Improvement Program							3,033,772	3,033,772	221
222	140504	Central Florida Zoo And Botanical Gardens			1,000,000	1,000,000				1,000,000	222
223	140507	Florida Wildlife Interactive Education Center			12,000,000	12,000,000				12,000,000	223
224	141113	Grants And Aids - Final Natural Resource Damage Restoration - Deepwater Horizon Oil Spill - Fixed Capital Outlay							500,000	500,000	224

## APPROPRIATIONS COMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT

Row #	Agency / Department		FY 2025-2026 COMMITTEE PROPOSAL								Row #
	Issue Code	Issue Title	Rate	FTE	GR	NR GR	LATF	NR LATF	Other TF	All Funds	
225	146550	Melbourne Front Street Boat Dock Replacement Project			1,000,000	1,000,000				1,000,000	225
226	146551	Monroe County Florida Keys Marine Protection Boca Chica Mooring Field Shoreside Facility			1,000,000	1,000,000				1,000,000	226
227	146552	Franklin County Saint George Island Boat Ramp			690,717	690,717				690,717	227
228	146554	Eckerd College Fire/Rescue			372,936	372,936				372,936	228
229	146666	Franklin County Firing Range			300,000	300,000				300,000	229
230	146553	Indialantic Riverside Park Pier And Kayak Launch			350,000	350,000				350,000	230
231	<b>Total</b>	<b>FISH &amp; WILDLIFE</b>	<b>135,522,477</b>	<b>2,209.50</b>	<b>122,829,217</b>	<b>40,861,452</b>	<b>118,874,073</b>	<b>-</b>	<b>293,606,662</b>	<b>535,309,952</b>	231
232											232
233		<b><u>AGENCY FOR STATE SYSTEMS AND ENTERPRISE TECHNOLOGY</u></b>									233
234	<b>1100001</b>	<b>Startup (OPERATING)</b>									234
235	17C51C0	Transfer Florida Digital Services Resources To Create Agency For State Systems And Enterprise Technology - Add	2,513,290	22.00	3,473,058					3,473,058	235
236	<b>Total</b>	<b>AGENCY FOR STATE SYSTEMS AND ENTERPRISE TECHNOLOGY</b>	<b>2,513,290</b>	<b>22.00</b>	<b>3,473,058</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,473,058</b>	236
237											237
238		<b><u>DEPARTMENT OF BUSINESS &amp; PROFESSIONAL REGULATION</u></b>									238
239	<b>1100001</b>	<b>Startup (OPERATING)</b>	<b>89,912,270</b>	<b>1,648.25</b>	<b>7,140,944</b>				<b>187,988,383</b>	<b>195,129,327</b>	239
240	160E460	Realignment Of Agency Spending Authority For Northwest Regional Data Center - Add							343,423	343,423	240
241	17C99C0	Realign Enterprise Cybersecurity Resiliency - Add							829,105	829,105	241
242	2503080	Direct Billing For Administrative Hearings							58,961	58,961	242
243	3001450	Other Personal Services (OPS) Staff For Application Processing In The Bureau Of Licensing - Division Of Alcoholic Beverages And Tobacco							377,620	377,620	243
244	3002040	Other Personal Services - Bureau Of Elevator Safety							62,389	62,389	244
245	3003800	Additional Resources To Address Board Office Workload In The Division Of Professions	36,982	1.00					72,985	72,985	245
246	33N0001	Redirect Recurring Appropriations To Non-Recurring - Deduct			(541,837)					(541,837)	246
247	33N0002	Redirect Recurring Appropriations To Non-Recurring - Add			541,837	541,837				541,837	247
248	33V1620	Vacant Position Reductions		(1.00)						-	248
249	3600PC0	Florida Planning, Accounting, And Ledger Management (PALM) Readiness							1,000,000	1,000,000	249
250	40001C0	Powerdms Software Licensing Increase							5,000	5,000	250
251	4000300	Increase For Professional Boards' Legal Services Contract							96,666	96,666	251
252	4005100	Credit Card Transaction Charges - Increase Contracted Services Due To Growth In The Number Of Licensees Paying Lic/Application Fees Online							340,853	340,853	252

## APPROPRIATIONS COMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT

Row #	Agency / Department		FY 2025-2026 COMMITTEE PROPOSAL							Row #	
	Issue Code	Issue Title	Rate	FTE	GR	NR GR	LATF	NR LATF	Other TF		All Funds
253	4007300	Private Lease Costs							232,000	232,000	253
254	4007310	Leased Space Acquisition And Increases - General Counsel							59,312	59,312	254
255	51R0200	Technical Adjustment To Remove Rate	(46,375)							-	255
256	<b>Total</b>	<b>DEPARTMENT OF BUSINESS &amp; PROFESSIONAL REGULATION</b>	<b>89,902,877</b>	<b>1,648.25</b>	<b>7,140,944</b>	<b>541,837</b>	<b>-</b>	<b>-</b>	<b>191,466,697</b>	<b>198,607,641</b>	256
257											257
258		<b>FL GAMING CONTROL COMM</b>									258
259	<b>1100001</b>	<b>Startup (OPERATING)</b>	<b>13,297,393</b>	<b>198.00</b>					<b>32,042,151</b>	<b>32,042,151</b>	259
260	17C99C0	Realign Enterprise Cybersecurity Resiliency - Add							130,589	130,589	260
261	1800070	Transfer Positions And Funding From Pari Mutuel Wagering To Other Budget Entities - Add	67,520	2.00					141,234	141,234	261
262	1800080	Transfer Positions And Funding From Pari Mutuel Wagering To Other Budget Entities - Deduct	(67,520)	(2.00)					(141,234)	(141,234)	262
263	2000110	Realign Excess Budget Authority To The Illegal Gaming Device Storage Category For Warehouse Space - Add							2,110,000	2,110,000	263
264	2000120	Realign Excess Budget Authority To The Illegal Gaming Device Storage Category For Warehouse Space - Deduct							(2,110,000)	(2,110,000)	264
265	2000130	Realign Excess Budget Authority To The Tenant Broker Commissions Category - Add							50,000	50,000	265
266	2000140	Realign Excess Budget Authority To The Tenant Broker Commissions Category - Deduct							(50,000)	(50,000)	266
267	2503080	Direct Billing For Administrative Hearings							(13,097)	(13,097)	267
268	3000600	Provide Additional Staffing Resources For Law Enforcement	94,348	1.00					149,630	149,630	268
269	33H5000	Base Budget Reduction Based On Historical Reversions							(338,100)	(338,100)	269
270	33V1620	Vacant Position Reductions	(37,265)	(1.00)					(61,312)	(61,312)	270
271	3600PC0	Florida Planning, Accounting, And Ledger Management (PALM) Readiness							398,140	398,140	271
272	36001C0	Licensing And Enforcement System							4,700,000	4,700,000	272
273	4500090	Provide Additional Resources For Operating Capital Outlay							10,000	10,000	273
274	5000020	Additional Resources Needed For Reclassified Positions	62,514						75,816	75,816	274
275	<b>Total</b>	<b>FL GAMING CONTROL COMM</b>	<b>13,416,990</b>	<b>198.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>37,093,817</b>	<b>37,093,817</b>	275
276											276
277		<b>FINANCIAL SERVICES</b>									277
278	<b>1100001</b>	<b>Startup (OPERATING)</b>	<b>128,184,816</b>	<b>1,968.50</b>	<b>26,875,901</b>				<b>350,031,565</b>	<b>376,907,466</b>	278
279	160E450	Realignment Of Agency Spending Authority For Northwest Regional Data Center - Deduct							(112,138)	(112,138)	279
280	17C99C0	Realign Enterprise Cybersecurity Resiliency - Add							393,480	393,480	280
281	2000190	Realign Budget Authority Between Categories Within The Division Of Unclaimed Property - Deduct From Other Personal Services							(115,539)	(115,539)	281

**APPROPRIATIONS COMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT**

Row #	Agency / Department		FY 2025-2026 COMMITTEE PROPOSAL								Row #
	Issue Code	Issue Title	Rate	FTE	GR	NR GR	LATF	NR LATF	Other TF	All Funds	
282	2001A20	Realign Budget Authority Between Categories Within The Division Of Unclaimed Property - Add Salaries And Benefits							115,539	115,539	282
283	24010C0	Information Technology Infrastructure Replacement							857,738	857,738	283
284	2401400	Replacement Of Scientific Laboratory Equipment - Arson Lab							124,045	124,045	284
285	24030C0	Replacement And Upgrade Of Security Equipment In And Around The Larson And Fletcher Building And Garages							305,315	305,315	285
286	2503080	Direct Billing For Administrative Hearings							98,209	98,209	286
287	30000C0	Additional Resources For The Planning, Accounting And Ledger Management (PALM) Project	1,100,000	10.00					1,510,710	1,510,710	287
288	3000020	Additional Resources To Address Workload And Demand Of Services For The Bureau Of General Services	43,253	1.00					81,497	81,497	288
289	3000040	Increased Staffing Required For Florida Palm (PLANNING, ACCOUNTING, AND LEDGER MANAGEMENT) Go-Live In Executive Direction And Support Svs	343,589	5.00					565,680	565,680	289
290	3000080	Increased Staffing Required For Florida Palm (PLANNING, ACCOUNTING AND LEDGER MANAGEMENT) Go-Live In Division Of Accounting And Auditing	713,609	9.00					1,126,825	1,126,825	290
291	3000670	Additional Staff For Office Of Fiscal Integrity	114,050	2.00					199,874	199,874	291
292	33V1150	Eliminate Excess Insurance Coverage							(14,052,500)	(14,052,500)	292
293	33V1240	Reduce Contracted Services Category							(300,000)	(300,000)	293
294	3400110	Fund Shift Public Assistance Fraud - Add	1,649,077						2,695,366	2,695,366	294
295	3400120	Fund Shift Public Assistance Fraud - Deduct	(1,649,077)						(2,695,366)	(2,695,366)	295
296	3600PC0	Florida Planning, Accounting, And Ledger Management (PALM) Readiness			2,750,000	2,750,000			4,292,007	7,042,007	296
297	36105C0	Flair Replacement							48,180,662	48,180,662	297
298	36105C1	Planning, Accounting, And Ledger Management Contract Contingency							3,000,000	3,000,000	298
299	36110C0	Coverage Plan For Maintaining Flair							641,520	641,520	299
300	36211C0	Information Technology Contractual Price Increases							473,258	473,258	300
301	36219C0	Customer Relationship Management (CRM) Replacement							1,662,097	1,662,097	301
302	36226C0	Collateral Administration Program							1,025,000	1,025,000	302
303	36336C0	Computer Enhancements For Law Enforcement Personnel			123,500	123,500			313,500	437,000	303
304	36337C0	Division Of Rehabilitation And Liquidation Claims System							1,384,365	1,384,365	304
305	3800100	Treasury Professional Training							10,000	10,000	305
306	4000A20	Reclassify Positions For The Presumptive Units In The Division Of Risk Management	206,135							-	306
307	4000040	Additional Funding For The My Safe Florida Home Program			100,000,000	100,000,000				100,000,000	307
308	4000080	Transfer To University Of Miami - Sylvester Comprehensive Cancer Center - Florida Firefighter Cancer Research			1,000,000	1,000,000				1,000,000	308
309	4000210	Grants And Aids Local Government Fire Services			10,407,706	10,407,706				10,407,706	309
310	4000350	Increase Expense For Rent Increase							768,912	768,912	310

## APPROPRIATIONS COMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT

Row #	Agency / Department		FY 2025-2026 COMMITTEE PROPOSAL							Row #	
	Issue Code	Issue Title	Rate	FTE	GR	NR GR	LATF	NR LATF	Other TF		All Funds
311	4000550	Fiscally Constrained Firefighter Assistance Grants			4,000,000	4,000,000				4,000,000	311
312	4000600	Putnam County Enterprise System			1,900,000	1,900,000				1,900,000	312
313	4000610	Tenant Broker Commission Fees							175,000	175,000	313
314	4000730	Firefighter Decontamination Kit Match Program							500,000	500,000	314
315	40008C0	Access To Anti-Fraud Database							68,880	68,880	315
316	140085	Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay			8,475,000	8,475,000				8,475,000	316
317	<b>Total</b>	<b>FINANCIAL SERVICES</b>	<b>130,705,452</b>	<b>1,995.50</b>	<b>155,532,107</b>	<b>128,656,206</b>	<b>-</b>	<b>-</b>	<b>403,325,501</b>	<b>558,857,608</b>	<b>317</b>
318											318
319		<b>OFFICE OF INSURANCE REGULATION</b>									319
320	<b>1100001</b>	<b>Startup (OPERATING)</b>	<b>22,860,735</b>	<b>310.00</b>					<b>46,656,178</b>	<b>46,656,178</b>	<b>320</b>
321	2000A70	Realign Budget Authority Between Budget Entities In The Office Of Insurance Regulation- Add							550,000	550,000	321
322	2000A80	Realign Budget Authority Between Budget Entities In The Office Of Insurance Regulation- Deduct							(550,000)	(550,000)	322
323	36290C0	Office Of Insurance Regulation - Data Analytics And Infrastructure							310,000	310,000	323
324	4000150	Florida Public Hurricane Loss Model Contract							726,561	726,561	324
325	4000900	Office Of Insurance Regulation - Contracted Services For Reinsurance Expert							475,000	475,000	325
326	4000920	Office Of Insurance Regulation - Lease And Furniture Needs							717,000	717,000	326
327	51R1100	Office Of Insurance Regulation - Reclassification Of Vacant Positions	455,000								327
328	<b>Total</b>	<b>OFFICE OF INSURANCE REGULATION</b>	<b>23,315,735</b>	<b>310.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>48,884,739</b>	<b>48,884,739</b>	<b>328</b>
329											329
330		<b>OFFICE OF FINANCIAL REGULATION</b>									330
331	<b>1100001</b>	<b>Startup (OPERATING)</b>	<b>28,736,952</b>	<b>356.00</b>					<b>54,143,546</b>	<b>54,143,546</b>	<b>331</b>
332	1800600	Legal Team Realignment - Legal And Administrative Positions Within Office Of Financial Regulation - Deduct	(2,839,535)	(34.00)					(4,478,092)	(4,478,092)	332
333	1800610	Legal Team Realignment - Legal And Administrative Positions Within Office Of Financial Regulation - Add	2,839,535	34.00					4,478,092	4,478,092	333
334	36339C0	Office Of Financial Regulation (OFR) - Regulatory Enforcement And Licensing (REAL) System Replacement							6,037,293	6,037,293	334
335	4000520	Contracted Certified Public Accounting (CPA) Staffing For The Office Of Financial Regulation							250,000	250,000	335
336	<b>Total</b>	<b>OFFICE OF FINANCIAL REGULATION</b>	<b>28,736,952</b>	<b>356.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>60,430,839</b>	<b>60,430,839</b>	<b>336</b>
337											337
338		<b>DEPARTMENT OF THE LOTTERY</b>									338
339	<b>1100001</b>	<b>Startup (OPERATING)</b>	<b>24,947,036</b>	<b>440.00</b>					<b>232,385,608</b>	<b>232,385,608</b>	<b>339</b>
340	160E460	Realignment Of Agency Spending Authority For Northwest Regional Data Center - Add							143,505	143,505	340



## APPROPRIATIONS COMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT

Row #	Agency / Department		FY 2025-2026 COMMITTEE PROPOSAL								Row #
	Issue Code	Issue Title	Rate	FTE	GR	NR GR	LATF	NR LATF	Other TF	All Funds	
341	17C99C0	Realign Enterprise Cybersecurity Resiliency - Add							67,161	67,161	341
342	3009300	Florida Lottery Independent Security Audit							250,000	250,000	342
343	4A00010	Draw Studio Cameras							82,267	82,267	343
344	4100500	Increased Operating Costs							133,078	133,078	344
345	5000230	Increase To Gaming System Contract							821,390	821,390	345
346	5000400	Request For Increase To Paid Advertising/Promotions Appropriation							5,000,000	5,000,000	346
347	5000800	Increase For Leases							499,322	499,322	347
348	<b>Total</b>	<b>DEPARTMENT OF THE LOTTERY</b>	<b>24,947,036</b>	<b>440.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>239,382,331</b>	<b>239,382,331</b>	<b>348</b>
349											349
350		<b>DEPARTMENT OF MANAGEMENT SERVICES</b>									350
351	<b>1100001</b>	<b>Startup (OPERATING)</b>	<b>67,987,455</b>	<b>1,021.50</b>	<b>102,709,010</b>				<b>603,856,228</b>	<b>706,565,238</b>	<b>351</b>
352	<b>1100002</b>	<b>Startup Recurring Fixed Capital Outlay (DEBT SERVICE/OTHER)</b>							<b>20,731,559</b>	<b>20,731,559</b>	<b>352</b>
353	160E450	Realignment Of Agency Spending Authority For Northwest Regional Data Center - Deduct			(6,653)				(146,787)	(153,440)	353
354	17C50C0	Transfer Florida Digital Services Resources To Create Agency For State Systems And Enterprise Technology - Deduct	(2,513,290)	(22.00)	(3,473,058)					(3,473,058)	354
355	17C98C0	Realign Enterprise Cybersecurity Resiliency - Deduct			(35,000,000)					(35,000,000)	355
356	17C99C0	Realign Enterprise Cybersecurity Resiliency - Add			4,431				247,810	252,241	356
357	1800510	Transfer Positions And Budget To The Office Of Supplier Development Budget Entity - Deduct	(267,951)	(6.00)					(518,304)	(518,304)	357
358	1800520	Transfer Positions And Budget To The Office Of Supplier Development Budget Entity - Add	267,951	6.00					518,304	518,304	358
359	20001C0	Realignment Of Positions, Rate And Budget To Executive Direction Office Of Information Technology - Deduct	(541,308)	(8.00)					(790,610)	(790,610)	359
360	2000100	Realignment Of Positions, Rate And Budget To Executive Direction For Professional Accountant Specialist - Deduct	(71,297)	(2.00)					(119,408)	(119,408)	360
361	2001150	Realignment Of Positions, Rate, And Budget Authority To State Purchasing For A Contract Manager Iv - Deduct	(108,704)	(3.00)					(181,245)	(181,245)	361
362	2001170	Realignment Of Positions, Rate And Budget To The Division Of Telecommunications For A Contract Manager - Deduct	(33,890)	(1.00)					(57,571)	(57,571)	362
363	20012C0	Realignment Of Positions, Rate And Budget To Executive Direction Office Of Information Technology - Add	541,308	8.00					790,610	790,610	363
364	2001500	Realignment Of Positions, Rate, And Budget To Executive Direction For Professional Accountant Specialist - Add	71,297	2.00					119,408	119,408	364
365	2002000	Realignment Of Positions, Rate, And Budget Authority To State Purchasing For A Contract Manager Iv - Add	108,704	3.00					181,245	181,245	365
366	2002100	Realignment Of Positions, Rate And Budget To The Division Of Telecommunications For A Contract Manager - Add	33,890	1.00					57,571	57,571	366

## APPROPRIATIONS COMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT

Row #	Agency / Department		FY 2025-2026 COMMITTEE PROPOSAL								Row #	
	Issue Code	Issue Title	Rate	FTE	GR	NR GR	LATF	NR LATF	Other TF	All Funds		
367	2003080	Transfer Budget From Other Personal Services (OPS) To Contracted Services - Deduct								(8,053)	(8,053)	367
368	2003090	Transfer Budget From Other Personal Services (OPS) To Contracted Services - Add								8,053	8,053	368
369	24010C0	Information Technology Infrastructure Replacement								53,176	53,176	369
370	2503080	Direct Billing For Administrative Hearings			76,733					(24,343)	52,390	370
371	3000040	Division Of Retirement - Other Personal Services								83,791	83,791	371
372	3000600	Staff Augmentation For Real Estate Development And Management Infrastructure Improvements								300,000	300,000	372
373	3000970	Additional Resources For The Public Employees Relations Commission								352,500	352,500	373
374	33H5000	Base Budget Reduction Based On Historical Reversions			(350,000)						(350,000)	374
375	33V0030	Reduction Of Excess Budget Authority In Telecommunications								(17,000,000)	(17,000,000)	375
376	3400100	Fund Shift Budget Authority For The Realignment Of Positions - Deduct								(234,550)	(234,550)	376
377	3400200	Fund Shift Budget Authority For The Realignment Of Positions - Add								234,550	234,550	377
378	34012C0	Fund Shift Budget Authority For The Realignment Of Positions - Office Of Information Technology - Deduct								(790,610)	(790,610)	378
379	34022C0	Fund Shift Budget Authority For The Realignment Of Positions - Office Of Information Technology - Add								790,610	790,610	379
380	3600PC0	Florida Planning, Accounting, And Ledger Management (PALM) Readiness			7,628,178	7,628,178				5,860,600	13,488,778	380
381	36121C0	Control Device Refresh - Florida Facilities Pool			2,000,530	2,000,530					2,000,530	381
382	36204C0	Cloud Initiative Efficiencies-Office Of Information Technology								360,000	360,000	382
383	36314C0	Legacy Authentication And Identity Verification Replacement Pilot								375,000	375,000	383
384	36323C0	Cloud Modernization And Migration								2,012,528	2,012,528	384
385	36340C0	Increase Of Contracted Services For Information Technology - People First								1,000,000	1,000,000	385
386	4000070	Increase Payment Of Employer'S Contribution To Health Savings Account								698,500	698,500	386
387	4000600	Grants And Aids - Local Government Emergency Communications			1,090,000	1,090,000					1,090,000	387
388	40014C0	Statewide Law Enforcement Radio System (SLERS) Staff Augmentation And Independent Verification And Validation Services								1,469,649	1,469,649	388
389	41001C0	Contracted Services For Network Support								90,000	90,000	389
390	4100100	Increase Bundled Administrative Services For Statewide Contracts								1,300,000	1,300,000	390
391	4100370	Centrex And Suncom Category Increase								20,338,333	20,338,333	391

**APPROPRIATIONS COMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT**

Row #	Agency / Department		FY 2025-2026 COMMITTEE PROPOSAL								Row #		
	Issue Code	Issue Title	Rate	FTE	GR	NR GR	LATF	NR LATF	Other TF	All Funds			
392	4100410	Additional Expense Category Budget Authority - General Building Repairs							536,394	536,394	392		
393	4100420	Outside Legal Counsel For Procurement And Vendor Management							1,042,000	1,042,000	393		
394	41011C0	People First Additional Resources For Florida College System Integration			1,500,000	1,500,000				1,500,000	394		
395	4102000	Increase State Utility Payments Category							400,000	400,000	395		
396	41031C0	Additional Funding In Contracted Services - Document Storage And Retention							50,000	50,000	396		
397	4104000	Emergency Responder Communications Enhancement System (ERCES)							250,000	250,000	397		
398	4105000	Increase Lease Or Lease Purchase Of Equipment Category							15,000	15,000	398		
399	4105600	Increases/Decreases In General Revenue Funded Pensions And Benefits			81,586					81,586	399		
400	4400620	Fiscally Constrained Counties - E-Rate Telecommunications			1,250,000	1,250,000				1,250,000	400		
401	47009C0	Emergency 911 Public Safety Answering Points Upgrade			1,802,136	1,802,136				1,802,136	401		
402	5000060	Additional Resources For Salaries And Benefits - Division Of State Purchasing - Contract Manager Iv	87,046						105,569	105,569	402		
403	5000080	Additional Resources (SALARIES AND BENEFITS) For A Contract Manager - Division Of Telecommunications	45,394						55,054	55,054	403		
404	5000090	Additional Resources For Salaries And Benefits - Executive Direction - Professional Accountant Specialist	59,203						71,801	71,801	404		
405	5000120	Additional Resources (SALARIES AND BENEFITS) For A Registered Clinical Consultant - Division Of State Group Insurance	46,418						56,296	56,296	405		
406	081010	Compliance With The Americans With Disabilities Act							7,548,366	7,548,366	406		
407	081400	Life Safety Code Compliance Projects Statewide - Dms Mgd			1,000,000	1,000,000				1,000,000	407		
408	083400	Statewide Capital Depreciation - General - Dms Mgd			40,609,779	40,609,779			42,578,554	83,188,333	408		
409	089070	Debt Service							(1,814)	(1,814)	409		
410	089978	Statewide Law Enforcement Radio System Towers Relocation/Reconstruction - Dms Mgd			2,000,000	2,000,000				2,000,000	410		
411	140085	Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay			1,450,000	1,450,000				1,450,000	411		
412	<b>Total</b>	<b>DEPARTMENT OF MANAGEMENT SERVICES</b>	<b>65,712,226</b>	<b>999.50</b>	<b>124,372,672</b>	<b>60,330,623</b>			<b>-</b>	<b>-</b>	<b>694,665,764</b>	<b>819,038,436</b>	412
413												413	
414		<b>ADMINISTRATIVE HEARINGS</b>										414	
415	<b>1100001</b>	<b>Startup (OPERATING)</b>	<b>24,157,409</b>	<b>242.00</b>					<b>40,353,351</b>	<b>40,353,351</b>		415	
416	33V1620	Vacant Position Reductions		(3.00)								416	
417	<b>Total</b>	<b>ADMINISTRATIVE HEARINGS</b>	<b>24,157,409</b>	<b>239.00</b>	<b>-</b>	<b>-</b>			<b>-</b>	<b>-</b>	<b>40,353,351</b>	<b>40,353,351</b>	417
418												418	
419		<b>PUBLIC SERVICE COMMISSION</b>										419	

## APPROPRIATIONS COMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT

Row #	Agency / Department		FY 2025-2026 COMMITTEE PROPOSAL								Row #
	Issue Code	Issue Title	Rate	FTE	GR	NR GR	LATF	NR LATF	Other TF	All Funds	
420	<b>1100001</b>	<b>Startup (OPERATING)</b>	<b>19,000,168</b>	<b>272.00</b>					<b>31,848,151</b>	<b>31,848,151</b>	420
421	160E450	Realignment Of Agency Spending Authority For Northwest Regional Data Center - Deduct							(22,929)	(22,929)	421
422	17C99C0	Realign Enterprise Cybersecurity Resiliency - Add							1,985	1,985	422
423	2000001	Adjustments For Minimal Appropriations - Deduct							(15,000)	(15,000)	423
424	2000002	Adjustments For Minimal Appropriations - Add							15,000	15,000	424
425	2000050	Budget Realignment - Deduct							(100,000)	(100,000)	425
426	2000060	Budget Realignment - Add							100,000	100,000	426
427	33G0100	Elimination Of Full Time Equivalent (FTE) Positions		(3.00)							427
428	<b>Total</b>	<b>PUBLIC SERVICE COMMISSION</b>	<b>19,000,168</b>	<b>269.00</b>					<b>31,827,207</b>	<b>31,827,207</b>	428
429											429
430		<b>DEPARTMENT OF REVENUE</b>									430
431	<b>1100001</b>	<b>Startup (OPERATING)</b>	<b>261,480,643</b>	<b>4,939.25</b>	<b>253,639,897</b>				<b>464,640,232</b>	<b>718,280,129</b>	431
432	160E450	Realignment Of Agency Spending Authority For Northwest Regional Data Center - Deduct			(1,274,276)				(2,040,379)	(3,314,655)	432
433	160F010	Reapproval Of A 5% Budget Amendment - Transfer Between Programs - Deduct			(118,069)				(203,246)	(321,315)	433
434	160F020	Reapproval Of A 5% Budget Amendment - Transfer Between Programs - Add			118,069				203,246	321,315	434
435	160F090	Reapproval Of Budget Amendment To Transfer Between Categories In Child Support Enforcement - Add			15,113					15,113	435
436	160F100	Reapproval Of Budget Amendment To Transfer Between Categories In Child Support Enforcement - Deduct			(15,113)					(15,113)	436
437	1600220	Reapproval Of Budget Amendment - Transfer Rate Between Programs - Add	948,454								437
438	1600230	Reapproval Of Budget Amendment - Transfer Rate Between Programs - Deduct	(948,454)								438
439	17C99C0	Realign Enterprise Cybersecurity Resiliency - Add			341,358				1,189,526	1,530,884	439
440	2000210	Realignment Of Implement Virtual Assistant - Deduct			(46,539)					(46,539)	440
441	2000220	Realignment Of Implement Virtual Assistant - Add			46,539					46,539	441
442	2000250	Realignment Of Department Of Economic Opportunity - Reemployment Tax Contract Cost Increase - Add							1,211	1,211	442
443	2000260	Realignment Of Department Of Economic Opportunity - Reemployment Tax Contract Cost Increase - Deduct							(1,211)	(1,211)	443
444	24000C0	Equipment Replacement							622,600	622,600	444
445	2503080	Direct Billing For Administrative Hearings			234,207				426,637	660,844	445
446	30000C0	Increase Staff Aug For Suntax			1,925,000	1,925,000				1,925,000	446
447	3000230	Increase Purchase Of Services - Child Support Enforcement Category							684,220	684,220	447
448	3002000	Aid To Local Governments - Aerial Photography/Mapping			331,170	331,170				331,170	448

**APPROPRIATIONS COMMITTEE ON AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT**

Row #	Agency / Department		FY 2025-2026 COMMITTEE PROPOSAL							Row #	
	Issue Code	Issue Title	Rate	FTE	GR	NR GR	LATF	NR LATF	Other TF		All Funds
449	33V0200	Child Support Enforcement Reduce General Revenue For Financial Losses			(471,818)					(471,818)	449
450	33V0400	Child Support Program - Annual Fee Recurring			(707,459)					(707,459)	450
451	33V0470	Eliminate Senior Clerk Positions	(168,805)	(5.00)	(249,652)					(249,652)	451
452	33V1600	Reduce Positions Vacant In Excess Of 180 Days		(20.00)						-	452
453	33V1660	Reduce Operating Capital Outlay							(100,000)	(100,000)	453
454	33V1690	Parenting Time Expense			(66,745)					(66,745)	454
455	33V3080	General Tax Administration - Out Of State Lease Savings							(98,712)	(98,712)	455
456	33V4080	General Tax Administration - Lease Savings							(246,867)	(246,867)	456
457	33V6190	Reduce Other Personal Services			(21,503)					(21,503)	457
458	3600PC0	Florida Planning, Accounting, And Ledger Management (PALM) Readiness			1,738,388	1,738,388			274,560	2,012,948	458
459	36217C0	Software Increases			627,432					627,432	459
460	36219C0	Cloud Services Increase			595,989					595,989	460
461	36310C0	Replace And Upgrade Opex Sorter/Scanning Equipment			101,001	101,001				101,001	461
462	36314C0	Child Support Automated Management System (CAMS) Transition To Sap S/4							31,489,402	31,489,402	462
463	36320C0	Property Tax Oversight - Database Conversion			395,000	395,000				395,000	463
464	36321C0	Suntax Migration To Hana			1,611,018					1,611,018	464
465	36322C0	Electronic File And Pay System							3,820,470	3,820,470	465
466	36323C0	Suntax Transition To Sap S/4							1,383,440	1,383,440	466
467	36326C0	Software Increases			237,507				461,044	698,551	467
468	36327C0	Fairfax Contract Increase			156,567					156,567	468
469	36328C0	Implement Virtual Assistant							90,341	90,341	469
470	4300120	Financial Institution Data Matching			36,946					36,946	470
471	4300130	Increase Spending Authority To Collection Agencies							103,500	103,500	471
472	4300140	Contract Wage Inflation			93,600					93,600	472
473	43003C0	Increase Contracted Services Category			93,600					93,600	473
474	4300300	Private Contract Wage Inflation			55,445					55,445	474
475	4300400	Increase Expenses Category For Postage			214,156				415,714	629,870	475
476	4300450	Increase Expenses Category			197,302	197,302			443,781	641,083	476
477	4300600	Increase Contracted Services For Security Guards			77,016				17,459	94,475	477
478	4500080	Clerks Of Court Deficit Transfer Authority							15,045,067	15,045,067	478
479	5006080	Continuation Of Emergency Distribution To Counties							500,000	500,000	479
480	52M0540	Fiscally Constrained Counties - Ad Valorem Tax			76,477,724	76,477,724				76,477,724	480
481	<b>Total</b>	<b>DEPARTMENT OF REVENUE</b>	<b>261,311,838</b>	<b>4,914.25</b>	<b>336,388,870</b>	<b>81,165,585</b>	<b>-</b>	<b>-</b>	<b>519,122,035</b>	<b>855,510,905</b>	<b>481</b>
482	<b>Grand Total</b>		<b>1,217,177,248</b>	<b>20,619.75</b>	<b>2,159,450,000</b>	<b>1,489,151,487</b>	<b>1,281,506,102</b>	<b>429,615,167</b>	<b>7,149,377,903</b>	<b>10,590,334,005</b>	<b>482</b>

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

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BILL: SB 178

INTRODUCER: Senator Rouson

SUBJECT: Agronomic Study on Emerging Crops

DATE: March 25, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Burse</u>	<u>Becker</u>	<u>AG</u>	<u>Favorable</u>
2.	<u>Wiseheart</u>	<u>Betta</u>	<u>AEG</u>	<u>Favorable</u>
3.	_____	_____	<u>FP</u>	_____

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**I. Summary:**

SB 178 directs Florida Agricultural and Mechanical University (FAMU), subject to appropriation, to conduct an agronomic study on emerging agricultural crops and determine whether there exists one or more viable crops or products that would provide economic benefit to growers using current agricultural infrastructure on land that has been taken out of production due to the effects of diseases and adverse weather conditions.

The bill also requires FAMU, by December 1, 2025, to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The bill has no expected fiscal impact on state revenues or expenditures. See Section V., Fiscal Impact Statement.

The bill shall take effect July 1, 2025.

**II. Present Situation:**

**Florida Agriculture**

Florida's 44,400 farms and ranches utilize 9.7 million acres and continue to produce a wide variety of safe and dependable food products.<sup>1</sup> Agricultural land (cropland and ranchland) and forest land make up nearly two-thirds of the state's land area.<sup>2</sup> There are an estimated 200-300

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<sup>1</sup> FDACS, Florida Agriculture Overview and Statistics, available at <https://www.fdacs.gov/Agriculture-Industry/Florida-Agriculture-Overview-and-Statistics> (last visited March 5, 2025).

<sup>2</sup> IFAS, Florida's Agriculture and Natural Resource Facts, available at <https://ifas.ufl.edu/media/ifasufledu/ifas-dark-blue/docs/pdf/impact/FloridaAgFactsFactsheet.2020.Prt.pdf> (last visited March 5, 2025).

commodities produced and some form of agriculture in all 67 counties.<sup>3</sup> Florida's agriculture, natural resources, and food industries supported 2.4 million fulltime and part-time jobs throughout Florida's economy (14.2 percent of all jobs in the state), contributing \$149.6 billion to gross state product in 2018.<sup>4</sup>

In 2021, Florida ranked first in the United States in total floriculture sales and in the value of production for sweetcorn, foliage plants for indoor use, Valencia oranges, sugarcane, fresh market tomatoes, and watermelons. Florida ranked second nationally in the value of production for bell peppers, grapefruit, all oranges, strawberries, and non-Valencia oranges. The state ranked fourth in cabbage, cantaloupe and peanuts.<sup>5</sup> The state also ranked 1<sup>st</sup> in ornamental fish, 2<sup>nd</sup> in alligators, and 3<sup>rd</sup> in horses and ponies in the United States.<sup>6</sup>

## Challenges Facing Florida Agriculture

### *Florida Citrus*

Huanglongbing (HLB), also known as citrus greening or yellow dragon disease, is one of the most serious citrus diseases in the world and a significant issue facing Florida's citrus industry. HLB is a bacterial disease widespread in Asia, Africa and the Saudi Arabian that attacks the vascular system of plants. Once infected, there is no cure for the disease, and in areas where the disease is endemic, citrus trees decline and die within a few years.<sup>7</sup>

The HLB bacteria is transmitted primarily by insect vectors (citrus psyllids) but can also be spread through plant grafting and movement of infected plant material. Even though the pathogens are bacteria, the disease does not spread by casual contamination of personnel and tools or by wind and rain.<sup>8</sup>

Florida's citrus industry continues to decline due to the ongoing effects of citrus greening, competition with foreign markets, and other environmental factors. During the 2022-2023 season, Florida produced 28 million boxes of all types of oranges.<sup>9</sup> The forecast for the 2024-

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<sup>3</sup> IFAS, Florida's Agriculture and Food System Fast Facts 2021, available at <https://branding.ifas.ufl.edu/downloads/uploads/Extension%20Brochures/IFAS/Florida-Agriculture-Food-System-Fast-Facts.pdf> (last visited March 5, 2025).

<sup>4</sup> IFAS, Florida's Agriculture and Natural Resource Facts, available at <https://ifas.ufl.edu/media/ifasufledu/ifas-dark-blue/docs/pdf/impact/FloridaAgFactsFactsheet.2020.Prt.pdf> (last visited March 5, 2025).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> FDACS, Huanglongbing (HLB)/Citrus Greening Disease Information, available at <https://www.fdacs.gov/Agriculture-Industry/Pests-and-Diseases/Plant-Pests-and-Diseases/Citrus-Health-Response-Program/Citrus-Pests-and-Diseases/HLB-Citrus-Greening> (last visited March 5, 2025).

<sup>8</sup> *Id.*

<sup>9</sup> United States Department of Agriculture and Consumer Services National Agricultural Statistics Service October 2022 Citrus Forecast, available at [https://www.nass.usda.gov/Statistics\\_by\\_State/Florida/Publications/Citrus/Citrus\\_Forecast/2022-23/cit1022.pdf](https://www.nass.usda.gov/Statistics_by_State/Florida/Publications/Citrus/Citrus_Forecast/2022-23/cit1022.pdf)

2025 season is 12 million boxes.<sup>10</sup> For reference, in the 2007-2008 season Florida produced 170 million boxes of oranges.<sup>11</sup>

### ***2024 Hurricanes***

The 2024 hurricane season saw three hurricanes make landfall in Florida, all of which had a significant impact on agricultural lands. Hurricane Debby, which made landfall on August 5, 2024, as a Category 1 hurricane, resulted in agricultural losses estimated at \$170 million. Hurricane Helene, which made landfall on September 26, 2024, as a Category 4 hurricane, resulted in agricultural losses estimated between \$40.3 and \$162.2 million. Hurricane Milton, which made landfall on October 9, 2024, as a Category 3 hurricane, resulted in agricultural losses estimated between \$190.4 and \$642.7 million. In total, cumulative agricultural production losses in Florida for the 2024 hurricane season are estimated to be between \$402.3 million and \$975.8 million.<sup>12</sup>

## **III. Effect of Proposed Changes:**

**Section 1** directs Florida Agricultural and Mechanical University (FAMU), subject to appropriation, to conduct an agronomic study on emerging agricultural crops and determine whether there exists one or more viable crops or products that would provide economic benefit to growers using current agricultural infrastructure on land that has been taken out of production due to the effects of diseases and adverse weather conditions.

The bill also directs FAMU, by December 1, 2025, to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which must include the following:

- Information about each crop or product considered, detailing the environmental impact;
- An assessment of each crop's suitability to Florida's climate, and the expected economic benefit to Florida growers and communities; and
- Recommendations for best practices to sustain and improve Florida's agricultural industry.

**Section 2** provides that the bill shall take effect July 1, 2025.

## **IV. Constitutional Issues:**

### **A. Municipality/County Mandates Restrictions:**

None.

### **B. Public Records/Open Meetings Issues:**

None.

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<sup>10</sup> United States Department of Agriculture and Consumer Services National Agricultural Statistics Service January 2025 Citrus Forecast, available at [https://www.nass.usda.gov/Statistics\\_by\\_State/Florida/Publications/Citrus/Citrus\\_Forecast/2024-25/cit0125.pdf](https://www.nass.usda.gov/Statistics_by_State/Florida/Publications/Citrus/Citrus_Forecast/2024-25/cit0125.pdf)

<sup>11</sup> United States Department of Agriculture and Consumer Services National Agricultural Statistics Service June 2009 Citrus Forecast, available at [https://www.nass.usda.gov/Statistics\\_by\\_State/Florida/Publications/Citrus/Citrus\\_Forecast/2008-09/cit0609.pdf](https://www.nass.usda.gov/Statistics_by_State/Florida/Publications/Citrus/Citrus_Forecast/2008-09/cit0609.pdf)

<sup>12</sup> Presentation by Dr. Christa D. Court, Associate Professor at the University of Florida, to the Senate Agriculture Committee on January 14, 2025. On file with the Senate Agriculture Committee.



C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has no current impact on state expenditures. Since the bill is subject to appropriation, the only impact to state expenditures would occur if there is an appropriation at a later time.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates an unnumbered section of Florida law.

**IX. Additional Information:**

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---

By Senator Rouson

16-01357A-25

2025178\_\_

1 A bill to be entitled  
 2 An act relating to an agronomic study on emerging  
 3 crops; requiring Florida Agricultural and Mechanical  
 4 University to conduct an agronomic study on emerging  
 5 crops in this state, subject to legislative  
 6 appropriation; requiring Florida Agricultural and  
 7 Mechanical University to submit a report to the  
 8 Governor and the Legislature by a specified date;  
 9 providing requirements for the report; providing an  
 10 effective date.

11

12 WHEREAS, the Legislature finds that Florida agricultural  
 13 producers have endured a continuous stream of deadly diseases  
 14 and adverse weather conditions, including drought, wind,  
 15 flooding, and hurricanes, and

16 WHEREAS, these damaging weather conditions have severely  
 17 reduced agricultural production, caused a loss of jobs, and  
 18 caused severe economic loss to communities, families, and  
 19 individual producers, and

20 WHEREAS, the Legislature finds that preserving agricultural  
 21 production is vital to Florida's rural communities and overall  
 22 economy, and

23 WHEREAS, the Legislature finds that preserving agricultural  
 24 land through production of crops rather than using the land for  
 25 development has many ecological benefits, including maintaining  
 26 wildlife habitat, absorbing carbon dioxide, recharging aquifers,  
 27 reducing greenhouse gases, and controlling soil erosion, and

28 WHEREAS, the Legislature finds that this loss of  
 29 agricultural infrastructure, jobs, economic opportunity, and

Page 1 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

16-01357A-25

2025178\_\_

30 wildlife habitat is not sustainable and has a negative impact on  
 31 the quality of life for all Floridians, NOW, THEREFORE,  
 32

33 Be It Enacted by the Legislature of the State of Florida:

34

35 Section 1. Agronomic study on emerging crops in Florida.-  
 36 (1) Subject to the appropriation of funds by the  
 37 Legislature, Florida Agricultural and Mechanical University  
 38 shall conduct an agronomic study on emerging agricultural crops  
 39 and determine whether there exists one or more viable crops or  
 40 products that would provide economic benefit to growers using  
 41 current agricultural infrastructure on land that has been taken  
 42 out of production due to the effects of diseases and adverse  
 43 weather conditions.

44 (2) By December 1, 2025, Florida Agricultural and  
 45 Mechanical University shall submit a report to the Governor, the  
 46 President of the Senate, and the Speaker of the House of  
 47 Representatives which includes, at a minimum:  
 48 (a) Information about each crop or product considered,  
 49 detailing the environmental impact;  
 50 (b) An assessment of each crop's suitability to Florida's  
 51 climate, and the expected economic benefit to Florida growers  
 52 and communities; and  
 53 (c) Recommendations for best practices to sustain and  
 54 improve Florida's agricultural industry.

55 Section 2. This act shall take effect July 1, 2025.

Page 2 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

26 May 2025

Meeting Date

178

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name Susan Clarke

Phone 321.250.3282

Address 1080 Cypress Parkway

Street

Email s.1234567@yahoo.com

Kissimmee

FL

34759

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

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I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. 511.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf flsenate.gov](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Appropriations, *Vice Chair*  
Agriculture  
Appropriations Committee on Criminal and  
Civil Justice  
Appropriations Committee on Health and  
Human Services  
Children, Families, and Elder Affairs  
Ethics and Elections  
Rules

### JOINT COMMITTEE:

Joint Legislative Budget Commission

### SENATOR DARRYL ERVIN ROUSON

16th District

March 10, 2025

Senator Jason Brodeur  
Chair, Appropriations Committee on Agriculture, Environment, and General Government  
201 The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399

Dear Chair Brodeur,

I write today respectfully requesting SB 178, Agronomic Study on Emerging Crops be added to the agenda of a forthcoming meeting of the Appropriations Committee on Agriculture, Environment, and General Government for consideration. I look forward to the opportunity to present SB 178 to the committee. I am available for any questions you may have about this legislation.

Thank you in advance for the committee's time and consideration.

Sincerely –

A handwritten signature in green ink that reads "Darryl E. Rouson".

Senator Darryl E. Rouson  
Florida Senate District 16

#### REPLY TO:

- ☐ 535 Central Avenue, Suite 302, St. Petersburg, Florida 33701 (727) 822-6828
- ☐ 212 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5016

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

---

BILL: SB 466

INTRODUCER: Senator Leek and others

SUBJECT: Florida Museum of Black History

DATE: March 25, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Shuler</u>	<u>Fleming</u>	<u>CA</u>	<u>Favorable</u>
2.	<u>Davis</u>	<u>Betta</u>	<u>AEG</u>	<u>Favorable</u>
3.	_____	_____	<u>RC</u>	_____

---

**I. Summary:**

SB 466 specifies legislative intent recognizing the designation of St. Johns County for the Florida Museum of Black History (museum) by the Florida Museum of Black History Task Force (task force).

The bill establishes and specifies the membership of the Florida Museum of Black History Board of Directors (board) to oversee the commission, construction, operation, and administration of the museum. The board is directed to work with the Foundation for the Museum of Black History, Inc., in its duties. The St. Johns Board of County Commissioners is directed to provide administrative assistance and staffing to the board until the planning, design, and engineering of the museum are completed.

The bill has no expected fiscal impact on state revenues or expenditures. See Section V., Fiscal Impact Statement.

The bill takes effect on July 1, 2025.

**II. Present Situation:**

**Department of State**

The Department of State (DOS), created in s. 20.10, F.S., is composed of six divisions: Elections, Historical Resources, Corporations, Library and Information Services, Arts and Culture, and Administration. The head of the DOS is the Secretary of State (Secretary). The Secretary is appointed by and serves at the pleasure of the Governor and is confirmed by the Senate. The Secretary performs functions conferred by the State Constitution upon the custodian

of state records.<sup>1</sup> The Secretary also serves as the state protocol officer and, in consultation with the Governor and other governmental officials, develops, maintains, publishes, and distributes the state protocol manual.<sup>2</sup>

### *Division of Historical Resources*

The DOS's Division of Historical Resources (division) is responsible for preserving and promoting Florida's historical archaeological resources.<sup>3</sup> The division Director's Office oversees a Historic Preservation Grants program to help preserve and maintain Florida's historic buildings and archaeological sites and coordinates outreach programs.<sup>4</sup> The division Director also serves as the State Historic Preservation Officer, acting as the liaison with the national historic preservation program conducted by the National Park Service.<sup>5</sup>

The division is comprised of the following Bureaus:

- Bureau of Historic Preservation;
- Bureau of Historical Museums; and
- Bureau of Archeological Research.<sup>6</sup>

The division is also responsible for encouraging, promoting, maintaining, and operating Florida history museums.<sup>7</sup> The division provides support to museums and works to promote the use of resources for educational and cultural purposes. The division directly oversees the following museums:

- Museum of Florida History, which is the state's official history museum and showcases Florida's diverse history from prehistoric times to the present day;<sup>8</sup>
- Mission San Luis, a living history museum that showcases the life of the Apalachee Indians and Spanish settlers, and also hosts workshops such as pottery and blacksmithing;<sup>9</sup>
- Knott House Museum, which showcases the history of Tallahassee and its role in the civil war including the Emancipation Proclamation being read on the steps of the house in 1865;<sup>10</sup> and
- The Grove Museum, which showcases the life of the Call and Collins families, who owned the property and played a significant role in Florida's history including contributions in agriculture, civil rights, and politics.<sup>11</sup>

Other museums recognized by the state include:

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<sup>1</sup> Section 20.10(1), F.S.

<sup>2</sup> Section 15.01(1), F.S.

<sup>3</sup> See s. 267.031, F.S.

<sup>4</sup> Section 267.0617, F.S. See also Fla. Dep't of State, *Grants*, <https://dos.fl.gov/historical/grants/> (last visited Mar. 12, 2025).

<sup>5</sup> Fla. Dep't of State, *About*, <https://dos.myflorida.com/historical/about/> (last visited Mar. 12, 2025); see also s. 267.031, F.S.

<sup>6</sup> Fla. Dep't of State, *About*, <https://dos.myflorida.com/historical/about/> (last visited Mar. 12, 2025).

<sup>7</sup> Section 267.071(2), F.S.

<sup>8</sup> *Id.*; see also Fla. Dep't of State, *Museum of Florida History*, <https://museumoffloridahistory.com/explore/exhibits/> (last visited Mar. 12, 2025).

<sup>9</sup> See Fla. Dep't of State, *Visit Mission San Luis*, <https://missionsanluis.org/visit/> (last visited Mar. 17, 2025).

<sup>10</sup> See Fla. Dep't of State, *About the Knott House*, <https://museumoffloridahistory.com/visit/knott-house-museum/about-the-knott-house/> (last visited Mar. 12, 2025).

<sup>11</sup> See Fla. Dep't of State, *The Grove Museum*, <https://thegrovemuseum.com/> (last visited Mar. 12, 2025). The Grove Advisory Council advises the division on the operation, maintenance, and preservation of the museum. Section 267.075, F.S.

- Certain state railroad museums;<sup>12</sup>
- The Florida Museum of Transportation and History;<sup>13</sup>
- The John and Mable Ringling Museum of Art;<sup>14</sup>
- The Ringling Museum of the Circus;<sup>15</sup>
- The Florida Historic Capitol Museum;<sup>16</sup>
- The Florida Agricultural Legacy Learning Center;<sup>17</sup> and
- The Florida Museum of Natural History.<sup>18</sup>

### **Florida Museum of Black History Task Force**

During the 2023 Session, the Legislature passed CS/CS/HB 1441 which provided for the creation of the Black History Task Force within the division for the purposes of providing recommendations for the planning, construction, operation, and administration of a Florida Museum of Black History.<sup>19</sup> The task force was comprised of nine members, three each appointed by the Governor, President of the Senate, and Speaker of the House, all of whom served without compensation.<sup>20</sup>

The task force was directed to develop:

- Plans for the location, design, and construction of the museum.
- Recommendations for the operation and administration of the museum.
- A marketing plan to promote the museum.
- A transition plan for the museum to become financially self-sufficient.
- Recommendations for archival and artifact acquisition, preservation, and research; exhibits; and educational materials, which were required to include materials relating to:
  - The role of African-American participation in defending and preserving Florida and the United States, including the contributions of the residents of Fort Mose, the Tuskegee Airmen, and all African-American veterans.
  - The history of slavery in the state.
  - The history of segregation in the state.
  - Notable African Americans in the state.
  - Dr. Mary McLeod Bethune, including the founding of Bethune Cookman University.
  - The history of historically black colleges and universities in this state.

<sup>12</sup> See s. 15.045, F.S.

<sup>13</sup> Section 15.046, F.S.

<sup>14</sup> See ss. 265.27 and 1004.45, F.S.

<sup>15</sup> Section 1004.45, F.S.

<sup>16</sup> Section 272.129, F.S. The Florida Historic Capitol Museum Council provides guidance and support to the museum director and support staff. S. 272.131, F.S.

<sup>17</sup> Section 570.692, F.S.

<sup>18</sup> Section 1004.56, F.S.

<sup>19</sup> The bill was signed into law by Governor DeSantis on May 11, 2023, and became ch. 2023-72, Laws of Fla., and was codified at s. 267.0722, F.S.

<sup>20</sup> The members were Sen. Geraldine Thompson, Chair, appointed by Senate President Passidomo; Brian M. Butler, appointed by Governor DeSantis; Howard M. Holley, Sr., appointed by Speaker Renner; Rep. Berny Jacques, appointed by Governor DeSantis; Tony Lee, Ed.D., appointed by Governor DeSantis; Rep. Kiyan Michael, appointed by Speaker Renner; Gayle Phillips, appointed by Speaker Renner; Sen. Bobby Powell, appointed by Senate President Passidomo; and Dr. Nashid Madyun, appointed by Senate President Passidomo. Fla. Dep't of State, *The Florida Museum of Black History Task Force*, <https://dos.fl.gov/historical/museums/blackhistorytaskforce/> (last visited Mar. 8, 2025).



- The inherent worth and dignity of human life, with a focus on the prevention of genocide.<sup>21</sup>

The task force was required to submit a report to the Governor and Legislature before July 1, 2024, detailing its plans. After the task force submitted the report, the task force was required to disband.<sup>22</sup>

### ***Final Report of the Florida Museum of Black History Task Force***

Between September 25, 2023, and June 28, 2024, the task force conducted ten public meetings. The public meetings consisted of presentations from staff, experts, and various community stakeholders. The task force also solicited input from Florida residents and visitors through a survey that gathered responses from over 4,000 individuals. The task force developed their recommendations based on the requirements of s. 267.0722, F.S., and information provided from meeting presentations, public comment, and the survey.<sup>23</sup>

The Final Report was adopted by the task force at its final meeting on June 28, 2024.<sup>24</sup> The principal topic examined by the task force was the most appropriate location to recommend for the future Florida Museum of Black History. The task force heard presentations on potential locations beginning with its October 26, 2023, meeting. To aid the task force in recommending the most appropriate location, staff were asked by the task force to develop Location Selection Criteria to score locations. The task force's final ranking list based on these scores was: St. Augustine/St. Johns County with a score of 96.78; Eatonville/Orange County with a score of 95.33, and Opa-locka with a score of 84.89. The task force voted at its May 21, 2024, meeting to recommend St. Augustine/St. Johns County as the site for the future Florida Museum of Black History.<sup>25</sup>

As required by s. 267.0722, F.S., the task force also included in the Final Report substantive recommendations for design and construction of the museum, operation, administration, and marketing of the museum, as well as recommendations for exhibits and materials to include in the museum.<sup>26</sup>

### ***Proposed site of the Florida Museum of Black History in St. Johns County***

Supplemental materials included in the Final Report produced by the task force highlighted the extensive historical heritage of St. Johns County, including the Historic Downtown of St. Augustine.<sup>27</sup> St. Johns County hosts over 10 million visitors and tourists annually seeking to visit

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<sup>21</sup> Section 267.0722(5), F.S.

<sup>22</sup> Section 267.0722(6), F.S.

<sup>23</sup> Fla. Museum of Black History Task Force, *Final Report*, (June 28, 2024) at 2-3, <https://files.floridados.gov/media/708141/fmbhtf-report-062824-final-compressed.pdf> (last visited Mar 12, 2025).

<sup>24</sup> Fla. Dep't of State, *The Florida Museum of Black History Task Force*, <https://dos.fl.gov/historical/museums/blackhistorytaskforce/> (last visited Mar. 12, 2025).

<sup>25</sup> Fla. Museum of Black History Task Force, *Final Report*, (June 28, 2024) at 4-6, <https://files.floridados.gov/media/708141/fmbhtf-report-062824-final-compressed.pdf> (last visited Mar 12, 2025).

<sup>26</sup> *See id.*

<sup>27</sup> Fla. Museum of Black History Task Force, *Final Report*, (June 28, 2024) <https://files.floridados.gov/media/708141/fmbhtf-report-062824-final-compressed.pdf> (last visited Mar 12, 2025).

numerous historic sites such as Fort Mose, the first legally sanctioned, free African American settlement in the nation.<sup>28</sup>

The St. John County has formed a partnership with the Florida Memorial University (FMU), a historically black university, to curate a property that is 2.5 miles away from the center of Historic Downtown St. Augustine.<sup>29</sup> The St. Johns County Board of County Commissioners voted on April 16, 2024, to negotiate a purchase and sale agreement with the FMU to develop a museum on the FMU campus.<sup>30</sup> The site is a 14.5 acre site that is the former home of the FMU, then known as the Florida Normal & Industrial Institute.<sup>31</sup> The Florida Normal and Industrial Institute came to St. Augustine in 1918, originated through a merger of earlier two institutions dedicated to serving former slaves and their descendants.<sup>32</sup>

### **Foundation for the Museum of Black History, Inc.**

The Foundation for the Museum of Black History, Inc., (Foundation) is a corporation not-for-profit formed under ch. 617, F.S., and operated for charitable purposes under s. 501(c)(3) of the Internal Revenue Code.<sup>33</sup> The Foundation was formed in October of 2024, for the purposes of assisting the community with planning and fundraising initiatives to support the design and construction of the Florida Museum of Black History in St. Johns County and planning projects and events to facilitate fundraising efforts for the creation of the Museum.<sup>34</sup>

### **III. Effect of Proposed Changes:**

SB 466 creates s. 267.07221, F.S., to specify legislative intent recognizing the work of the Florida Museum of Black History Task Force in selecting a location for the museum and designate St. Johns County as the site for the museum. Additionally, the bill specifies legislative intent to establish a board of directors of oversee the commission, construction, operation, and administration of the museum.

The bill establishes the Florida Museum of Black History Board of Directors within the Division of Historical Resources. The bill specifies the membership of the board and requires the appointments to be made by July 31, 2025. Unless the members are classified as ex officio, appointments may not hold state or local elective office while serving on the board. Vacancies

<sup>28</sup> *Id.*; see also Fort Mose Historical Society, *The Fort Mose Story*, <https://fortmose.org/about-fort-mose/> (last visited Mar. 12, 2025).

<sup>29</sup> Fla. Museum of Black History Task Force, *Final Report*, (June 28, 2024) <https://files.floridados.gov/media/708141/fmbhtf-report-062824-final-compressed.pdf> (last visited Mar 12, 2025).

<sup>30</sup> St. Johns Cultural Council, *Florida Museum of Black History Task Force Recommends St. Johns County to Governor's Office as the Location of State's First Black History Museum*, (July 1, 2024) <https://stjohnsculture.com/news/florida-museum-of-black-history-task-force-recommends-st-johns-county-to-governors-office-as-the-location-of-states-first-black-history-museum/> (last visited Mar. 12, 2025).

<sup>31</sup> Florida Memorial University, *Proposed Location of Black History Museum in St. Augustine*, (April 23, 2024), <https://www.fmu.edu/proposed-location-of-black-history-museum-in-st-augustine/> (last visited Mar. 12, 2025).

<sup>32</sup> St. Johns Cultural Council, *AL Lewis Archway: Florida Normal & Industrial Institute*, <https://historiccoastculture.com/venue/al-lewis-archway-florida-normal-industrial-institute/> (last visited Mar. 12, 2025).

<sup>33</sup> *Articles of Incorporation of The Foundation for the Museum of Black History, Inc.*, (Oct. 21, 2024) <https://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2024%5C1115%5C00369832.Tif&documentNumber=N24000013011> (last visited Mar. 12, 2025).

<sup>34</sup> *Id.*

must be filled in the same manner as the original appointments were. The membership of the board is to be composed of:

- Three individuals appointed by the Governor, one of whom serves as chair.
- Three individuals appointed by the President of the Senate.
- Two members of the Senate, appointed by the President of the Senate and serving ex officio.
- Three individuals appointed by the Speaker of the House of Representatives.
- Two members of the House of Representatives, appointed by the Speaker of the House of Representatives and serving ex officio.

The board is directed to work with the Foundation for the Museum of Black History, Inc., in overseeing the commission, construction, operation, and administration of the museum. The St. Johns Board of County Commissioners is directed to provide administrative assistance and staffing to the board of directors until the planning, design, and engineering of the museum are completed.

The bill takes effect July 1, 2025.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

##### **D. State Tax or Fee Increases:**

Article VII, s. 19 of the State Constitution requires that legislation that increases or creates taxes or fees be passed by a 2/3 vote of each chamber in a bill with no other subject. The bill does not increase or create new taxes or fees. Thus, the constitutional requirements related to new or increased taxes or fees do not apply.

##### **E. Other Constitutional Issues:**

None.

#### **V. Fiscal Impact Statement:**

##### **A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The bill has no expected fiscal impact on state revenues or expenditures. The bill requires the St. Johns Board of County Commissioners (county) to provide administrative assistance and staffing to the Florida Museum of Black History Board of Directors. The county can likely accomplish this within existing resources, so any associated costs should be negligible.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

It may be more appropriate for a state entity, such as the Department of State, to provide administrative support to the board of directors, as opposed to a county.

**VIII. Statutes Affected:**

This bill creates section 267.07221 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

By Senator Leek

7-00857A-25

2025466\_\_

A bill to be entitled

An act relating to the Florida Museum of Black History; creating s. 267.07221, F.S.; providing legislative intent; establishing the Florida Museum of Black History Board of Directors; providing for the membership of the board; requiring that appointments to the board be made by a specified date; prohibiting specified members of the board from holding state or local elective office while serving on the board; providing for the filling of vacancies; requiring that the board work jointly with the Foundation for the Museum of Black History, Inc.; requiring the St. Johns County Board of County Commissioners to provide administrative support and staffing to the board until specified actions are completed; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 267.07221, Florida Statutes, is created to read:

267.07221 Florida Museum of Black History Board of Directors.-

(1) It is the intent of the Legislature to recognize the work of the Florida Museum of Black History Task Force in selecting a location for the Florida Museum of Black History and designating St. Johns County as the site for the museum. It is further the intent of the Legislature, under the authority provided in s. 267.0722(7), to establish a board of directors to

Page 1 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

7-00857A-25

2025466\_\_

oversee the commission, construction, operation, and administration of the museum.

(2) (a) The Florida Museum of Black History Board of Directors is established within the division and shall be composed of the following members:

1. Three individuals appointed by the Governor, one of whom shall serve as chair.

2. Three individuals appointed by the President of the Senate.

3. Two members of the Senate, appointed by the President of the Senate and serving ex officio.

4. Three individuals appointed by the Speaker of the House of Representatives.

5. Two member of the House of Representatives, appointed by the Speaker of the House of Representatives and serving ex officio.

(b) Appointments must be made no later than July 31, 2025. Members appointed pursuant to subparagraphs (a)1., 2., and 4. may not hold any state or local elective office while serving on the board. Vacancies on the board must be filled in the same manner as the initial appointments.

(3) The board shall work jointly with the Foundation for the Museum of Black History, Inc., a nonprofit organization created to support the creation of the museum.

(4) The St. Johns County Board of County Commissioners shall provide administrative assistance and staffing to the board until the project planning, design, and engineering are completed.

Section 2. This act shall take effect July 1, 2025.

Page 2 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate

APPEARANCE RECORD

3/26/25

Meeting Date

SB 466

Bill Number or Topic

Approp - Ag, ENR, Gen Govt

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Lisa Lloyd

Phone

Address 3207 Sharrock St

Email

divas@billsouth.com

Street

Tall, FL 32309

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

3-26-28

Meeting Date

# The Florida Senate APPEARANCE RECORD

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SB 466

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Scrch Arnold

Phone

904-209-0302

Address

500 San Sebastian Uve

Email

bcc2sarnold@sicr1.us

Street

St. Augustine FL

32084

City

State

Zip

Speaking:

For

Against

Information

**OR**

Waive Speaking:

In Support

Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without  
compensation or sponsorship.

I am a registered lobbyist,  
representing:

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3-26-25

Meeting Date

SB 466

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name

Christian Whitburn

Phone

904-584-5343

Address

500 San Sebastia View

Email

bcc1cwhitburn@sjcfl.us

Street

St. Augustine

FL

32084

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) [flsenate.gov](#)

This form is part of the public record for this meeting.





The Florida Senate

## Committee Agenda Request

**To:** Senator Jason Brodeur, Chair  
Appropriations Committee on Agriculture, Environment, and General  
Government

**Subject:** Committee Agenda Request

**Date:** March 12, 2025

---

I respectfully request that **Senate Bill #466**, relating to Florida Museum of Black History, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Leek", written over a horizontal line.

Sen. Tom Leek  
Florida Senator, District 7

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

---

BILL: CS/SB 678

INTRODUCER: Commerce and Tourism Committee and Senator Truenow

SUBJECT: Pawnbroker Transaction Forms

DATE: March 25, 2025      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Renner</u>	<u>McKay</u>	<u>CM</u>	<u>Fav/CS</u>
2.	<u>Wiseheart</u>	<u>Betta</u>	<u>AEG</u>	<u>Favorable</u>
3.	_____	_____	<u>RC</u>	_____

---

**Please see Section IX. for Additional Information:**  
COMMITTEE SUBSTITUTE - Substantial Changes

---

**I. Summary:**

CS/SB 678 authorizes pawnbroker transaction forms, which are approved by the Department of Agriculture and Consumer Services (DACS) and are used to record pawns and purchases by pawnbrokers, to be in digital or print format instead of only print format. Digital forms must be in a font size of at least 12 points. Pawnbrokers may use either format.

The bill is not anticipated to have a fiscal impact on state or local government revenues or expenditures. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

**II. Present Situation:**

Pawnbrokers<sup>1</sup> must apply for and obtain a license from the DACS annually.<sup>2</sup> To be eligible for the license, each pawnshop must maintain a net worth of at least \$50,000 or file security in the

---

<sup>1</sup> A “pawnbroker” is a person who is engaged in the business of making pawns; who makes a public display containing the term “pawn,” “pawnbroker,” or “pawnshop” or any derivative thereof; or who publicly displays a sign or symbol historically identified with pawns. Pawnbrokers may also engage in purchasing goods which includes consignment and trade. Section 539.001(1)(i), F.S. A “pawn” is any advancement of funds on the security of pledged goods on condition that the pledged goods are left in the possession of the pawnbroker for the duration of the pawn and may be redeemed by the pledgor on certain terms and conditions. Section 539.001(1)(h), F.S.

<sup>2</sup> Section 539.001(3), F.S.

form of a surety bond, letter of credit, or certificate of deposit in the amount of \$10,000 for each license.<sup>3</sup> DACS is authorized to impose penalties of up to \$5,000 for noncompliance with the law.<sup>4</sup>

### **Pawnbroker Transaction Forms**

When a pawnbroker enters into any pawn or purchase transaction, the pawnbroker must complete a pawnbroker transaction form, indicating whether the transaction is a pawn or a purchase. The pledgor<sup>5</sup> or seller must sign the completed form. The DACS must approve the design and format of the pawnbroker transaction form, which must be 8.5 inches x 11 inches in size.<sup>6</sup> The pawnbroker must record the following identifying information on the front of the form, which must be typed or written indelibly and legibly in English:<sup>7</sup>

- The name and address of the pawnshop.
- A complete and accurate description of the pledged goods or purchased goods including certain identifying information.
- The name, address, home, telephone number, place of employment, date of birth, physical description, and right thumbprint of the pledgor or seller.
- The date and time of the transaction.
- The type of identification accepted from the pledgor or seller, including the issuing agency and the identification number.
- In the case of a pawn:
  - The amount of money advanced, which must be designated as the amount financed.
  - The maturity date of the pawn, which must be 30 days after the date of the pawn.
  - The default date of the pawn and the amount due on the default date.
  - The total pawn service charge payable on the maturity date, which must be designated as the finance charge.
  - The amount financed plus the finance charge that must be paid to redeem the pledged goods on the maturity date, which must be designated as the total of payments.
  - The annual percentage rate.
  - The front or back of the pawnbroker transaction form must include certain information specific to pawns.
- In the case of a purchase, the amount of money paid for the goods or the monetary value assigned to the goods in connection with the transaction.
- A statement that the pledgor or seller of the item represents and warrants that it is not stolen, that it has no liens or encumbrances against it, and that the pledgor or seller is the rightful owner of the goods and has the right to enter into the transaction.

The front or back of the transaction form must include the following statements:

- Any personal property pledged to a pawnbroker in Florida that is not redeemed within 39 days following the maturity date of the pawn is automatically forfeited to the pawnbroker,

---

<sup>3</sup> Section 539.001(4), F.S.

<sup>4</sup> Fla. Admin. Code R. 5J-13.004 (2016).

<sup>5</sup> A “pledgor” is the person pledging the goods into the possession of a pawnbroker in connection with a pawn. Section 539.001(2)(p), F.S.

<sup>6</sup> Section 539.001(8)(a), F.S.

<sup>7</sup> Section 539.001(8)(b), F.S.

and absolute right, title, and interest in and to the property vests in and is deemed conveyed to the pawnbroker by operation of law, and no further notice is necessary.

- The pledgor is not obligated to redeem the pledged goods.
- If the pawnbroker transaction form is lost, destroyed, or stolen, the pledgor must immediately advertise the issuing pawnbroker in writing by certified or registered mail, return receipt requested, or in person evidenced by a signed receipt.
- A pawn can be extended upon mutual agreement of the parties.
- A statement that the pledgor or seller of the item represents and warrants that it is not stolen, that it has no liens or encumbrances against it, and that the pledgor or seller is the rightful owner of the goods and has the right to enter into the transaction. Any person who knowingly gives false verification of ownership or gives a false or altered identification and who receives money from a pawnbroker for goods sold or pledged commits:
  - A third degree felony<sup>8</sup> if the value of money is less than \$300; or
  - A second degree<sup>9</sup> felony if the value of the money received is \$300 or more.

### **Pawnbroker Transaction Form Recordkeeping**

A pawnbroker must provide a pledgor or seller with a copy of a pawnbroker transaction form at the time of the pawn or sale. Pawnbroker transaction forms must be kept on the pawnshop's premises for at least one year after the transaction's date.<sup>10</sup>

Before the end of each business day, a pawnbroker must deliver the original pawnbroker transaction forms to the appropriate official<sup>11</sup> for the local law enforcement agency for all of the transactions during the previous business day unless other arrangements have been agreed upon by the pawnbroker and the appropriate law enforcement agency.<sup>12</sup>

In lieu of physically delivering the original pawnbroker transaction forms, a local law enforcement agency may supply software to a pawnbroker so the pawnbroker may electronically transfer the transaction forms to the law enforcement agency. If a pawnbroker does not have a computer to use such software, the law enforcement agency may provide a computer to the pawnbroker. The law enforcement agency retains ownership of the computer unless otherwise agreed upon. The pawnbroker must maintain the computer in good working order, ordinary wear and tear excepted.<sup>13</sup>

---

<sup>8</sup> A third degree felony is punishable by up to 5 years and a \$5,000 fine. Sections 775.082, 775.083, or 775.084, F.S.

<sup>9</sup> A second degree felony is punishable by up to 15 years imprisonment and a \$10,000 fine. Sections 775.082, 775.083, and 775.084, F.S.

<sup>10</sup> Section 539.001(9), F.S.

<sup>11</sup> The appropriate law enforcement official is the sheriff of the county in which a pawnshop is located or, in case of a pawnshop located within a municipality, the police chief of the municipality in which the pawnshop is located. Any sheriff or police chief may designate any law enforcement officer working within the county or municipality as the appropriate law enforcement official. Section 539.001(1)(b), F.S.

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

**III. Effect of Proposed Changes:**

The bill amends s. 539.001, F.S., to authorize pawnbroker transaction forms in digital or print format instead of only print format. Digital forms must have a font size of at least 12 points. Pawnbrokers may use either format.

The bill takes effect July 1, 2025.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

The bill may have a positive fiscal impact on pawnbrokers by allowing them to use digital pawnbroker transaction forms.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 539.001 Florida Statutes.

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Commerce and Tourism on March 10, 2025:**

The committee substitute:

- Clarifies that a digital pawnbroker transaction form must be in a font size of at least 12 points and that a pawnbroker is authorized to use either a print or digital format; and
- Clarifies that the transaction forms may be in a print or digital format for pawnbroker recordkeeping and reporting requirements.

- B. **Amendments:**

None.

By the Committee on Commerce and Tourism; and Senator Truenow

577-02243-25

2025678c1

1 A bill to be entitled  
 2 An act relating to pawnbroker transaction forms;  
 3 amending s. 539.001, F.S.; authorizing pawnbroker  
 4 transaction forms to be in digital or printed formats;  
 5 authorizing a pawnbroker to use either format;  
 6 revising recordkeeping requirements; providing an  
 7 effective date.  
 8  
 9 Be It Enacted by the Legislature of the State of Florida:  
 10  
 11 Section 1. Subsection (8) and paragraphs (a) and (b) of  
 12 subsection (9) of section 539.001, Florida Statutes, are amended  
 13 to read:  
 14 539.001 The Florida Pawnbroking Act.—  
 15 (8) PAWNBROKER TRANSACTION FORM.—  
 16 (a) At the time the pawnbroker enters into any pawn or  
 17 purchase transaction, the pawnbroker shall complete a pawnbroker  
 18 transaction form for such transaction, including an indication  
 19 of whether the transaction is a pawn or a purchase, and the  
 20 pledgor or seller shall sign such completed form. The agency  
 21 must approve the design and format of the pawnbroker transaction  
 22 form, which must be 8 1/2 inches x 11 inches in size for printed  
 23 forms and be in a font size of at least 12 points for digital  
 24 forms and elicit the information required under this section in  
 25 a digital or printed format. The pawnbroker may use either  
 26 format. In completing the pawnbroker transaction form, the  
 27 pawnbroker shall record the following information, which must be  
 28 typed or written indelibly and legibly in English.  
 29 (b) The front of a printed ~~the~~ pawnbroker transaction form

Page 1 of 6

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

577-02243-25

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30 and the first page of a digital form must include:  
 31 1. The name and address of the pawnshop.  
 32 2. A complete and accurate description of the pledged goods  
 33 or purchased goods, including the following information, if  
 34 applicable:  
 35 a. Brand name.  
 36 b. Model number.  
 37 c. Manufacturer's serial number.  
 38 d. Size.  
 39 e. Color, as apparent to the untrained eye.  
 40 f. Precious metal type, weight, and content, if known.  
 41 g. Gemstone description, including the number of stones.  
 42 h. In the case of firearms, the type of action, caliber or  
 43 gauge, number of barrels, barrel length, and finish.  
 44 i. Any other unique identifying marks, numbers, names, or  
 45 letters.  
 46 Notwithstanding sub-subparagraphs a.-i., in the case of multiple  
 47 items of a similar nature delivered together in one transaction  
 48 which do not bear serial or model numbers and which do not  
 49 include precious metal or gemstones, such as musical or video  
 50 recordings, books, and hand tools, the description of the items  
 51 is adequate if it contains the quantity of items and a  
 52 description of the type of items delivered.  
 53 3. The name, address, home telephone number, place of  
 54 employment, date of birth, physical description, and right  
 55 thumbprint of the pledgor or seller.  
 56 4. The date and time of the transaction.  
 57 5. The type of identification accepted from the pledgor or  
 58

Page 2 of 6

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577-02243-25

2025678c1

59 seller, including the issuing agency and the identification  
60 number.

61 6. In the case of a pawn:

62 a. The amount of money advanced, which must be designated  
63 as the amount financed;

64 b. The maturity date of the pawn, which must be 30 days  
65 after the date of the pawn;

66 c. The default date of the pawn and the amount due on the  
67 default date;

68 d. The total pawn service charge payable on the maturity  
69 date, which must be designated as the finance charge;

70 e. The amount financed plus the finance charge that must be  
71 paid to redeem the pledged goods on the maturity date, which  
72 must be designated as the total of payments;

73 f. The annual percentage rate, computed according to the  
74 regulations adopted by the Federal Reserve Board under the  
75 federal Truth in Lending Act; and

76 g. The front or back of a printed ~~the~~ pawnbroker  
77 transaction form and the first or second page of a digital  
78 pawnbroker transaction form must include a statement that:

79 (I) Any personal property pledged to a pawnbroker within  
80 this state which is not redeemed within 30 days following the  
81 maturity date of the pawn, if the 30th day is not a business  
82 day, then the following business day, is automatically forfeited  
83 to the pawnbroker, and absolute right, title, and interest in  
84 and to the property vests in and is deemed conveyed to the  
85 pawnbroker by operation of law, and no further notice is  
86 necessary;

87 (II) The pledgor is not obligated to redeem the pledged

Page 3 of 6

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577-02243-25

2025678c1

88 goods; and

89 (III) If the pawnbroker transaction form is lost,  
90 destroyed, or stolen, the pledgor must immediately advise the  
91 issuing pawnbroker in writing by certified or registered mail,  
92 return receipt requested, or in person evidenced by a signed  
93 receipt.

94 (IV) A pawn may be extended upon mutual agreement of the  
95 parties.

96 7. In the case of a purchase, the amount of money paid for  
97 the goods or the monetary value assigned to the goods in  
98 connection with the transaction.

99 8. A statement that the pledgor or seller of the item  
100 represents and warrants that it is not stolen, that it has no  
101 liens or encumbrances against it, and that the pledgor or seller  
102 is the rightful owner of the goods and has the right to enter  
103 into the transaction. Any person who knowingly gives false  
104 verification of ownership or gives a false or altered  
105 identification and who receives money from a pawnbroker for  
106 goods sold or pledged commits:

107 a. If the value of the money received is less than \$300, a  
108 felony of the third degree, punishable as provided in s.  
109 775.082, s. 775.083, or s. 775.084.

110 b. If the value of the money received is \$300 or more, a  
111 felony of the second degree, punishable as provided in s.  
112 775.082, s. 775.083, or s. 775.084.

113 (c) A pawnbroker transaction form must provide a space for  
114 the imprint of the right thumbprint of the pledgor or seller and  
115 a blank line for the signature of the pledgor or seller.

116 (d) At the time of the pawn or purchase transaction, the

Page 4 of 6

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577-02243-25

2025678c1

117 pawnbroker shall deliver to the pledgor or seller an exact copy  
118 of the completed pawnbroker transaction form.

119 (9) RECORDKEEPING; REPORTING; HOLD PERIOD.—

120 (a) A pawnbroker must maintain a copy of each completed  
121 pawnbroker transaction form on the pawnshop premises for at  
122 least 1 year after the date of the transaction. On or before the  
123 end of each business day, the pawnbroker must deliver to the  
124 appropriate law enforcement official the original printed  
125 pawnbroker transaction forms or printed copies of the digital  
126 pawnbroker transaction forms for each of the transactions  
127 occurring during the previous business day, unless other  
128 arrangements have been agreed upon between the pawnbroker and  
129 the appropriate law enforcement official. If an ~~the~~ original  
130 printed transaction form is lost or destroyed by the appropriate  
131 law enforcement official, a copy may be used by the pawnbroker  
132 as evidence in court. When an electronic image of a pledgor or  
133 seller identification is accepted for a transaction, the  
134 pawnbroker must maintain the electronic image in order to meet  
135 the same recordkeeping requirements as for the original printed  
136 transaction form. If a criminal investigation occurs, the  
137 pawnbroker shall, upon request, provide a clear and legible copy  
138 of the image to the appropriate law enforcement official.

139 (b) If the appropriate law enforcement agency supplies the  
140 appropriate software and the pawnbroker presently has the  
141 computer ability, pawn transactions shall be electronically  
142 transferred. If a pawnbroker does not presently have the  
143 computer ability, the appropriate law enforcement agency may  
144 provide the pawnbroker with a computer and all necessary  
145 equipment for the purpose of electronically transferring pawn

Page 5 of 6

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577-02243-25

2025678c1

146 transactions. The appropriate law enforcement agency shall  
147 retain ownership of the computer, unless otherwise agreed upon.  
148 The pawnbroker shall maintain the computer in good working  
149 order, ordinary wear and tear excepted. In the event the  
150 pawnbroker transfers pawn transactions electronically, the  
151 pawnbroker is not required to also deliver to the appropriate  
152 law enforcement official the original or copies of the  
153 pawnbroker transaction forms. The appropriate law enforcement  
154 official may, for the purposes of a criminal investigation,  
155 request that the pawnbroker produce an original of a printed  
156 transaction form that has been electronically transferred. The  
157 pawnbroker shall deliver this form to the appropriate law  
158 enforcement official within 24 hours of the request.

159 Section 2. This act shall take effect July 1, 2025.

Page 6 of 6

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The Florida Senate

APPEARANCE RECORD

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3/26/2025

Meeting Date

SB 678

Bill Number or Topic

Ag ENV GE

Committee

Amendment Barcode (if applicable)

Name

David Sigerson

Phone

954 540 7252

Address

2436 N Fed Hwy # 483

Street

Email

Sigerson@law.cool.com

Lighthouse Pt FL 33064

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

FLA Pawnbrokers Assn

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

This form is part of the public record for this meeting.



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Agriculture, *Chair*  
Appropriations Committee on Agriculture, Environment,  
and General Government  
Appropriations Committee on Transportation,  
Tourism, and Economic Development  
Banking and Insurance  
Fiscal Policy  
Military and Veterans Affairs, Space, and  
Domestic Security  
Transportation

### SENATOR KEITH TRUENOW

13th District

March 11, 2025

The Honorable Jason Brodeur  
President Pro Tempore'  
416 Senate Office Building  
404 So Monroe Street  
Tallahassee, FL 32399

Dear Chair Brodeur,

I would like to request SB 678 Pawnbroker Transaction Forms be placed on your next available Agriculture, Environment, and General Government Committee agenda.

This good bill authorizes pawnbroker transaction forms, which are approved by the Department of Agriculture and Consumer Services (DACS) and are used to record pawns and purchases by pawnbrokers, to be in digital or print format instead of only print format. Digital forms must be in a font size of at least 12 points. Pawnbrokers may use either format.

The bill is not anticipated to have a fiscal impact on state or local government revenues or expenditures.

I appreciate your favorable consideration.

Sincerely,

A handwritten signature in blue ink that reads "Keith Truenow".

Senator Keith Truenow  
Senate District 13

KT/dd

cc: Giovanni Betta, Staff Director  
Julie Brass, Administrative Assistant

#### REPLY TO:

- Lake County Agricultural Center, 1951 Woodlea Road, Tavares, Florida 32778 (352) 750-3133
- 16207 State Road 50, Suite 401, Clermont, Florida 34711
- 304 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5013

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

---

BILL: CS/CS/SB 700

INTRODUCER: Appropriations Committee on Agriculture, Environment, and General Government;  
Agriculture Committee and Senator Truenow

SUBJECT: Department of Agriculture and Consumer Services

DATE: March 28, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Burse</u>	<u>Becker</u>	<u>AG</u>	<u>Fav/CS</u>
2.	<u>Wiseheart</u>	<u>Betta</u>	<u>AEG</u>	<u>Fav/CS</u>
3.	_____	_____	<u>FP</u>	_____

---

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

---

**I. Summary:**

CS/CS/SB 700 makes a number of changes to laws related to the Department of Agriculture and Consumer Services (department). Specifically, the bill:

- Requires that lands owned or leased by an electric utility, which may also be the site of solar energy systems and bona fide agricultural uses of the land, be classified agricultural by the property appraiser.
- Permits the department to adopt rules for protecting the public health, safety, and welfare and establish standards for the placement, design, installation, maintenance, and operation of electric vehicle charging stations.
- Prohibits the use of any additives in a public water system which do not meet the definition of a water quality additive as defined in s. 403.852, F.S., or the use of any additives included primarily for health-related purposes.
- Permits the department to provide pest control certificate examinations in person and remotely through a third-party vendor.
- Creates the Honest Service Registry.
- Provides it is unlawful to transport, import, sell, offer for sale, furnish, or give away spores or mycelium capable of producing mushrooms or other material which will contain a controlled substance, including psilocybin or psilocyn, during its lifecycle.
- Grants the department rulemaking authority to enforce the Food and Drug Administration's (FDA) standard of identity for meat, poultry, and poultry products, to prohibit the sale of plant-based products mislabeled as meat, poultry, or poultry products in this state.

- Creates an annual petroleum registration program for petroleum owners or operators that own and operate vehicles for transporting petroleum products and permits the department to adopt rules detailing the requirements for such registration.
- Creates the Florida Retail Fuel Transfer Switch Modernization Grant Program.
- Prohibits local governments from restricting any activities of public educational facilities and auxiliary facilities constructed by a board for agricultural education, for Future Farmers of America or 4-H activities, or the storage of any animals or equipment therein.
- Creates the Silviculture Emergency Recovery Program within the department to administer a grant program to assist timber landowners whose timber land was damaged as a result of a declared emergency.
- Changes the Viticulture Advisory Council to the Florida Wine Advisory Council and makes conforming changes related to the new name.
- Prohibits a financial institution from discriminating in the provision of financial services to an agriculture producer based, in whole or in part, upon an ESG factor.
- Permits the department to temporarily suspend a concealed carry license or application if notified by a government entity that the licensee or applicant is arrested or formally charged with a crime that would disqualify such person from having a license, until final disposition of the case.
- Requires the department notify the suspended licensee or applicant of their right to a hearing pursuant to chapter 120. It provides that there will be a limited hearing to determine if the department issues an order lifting the suspension or the suspension remains in effect.
- Prohibits the possession of any form of a payment instrument that can be used to authorize a fuel transaction or obtain fuel with the intent to defraud the fuel retailer or the banking institution that issued the payment instrument financial account.

The bill may have an indeterminate impact on local property taxes. Food distributors may incur labeling costs. New misdemeanors and felonies may have a positive indeterminate prison bed impact.

Overall, the bill has an indeterminate, yet insignificant impact to the Department of Agriculture and Consumer Services. **See Section V. Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

## **II. Present Situation:**

The present situation for each issue is described below in Section III, Effect of Proposed Changes.

## **III. Effect of Proposed Changes:**

### **Career Service Exemptions for the Office of Agricultural Law Enforcement**

#### ***Present Situation***

The Florida Constitution requires the Legislature to create a civil service system for state

employees.<sup>1</sup> The Department of Management Services (DMS) is responsible for developing uniform personnel rules, guidelines, records, and reports relating to employees and positions in the career service.<sup>2</sup> All state employees generally fall into one of four categories:

- Career service system;<sup>3</sup>
- Senior management service system;<sup>4</sup>
- Volunteers;<sup>5</sup> or
- Selected exempt service system.<sup>6</sup>

The Office of Agricultural Law Enforcement (OALE) enforces laws governing businesses regulated by the Florida Department of Agriculture and Consumer Services (DACs). The OALE protects consumers from unfair and deceptive trade practices, protects Florida's agriculture industry from theft and other crimes, and safeguards the wholesomeness of food and other consumer products.<sup>7</sup>

The OALE operates 23 agricultural inspection stations on 19 highways going into and out of Florida. Officers conduct vehicle inspections 24 hours a day, 365 days a year to ensure the safety of Florida's food supply. Officers look for unsafe or unwholesome food that could make people sick, and plant and animal pests and diseases that could harm the state's \$100 billion agriculture industry.<sup>8</sup>

The OALE investigates crimes involving agriculture and those occurring on property owned or operated by the DACs. They help maintain domestic security by participating in all seven regional Domestic Security Task Forces statewide. The OALE partners with federal, state and local law enforcement agencies and help coordinate the Domestic Marijuana Eradication Task Force.<sup>9</sup>

### *Effect of Proposed Changes*

**Section 1** amends s. 110.205, F.S., to add an exemption to the Career Service system for captains and majors employed with the OALE within the department.

**Section 81** reenacts s. 295.07, F.S., related to the positions exempt from the state Career Service System, to incorporate the amendments made to s. 110.205, F.S.

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<sup>1</sup> FLA. CONST. art. III, s. 14

<sup>2</sup> Section 110.201(1)(a), F.S.

<sup>3</sup> Chapter 110, Part II, F.S.

<sup>4</sup> Chapter 110, Part III, F.S.

<sup>5</sup> Chapter 110, Part IV, F.S.

<sup>6</sup> Chapter 110, Part V, F.S.

<sup>7</sup> FDACS, OALE, <https://www.fdacs.gov/Divisions-Offices/Agricultural-Law-Enforcement>, (last visited March 19, 2025).

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

## Comprehensive Plans and Land Use Regulation

### *Present Situation*

The Community Planning Act<sup>10</sup> requires every city and county to create and implement a comprehensive plan to guide future development. A local government's comprehensive plan lays out the locations for future public facilities, including roads, water and sewer facilities, neighborhoods, parks, schools, and commercial and industrial developments.

The land use element of the plan designates proposed future general distribution, location, and extent of the uses of land. Specified use designations include those for residential, commercial, industry, agriculture, recreation, conservation, education, and public facilities.<sup>11</sup>

The housing element of the plan sets forth guidelines and strategies for the creation and preservation of affordable housing for all current and anticipated future residents of the jurisdiction, elimination of substandard housing conditions, provision of adequate sites for future housing, and distribution of housing for a range of incomes and types.<sup>12</sup>

Local governments regulate aspects of land development by enacting ordinances that address local zoning, rezoning, subdivision, building construction, landscaping, tree protection, or sign regulations or any other regulations controlling the development of land.<sup>13</sup>

### *Zoning*

Zoning maps and zoning districts are adopted by local governments for developments within each land use category or sub-category. While land uses are general in nature, one or more zoning districts may apply within each land use designation.<sup>14</sup> Common regulations on buildings within the zoning map districts include density,<sup>15</sup> height and bulk of buildings, setbacks, and parking requirements.<sup>16</sup> Zoning regulations also include acceptable uses of property for other categories of land, such as agricultural or industrial.

If a landowner believes that a proposed development may have merit but it does not meet the requirements of a zoning map in a jurisdiction, the landowner can seek a rezoning through a rezoning application which is reviewed by the local government and voted on by the governing body.<sup>17</sup> If a property has unique circumstances or small nonconformities but otherwise meets zoning regulations, local governments may ease restrictions on certain regulations such as

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<sup>10</sup> Part II, Ch. 163, F.S.

<sup>11</sup> Section 163.3177(6)(a), F.S.

<sup>12</sup> Section 163.3177(6)(f), F.S.

<sup>13</sup> See ss. 163.3164 and 163.3213, F.S. Pursuant to s. 163.3213, F.S., substantially affected persons have the right to maintain administrative actions which assure that land development regulations implement and are consistent with the local comprehensive plan.

<sup>14</sup> INDIAN RIVER CNTY., *General Zoning Questions*, [https://indianriver.gov/services/community\\_development/faq.php#faq-questions-33](https://indianriver.gov/services/community_development/faq.php#faq-questions-33) (last visited March 19, 2025).

<sup>15</sup> "Density" means an objective measurement of the number of people or residential units allowed per unit of land, such as residents or employees per acre. Section 163.3164(12), F.S.

<sup>16</sup> INDIAN RIVER CNTY., *supra* note 14.

<sup>17</sup> See, e.g., CITY OF TALLAHASSEE, *Application For Rezoning Review*, available at: <https://www.talgov.com/Uploads/Public/Documents/place/zoning/cityrezinfsh.pdf> (last visited March 19, 2025).

building size or setback through an application for a variance.<sup>18</sup> However, any action to rezone or grant a variance must be consistent with the local government's comprehensive plan.

### ***Agricultural Lands***

Agricultural land is one example of property that is assessed based on its current use rather than its highest and best use.<sup>19</sup> A property appraiser is required to annually classify all land as either agricultural or nonagricultural.<sup>20</sup> Agricultural lands are those used primarily for bona fide agricultural purposes such as horticulture, viticulture, forestry, and farming.<sup>21</sup>

### ***Migrant and Seasonal Farmworkers***

Migrant farmworkers are defined as people who are or have been employed in hand labor operations in planting, cultivating, or harvesting agricultural crops within the last 12 months and who have changed residence for purposes of employment in agriculture within the last 12 months.<sup>22</sup> Outreach, employment, and other services targeted to migrant farmworkers are regulated by federal law and administered by various state and local agencies, including the Department of Economic Opportunity's Migrant and Seasonal Farmworker Services program.<sup>23</sup>

Migrant farmworker housing is regulated by the Florida Department of Health (DOH) in coordination with local health departments and federal law.<sup>24</sup> Migrant farmworker housing may include residential property, including mobile homes or a migrant labor camp consisting of dormitories constructed and operated as living quarters for migrant farmworkers.<sup>25</sup> Establishment of such housing requires advance notice, inspections, and permitting based on standards of construction, sanitation, equipment, and operation, as well as compliance with inspections during use.<sup>26</sup>

### ***Employment Verification***

Under the Immigration Reform and Control Act of 1986 (IRCA),<sup>27</sup> it is illegal for any United States employer to knowingly:

- Hire, recruit, or refer for a fee an alien knowing he or she is unauthorized to work;
- Continue to employ an alien knowing he or she has become unauthorized; or

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<sup>18</sup> See, e.g., CITY OF TALLAHASSEE, *Variance and Appeals*, available at: [https://www.talgov.com/Uploads/Public/Documents/growth/forms/boaa\\_variance.pdf](https://www.talgov.com/Uploads/Public/Documents/growth/forms/boaa_variance.pdf) (last visited March 19, 2025) and SEMINOLE CNTY., *Variance Process & Requirements*, <https://www.seminolecountyfl.gov/departments-services/development-services/planning-development/boards/board-of-adjustment/variance-process-requirements.stml> (last visited March 19, 2025).

<sup>19</sup> FLA. CONST. art. VII, s. 4(a).

<sup>20</sup> Section 193.461(1), F.S.

<sup>21</sup> Section 193.461, F.S.

<sup>22</sup> Section 381.008(4), F.S.

<sup>23</sup> FLA. DEP'T OF ECON. OPPORTUNITY, *Migrant and Seasonal Farmworker Services*, <https://floridajobs.org/office-directory/division-of-workforce-services/workforce-programs/migrant-and-seasonal-farmworker-services> (last visited March 19, 2025).

<sup>24</sup> Sections 381.008-381.00897, F.S.

<sup>25</sup> Section 381.008(5) and (8), F.S.

<sup>26</sup> Section 381.0083, F.S.

<sup>27</sup> Pub. L. No. 99-603, 100 Stat. 3359.



- Hire, recruit or refer for a fee, any person (citizen or alien) without following the record keeping requirements of the IRCA.<sup>28</sup>

Under Florida law, public employers and their contractors, and subcontractors thereof, are required to register and use E-Verify to verify the work authorization status of all newly hired employees.<sup>29</sup> A private employer that transacts business in Florida, has a license issued by an agency, and employs workers in Florida is required to use the I-9 Form or E-Verify or a substantially equivalent system to verify that new hires or retained contract employees are authorized to work in the United States.<sup>30</sup>

### *H-2A Visa Program*<sup>31</sup>

The H-2A Temporary Agricultural Workers program is a federal program which allows U.S. employers meeting specific regulatory requirements to bring foreign nationals to the United States to fill temporary agricultural jobs. The program includes work, housing, visa, and recordkeeping requirements, and is a joint program of the Federal Departments of Labor, State, and Homeland Security. Prospective nonimmigrant agricultural workers must receive a temporary labor certification from the U.S. Department of Labor.

### *Effect of Proposed Changes*

**Section 2** amends s. 163.3162, F.S., to provide a definition for “department” to mean the Department of Agriculture and Consumer Services. The bill defines “housing site” as the totality of development supporting authorized housing, including buildings, mobile homes, barracks, dormitories, parking areas, common areas, storage structures, and related structures. The bill also defines “legally verified agricultural worker” as a person who:

- Is lawfully present in the United States;
- Meets the definition of eligible worker;
- Has been verified according to the state’s employment eligibility verification requirements.;
- Is seasonally or annually employed in agricultural production;
- Is authorized, and remains allowed, to work; and
- Is not an unauthorized alien.

The bill provides that a governmental entity may not adopt or enforce any legislation, regulation, or ordinance which inhibits the construction or installation of housing for agricultural employees on land zoned for agricultural use and operated as a bona fide farm, except as provided by law. The bill also provides that local governments may require that a housing site authorized under this section:

- Must meet all local and state building standards, including migrant farmworker housing standards regulated by the Department of Health (DOH) and federal standards for H-2A visa housing;

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<sup>28</sup> 8 U.S.C. s. 1324a.

<sup>29</sup> Section 448.095(2), F.S.

<sup>30</sup> Section 448.095(3), F.S.

<sup>31</sup> See generally, Department of Homeland Security Office of U.S. Citizenship and Immigration Services, *H-2A Temporary Agricultural Workers*, available at <https://www.uscis.gov/working-in-the-united-states/temporary-workers/h-2a-temporary-agricultural-workers> (last visited March 19, 2025).

- Must be maintained in a neat, orderly, and safe manner;
- Must have structures placed a minimum of 10 feet apart;
- May not exceed square footage of 1.5 percent of the property's area or 35,000 square feet, whichever is less;
- Must provide 50-foot setbacks on all sides;
- May not be located less than 100 feet from a property line adjacent to property zoned for residential use;
- If within 250 feet of a property line adjacent to property zoned for residential use, must contain screening consisting of tree, wall, berm or fence coverage at least six feet in height; and
- Must cover access drives with dust-free material such as packed shell or gravel.

The bill provides that a local ordinance adopted pursuant to this section must comply with state and federal regulations for migrant farmworker housing, and that a local government may validly adopt less restrictive land use regulations.

The bill further provides that, beginning July 1, 2025, a property owner must maintain records of all permits for such housing for three years, and make the records available for inspection within 14 days after receiving a request by a governmental entity.

The bill further provides that if agricultural operations are discontinued on the property for at least 365 days, structures used as living quarters must be removed within 180 days after notice from the local government unless the property owner demonstrates that its intended use will resume within 90 days. If the property ceases to be classified as agricultural, housing established under this section is no longer eligible for residential use without further approval under the local jurisdiction's zoning and land use regulations. Additionally, if the DOH permits for agricultural housing uses are revoked, structures used as living quarters must be removed within 180 days of notice from the local government unless the permit is reinstated.

The bill provides that if a housing site is found to be occupied by any person who is not a legally verified agricultural worker, or is otherwise unlawfully present, the property owner shall be subject to a Class I fine, not to exceed \$1,000, for the first violation. The bill also provides a Class II fine, not to exceed \$5,000, for any subsequent violations. The bill authorizes the fines to be collected by the clerk of the court of the county in which the violation occurred.

The bill provides that a housing site constructed and in use before July 1, 2024, may continue to be used, and the property owner may not be required to make changes to meet the requirements of this section, unless the housing site will be enlarged, remodeled, renovated, or rehabilitated.

The bill requires the department to adopt rules to provide a method for government entities to submit reports of property owners who have a housing site for legally verified agriculture workers and for people to submit complaints for review and investigation to the department. The bill also requires the department to enforce the requirements of this section and submit information collected to the State Board of Immigration Enforcement.

## Ten Year Site Plan Review, Agricultural Lands, Florida Public Service Commission, and Electric and Gas Utilities

### *Present Situation*

Section 186.801, F.S., requires each electric utility to submit to the Public Service Commission (PSC) a 10-year site plan in which the utility estimates its power-generating needs and the general location of its proposed power plant sites. The 10-year plan must be submitted and reviewed not less frequently than every two years. The PSC then has nine months to make a preliminary study of the plan and classify it as “suitable” or “unsuitable” for planning purposes. The PSC may suggest alternatives to the plan.

The PSC’s findings are made available to the Department of Environmental Protection (DEP) for its consideration at any subsequent electrical power plant site certification proceedings under the Florida Power Plant Siting Act.<sup>32</sup> However, it is expressly recognized that 10-year site plans submitted by an electric utility are tentative information for planning purposes only and may be amended at any time at the discretion of the utility upon written notification to the PSC, and, a complete application for certification of an electrical power plant site under chapter 403, when such site is not designated in the current 10-year site plan of the applicant, constitutes an amendment to the 10-year site plan.

In its “preliminary study” of each 10-year site plan, the PSC must review:

- The need, including the need as determined by the PSC, for electrical power in the area to be served.
- The effect on fuel diversity within the state.
- The anticipated environmental impact of each proposed electrical power plant site.
- Possible alternatives to the proposed plan.
- The views of appropriate local, state, and federal agencies, including the views of the appropriate water management district as to the availability of water and its recommendation as to the use by the proposed plant of salt water or fresh water for cooling purposes.
- The extent to which the plan is consistent with the state comprehensive plan.
- The plan with respect to the information of the state on energy availability and consumption.

The PSC is an arm of the legislative branch of government.<sup>33</sup> The role of the PSC is to ensure Florida’s consumers receive utility services, including electric, natural gas, telephone, water, and wastewater, in a safe and reliable manner and at fair prices.<sup>34</sup> In order to do so, the PSC exercises

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<sup>32</sup> The Florida Power Plant Siting Act (PPSA), ss. 403.501-.518, F.S., is Florida’s centralized process for licensing large power plants. The PPSA involves a wide-ranging review (involving both local governments and multiple state agencies) which addresses permitting, land use and zoning, and property interests. Florida Department of Environmental Protection, *Power Plant Siting Act*, <https://floridadep.gov/water/siting-coordination-office/content/power-plant-siting-act> (last visited March 19, 2025). Pursuant to s. 403.506, F.S., electrical power plants that are 75-megawatts or more in gross capacity are subject to the PPSA. To date, all solar power generation facilities constructed in Florida have been below this 75-megawatt threshold. United States Geological Survey Energy Resources Program, *U.S. Large-Scale Solar Photovoltaic Database*, <https://energy.usgs.gov/uspvdb/viewer/#6.16/27.708/-84.04> (last visited March 19, 2025).

<sup>33</sup> Section 350.001, F.S.

<sup>34</sup> See Florida Public Service Commission, *Florida Public Service Commission Homepage*, <http://www.psc.state.fl.us> (last visited March 19, 2025).

authority over utilities in one or more of the following areas: rate base or economic regulation; competitive market oversight; and monitoring of safety, reliability, and service issues.<sup>35</sup>

The PSC monitors the safety and reliability of the electric power grid<sup>36</sup> and may order the addition or repair of infrastructure as necessary.<sup>37</sup> The PSC has broad jurisdiction over the rates and service of investor-owned electric and gas utilities<sup>38</sup> (called “public utilities” under ch. 366, F.S.).<sup>39</sup> However, the PSC does not fully regulate municipal electric utilities (utilities owned or operated on behalf of a municipality) or rural electric cooperatives. The PSC does have jurisdiction over these types of utilities with regard to rate structure, territorial boundaries, and bulk power supply operations and planning.<sup>40</sup> Municipally owned utility rates and revenues are regulated by their respective local governments or local utility boards. Rates and revenues for a cooperative utility are regulated by its governing body elected by the cooperative’s membership.

### *Effect of Proposed Changes*

**Section 4** amends s. 253.0341, F.S., to authorize the department to surplus lands acquired pursuant to s. 366.20, F.S., which are determined to be suitable for bona fide agricultural production. The department is required to consult with the DEP in the process of making such determination. Lands designated as a state forest, state park, or wildlife management area are ineligible to be surpluses through this process. For lands that the department surpluses through this process, the department is required to retain a rural-lands protection easement on such lands. The proceeds are required to be deposited into the Incidental Trust Fund within the department and used for less-than-fee simple land acquisitions.

The bill requires the department to, by January 1, 2026, and each January 1 thereafter, to provide a report of lands surplused pursuant to this subsection to the board. This provision is retroactive to January 1, 2009.

**Section 6** creates 366.20, F.S., to require that lands acquired by an electric utility, which have been classified as agricultural lands at any time in the five years preceding the acquisition of the land by the electric utility, must be offered for less-than-fee simple acquisition and fee simple acquisition by the department before the land is offered for sale or transferred to a private individual or entity.

## **Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program**

### *Present Situation*

Following the devastation of Hurricane Idalia in 2023, the Florida legislature passed CS/HB 1-C to provide relief to those affected by the hurricane.<sup>41</sup> The law established the Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program within the department to make

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<sup>35</sup> Florida Public Service Commission, *About the PSC*, <https://www.psc.state.fl.us/about> (last visited March 19, 2025).

<sup>36</sup> Section 366.04(5) and (6), F.S.

<sup>37</sup> Section 366.05(1) and (8), F.S.

<sup>38</sup> Section 366.05, F.S.

<sup>39</sup> Section 366.02(8), F.S.

<sup>40</sup> Florida Public Service Commission, *About the PSC*, *supra* note 35.

<sup>41</sup> Chapter 2023-349, Laws of Fl.; HB 1-C (2023).

loans to agriculture and aquaculture producers who experienced damage or destruction from a declared natural disaster. Loan funds may be used to restore, repair, or replace essential physical property or remove vegetative debris from essential physical property.<sup>42</sup>

Under the program, the department is authorized to make low-interest or interest-free loans of up to \$500,000 to eligible applicants.<sup>43</sup> An approved applicant may receive no more than one loan per declared disaster, two loans per year, and five loans within any three-year period. The term of each loan is 10 years.<sup>44</sup>

To be eligible an applicant must:

- Own or lease a bona fide farm operation damaged or destroyed as a result of a declared natural disaster located in county that experienced a declared natural disaster; and
- Maintain complete and acceptable farm records, pursuant to criteria published by the department, and present them as proof of production levels and bona fide farm operations.<sup>45</sup>

The loan program expires on July 1, 2043, unless reviewed and saved from repeal by the Legislature.

### *Effect of Proposed Changes*

**Section 63** amends s. 570.822, F.S., to rename the Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program as the Agriculture and Aquaculture Producers Emergency Recovery Loan Program.

The bill changes the definition of the term “declared natural disaster” to “declared emergency” and includes a state of emergency declared pursuant to s. 570.07(21), F.S., which relates to the department’s authority to declare an emergency in matters relating to agriculture. The bill expands the authorized uses of program funds to include the restocking of aquaculture. The bill also permits the department to renew loan applications after a determination from the department and an active declared emergency.

The bill permits the department to defer or waive loan payments if, at any time during the repayment period of a loan, the approved applicant experiences a significant hardship such as crop loss from a weather-related event or from impacts from a natural disaster or declared emergency.

**Section 3** amends s. 201.25, F.S., to conform provisions to changes made by the bill relating to the name of the Agriculture and Aquaculture Producers Emergency Recovery Loan Program.

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<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> Section 570.822(3), F.S.

## Drones on Agricultural Lands<sup>46</sup>

### *Present Situation*

The Unmanned Aircraft Systems Act<sup>47</sup> defines a drone as a powered, aerial vehicle that:

- Does not carry a human operator;
- Uses aerodynamic forces to provide vehicle lift;
- Can fly autonomously or be piloted remotely;
- Can be expendable or recoverable; and
- Can carry a lethal or nonlethal payload.<sup>48</sup>

### *Effect of Proposed Changes*

**Section 5** amends s. 330.41, F.S., to provide definitions for “commercial property,” “private property,” “property owner,” residential property,” and “sport shooting and training range.”

The bill prohibits a person from knowingly or willfully doing any of the following on lands classified as agricultural lands, private property, state wildlife management lands, or a sport shooting and training range:

- Operating a drone.
- Allowing a drone to make contact with any person or object on the premises of or within the boundaries of such lands.
- Allowing a drone to come within close enough distance of such lands to interfere with or cause a disturbance to agricultural production.<sup>49</sup>

The prohibition does not apply to the following:

- The owner of the agricultural lands, private property, or sport shooting and training range or a person acting under the prior written consent of the owner of the property.
- A law enforcement agency or a person under contract with or otherwise acting under the direction of such law enforcement agency.
- A federal, state, or other governmental entity, or a person under contract with or otherwise acting under the direction of a federal, state, or other governmental entity.

**Section 79** amends s. 934.50, F.S., to eliminate the exemption provided to those using drones, under a business or professional license to perform reasonable tasks within the scope of practice or activities permitted under their license.

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<sup>46</sup> See page 5.

<sup>47</sup> Section 330.41, F.S.

<sup>48</sup> Section 934.50(2)(a), F.S.

<sup>49</sup> The bill provides that a person commits a second-degree misdemeanor or a first degree misdemeanor, for a second offense, for violating these prohibitions.

## Electric Vehicles Charging Stations and Preemption

### *Present Situation*

Consumers and fleets considering electric vehicles (EVs), including all-electric vehicles and plug-in hybrid electric vehicles (PHEVs), need access to charging equipment. For most drivers, this starts with charging at home or at fleet facilities. Charging stations at workplaces, public destinations, and along highways offer more flexible charging opportunities at commonly visited locations.<sup>50</sup>

EV charging equipment is classified based on the rate of charge:<sup>51</sup>

- Alternating Current (AC) Level 1 equipment provides charging through a common 120-volt AC outlet. Most, if not all, EVs come with a portable Level 1 cord, so no additional charging equipment is required. Level 1 chargers can take 40-50 hours to charge an all-electric vehicle from empty and 5-6 hours to charge a PHEV from empty.<sup>52</sup>
- AC Level 2 equipment offers charging through 240 volt (in residential applications) or 208-volt charging. As of 2022, 80 percent of public EV charging ports in the country were Level 2.<sup>53</sup> Level 2 chargers can charge an all-electric vehicle from empty in 4-10 hours and a PHEV from empty in 1-2 hours.<sup>54</sup>
- Direct-current (DC) fast charging equipment enables rapid charging along heavy traffic corridors at installed stations. As of 2022, more than 20 percent of public EV charging ports in the country were DC fast chargers.<sup>55</sup> DC fast charging equipment can charge an all-electric vehicle to 80 percent in 20 minutes to one hour.<sup>56</sup>

Charging times vary depending on the depletion level of the battery, how much energy the battery holds, the type of battery, temperature, and the type of supply equipment.

Currently, 44 of Florida's 67 counties<sup>57</sup> collectively have 3,230 EV public charging stations offering a total of 8,981 charging ports. AC Level 2 charging ports comprise 6,793 of these ports, and DC fast charging ports comprise 2,164 of these ports.<sup>58</sup> Florida law requires the department to adopt rules to provide definitions, methods of sale, labeling requirements, and price-posting requirements for EV charging stations to provide consistency for consumers and the industry.<sup>59</sup>

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<sup>50</sup> U.S. Dept. of Energy (DOE), Alternative Fuels Data Center, *Developing Infrastructure to Charge Electric Vehicles*, [https://afdc.energy.gov/fuels/electricity\\_infrastructure.html](https://afdc.energy.gov/fuels/electricity_infrastructure.html) (last visited March 19, 2025).

<sup>51</sup> U.S. Environmental Protection Agency (EPA), *Plug-in Electric Vehicle Charging*, <https://www.epa.gov/greenvehicles/plug-electric-vehicle-charging-basics> (last visited March 19, 2025).

<sup>52</sup> U.S. Dept. of Transportation (USDOT), *Electric Vehicle Charging Speeds*, <https://www.transportation.gov/rural/ev/toolkit/ev-basics/charging-speeds> (last visited March 19, 2025).

<sup>53</sup> DOE, *supra* note 1.

<sup>54</sup> DOT *supra* note 3.

<sup>55</sup> DOE, *supra* note 1.

<sup>56</sup> DOT, *supra* note 3.

<sup>57</sup> FDACS, Transportation, *Alternative Fueling Stations and Electric Vehicle Charging Stations*, <https://www.fdacs.gov/Business-Services/Energy/Florida-Energy-Clearinghouse/Transportation> (last visited March 19, 2025).

<sup>58</sup> U.S. Dept. of Energy, Alternative Fuels Data Center (AFDC), *Alternative Fueling Station Counts by State*, <https://afdc.energy.gov/stations/states> (last visited March 19, 2025).

<sup>59</sup> Section 366.94, F.S.

The State Constitution grants local county and municipal governments broad home rule authority. Specifically, non-charter county governments may exercise those powers of self-government provided by general or special law.<sup>60</sup> Those counties operating under a county charter have all powers of self-government not inconsistent with general or with special law approved by the vote of the electors.<sup>61</sup> Likewise, municipalities<sup>62</sup> have those governmental, corporate, and proprietary powers enabling them to conduct municipal government, perform their functions and provide services, and exercise any power for municipal purposes, except as otherwise provided by law.<sup>63</sup>

There are two ways that local government can be inconsistent with state law and therefore unconstitutional. First, a local government cannot legislate in a field if the subject area has been preempted to the state. Second, in a field where both the state and local government can legislate concurrently, a local government cannot enact an ordinance that directly conflicts with the state statute.<sup>64</sup>

State law recognizes two types of state preemption: express and implied. Express preemption requires a specific legislative statement of intent to preempt a specific area of law; it cannot be implied or inferred.<sup>65</sup> In contrast, implied preemption exists if the legislative scheme is so pervasive as to evidence an intent to preempt the particular area, and where strong public policy reasons exist for finding such an area to be preempted by the Legislature.<sup>66</sup> Courts determining the validity of local government ordinances enacted in the face of state preemption, whether express or implied, have found such ordinances to be null and void.<sup>67</sup>

### *Effect of Proposed Changes*

**Section 7** amends s. 366.94, F.S., to define “electric vehicle charging station” to mean the area in the immediate vicinity of EV supply equipment and includes the EV supply equipment, supporting equipment, and associated parking spaces.

The bill permits the department to adopt rules to protect the public health, safety, and welfare and establish standards for the placement, design, installation, maintenance, and operation of EV charging stations. The bill also permits local governments to issue permits for charging stations.

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<sup>60</sup> Art. VIII, s. 1(f), Fla. Const.

<sup>61</sup> Art. VIII, s. 1(g), Fla. Const.

<sup>62</sup> A municipality is a local government entity created to perform functions and provide services for the particular benefit of the population within the municipality, in addition to those provided by the county. The term “municipality” may be used interchangeably with the terms “town,” “city,” and “village.”

<sup>63</sup> Art. VIII, s. 2(b), Fla. Const.; *see also* section 166.021(1), F.S.

<sup>64</sup> *Orange County v. Singh*, 268 So. 3d 668, 673 (Fla. 2019) (citing *Phantom of Brevard, Inc. v. Brevard County*, 3 So. 3d 309, 314 (Fla. 2008)); *see also* James Wolf & Sarah Bolinder, *The Effectiveness of Home Rule: A Preemptions and Conflict Analysis*, 83 Fla. Bar J. 92 (2009), <https://www.floridabar.org/the-florida-bar-journal/the-effectiveness-of-home-rule-a-preemption-and-conflict-analysis/> (last visited March 19, 2025).

<sup>65</sup> *City of Hollywood v. Mulligan*, 934 So. 2d 1238, 1243 (Fla. 2006); *Phantom of Brevard, Inc.*, 3 So. 3d at 1018.

<sup>66</sup> *Sarasota Alliance for Fair Elections, Inc. v. Browning*, 28 So. 3d 880, 886 (Fla. 2010).

<sup>67</sup> *See, e.g., National Rifle Association of America, Inc. v. City of South Miami*, 812 So. 2d 504 (Fla. 3d DCA 2002) (concluding that a City of South Miami local government ordinance, which purported to provide safety standards for firearms, was null and void because the Legislature expressly preempted the entire field of firearm and ammunition regulation when it enacted section 790.33, F.S.)



The bill requires charging stations to be registered with the department before being placed in service.

The bill grants the department authority to inspect EV charging stations, conduct investigations, and enforce the provisions and rules adopted under this subsection. The department may impose one or more of the following penalties against a person who violates this subsection, or any rule adopted under this subsection:

- Issuance of a warning letter.
- Imposition of an administrative fine in the Class II category pursuant to s. 570.971, F.S., for each violation.

The bill permits the department to prohibit the use of a charging station if it poses a threat to public health, safety, or welfare.

The bill permits the department to bring legal action against a violation of this subsection or rules adopted under this subsection in the circuit court of the county in which the violation occurs. The court shall immediately issue the temporary or permanent injunction sought by the department. The injunction shall be issued without bond.

## **Mosquito Control Districts**

### ***Present Situation***

In the late 1800s, Floridians experienced major epidemics of yellow fever and malaria due to the unchecked mosquito populations. Control efforts through organizations such as the Florida Mosquito Control Association began in the early 1920s to combat mosquitoes and prevent further transmission of mosquito-borne disease. By the mid-1920s, mosquito control programs were beginning to form in the state to locally control mosquitoes and protect public health in their regions. Today, Florida has over 60 state-approved mosquito control programs.<sup>68</sup>

In addition to playing a key role in public health, mosquito control programs support the economy by protecting Florida's tourism and livestock industry. Today, millions of people can enjoy Florida's beaches and parks thanks to the efforts of our mosquito control programs.<sup>69</sup>

Mosquito control programs work to suppress populations of mosquitoes by implementing "integrated mosquito management." This process includes crucial methods for mosquito abatement, including population surveillance, source reduction, and various types of treatments for immature and adult mosquitoes. As licensed pesticide applicators, mosquito control programs are regulated by the department.<sup>70</sup>

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<sup>68</sup> Florida Department of Agriculture and Consumer Services, Florida Mosquito Control, available at <https://www.fdacs.gov/Business-Services/Mosquito-Control/Mosquitoes-General-Information> (last visited March 19, 2025).

<sup>69</sup> *Id.*

<sup>70</sup> Florida Department of Agriculture and Consumer Services, Mosquito Control Programs, available at <https://www.fdacs.gov/Business-Services/Mosquito-Control/Mosquito-Control-Programs> (last visited March 19, 2025).

*Effect of Proposed Changes*

**Section 8** amends s. 388.011, F.S., to replace mosquito control districts with mosquito control programs in the definition of “board of commissioners.” The bill also adds city councils, municipalities, or other similar governing bodies to the definition.

The bill revises the definition of “district” to include mosquito control special districts.

The bill defines the term “program” to mean any governmental jurisdiction that conducts mosquito control, whether it be a special district, county, or municipality.

**Section 9** amends s. 388.021, F.S., to make conforming changes relating to mosquito control districts.

**Section 10** amends s. 388.181, F.S., to make a conforming change replacing “districts” with “programs.”

**Section 11** amends s. 388.201, F.S., to make conforming changes replacing “districts” with “programs.”

The bill requires a program’s tentative work plan to show the estimated unobligated or net balance which will be on hand at the beginning of the fiscal year budget and to show the estimated amount to be raised by county, municipality, or district taxes and from all other sources for meeting the program’s the district’s requirements.

**Section 12** amends s. 388.241, F.S., to grant the local board of county commissioners, or similar governing bodies, all the rights, powers, and duties of a board of commissioners over counties or cities where there is no formation of separate or special board of commissioners.

**Section 13** amends s. 388.261, F.S., to add municipalities to entities eligible to use funds for the control of mosquitoes. The bill also increases the amount of state aid a county or district can receive for any new program meant to control mosquitoes and other arthropods from \$50,000 to \$75,000 per year for up to three years. The new program must serve an area not previously served by the county, municipality, or district.

**Section 14** amends s. 388.271, F.S., to grant the department the ability to guide, review, approve, and coordinate the activities of all county and municipal governments and special districts receiving state funds in furtherance of the goal of integrated arthropod control.

The bill makes conforming changes replacing “county” with “program.” The bill also replaces the work plan with the integrated arthropod management plan.

**Section 15** amends s. 388.281, F.S., to make conforming changes replacing “county or district” with “program”. The bill also requires that all funds, supplies, and services released to programs be used in accordance with the integrated arthropod management and budget approved by both the board of commissioners and appropriate representatives. The bill permits the integrated

arthropod management plan and budget to be amended at any time upon approval by the department.

**Section 16** amends s. 388.291, F.S., to make conforming changes replacing “county or district” with “program.” The bill also permits a program to perform source reduction measures provided that the department cooperating with the municipality has approved the operating or construction plan as outlined in the integrated arthropod management plan.

**Section 17** amends s. 388.301, F.S., to remove the requirement that state funds be paid quarterly and to replace “county or district” with “program.”

**Section 18** amends s. 388.311, F.S., to make a conforming change replacing “county or district” with “program.”

**Section 19** amends s. 388.321, F.S., to make a conforming change replacing “county or district” with “program.”

**Section 20** amends s. 388.322, F.S., to require that a record and inventory of certain property purchased with state funds for arthropod control use owned by the program district and shall be maintained in accordance with s. 274.02, F.S.

**Section 21** amends s. 388.323, F.S., to require any serviceable equipment that was purchased using state funds for arthropod control use but is no longer needed to be offered to any or all other programs engaged in arthropod control at a price established by the board of commissioners owning the equipment.

The bill also makes conforming changes replacing “county or district” with “program”.

The bill permits the proceeds from the sale of any real or tangible personal property owned by the program and purchased using state funds to be deposited in the program’s state fund account.

**Section 22** amends s. 388.341, F.S., to require each program receiving state aid to submit to the department a monthly report for the preceding month of expenditures from all funds for arthropod control within 30 days after the end of each month. The bill also requires each program participating under this chapter to provide such reports of activities and accomplishments.

**Section 23** amends s. 388.351, F.S., to make conforming changes replacing “county or district” with “program”.

**Section 24** amends s. 388.361, F.S., to make conforming changes replacing “districts” with “programs”.

**Section 25** amends s. 388.3711, F.S., to permit the department to issue a written warning, impose a fine, or deny participation. The bill also permits the department to place a party in violation of department rules on probation if it finds that imposing a fine would be detrimental to the public.

**Section 26** amends s. 388.381, F.S., to make conforming changes replacing “county or district” with “program.” The bill also replaces “program” with “work” for the controlling of mosquitoes and other arthropods.

**Section 27** amends s. 388.391, F.S., to make conforming changes replacing “districts” with “programs.”

**Section 28** amends s. 388.401, F.S., to make conforming changes replacing “county or district” with “program.”

**Section 29** amends s. 388.46, F.S., to add a representative from the Center of Medical, Agricultural, and Veterinary Entomology to the Florida Coordinating Council on Mosquito Control. The bill also increases the amount of mosquito control directors from two to four and permits members of the Florida Coordinating Council on Mosquito Control to serve until his or her successor is appointed.

**Section 82** reenacts s. 189.062, F.S., related to special procedures for inactive districts.

## **Basin Management Action Plan (BMAP)**

### ***Present Situation***

A BMAP is a framework for water quality restoration that contains a comprehensive set of solutions to achieve the pollutant reductions established by a Total Maximum Daily Load (TMDL).<sup>71</sup> Examples include permit limits on regulated facilities, urban and agricultural best management practices, wastewater and stormwater infrastructure, and regional projects and conservation programs designed to achieve pollutant reductions established by a TMDL. A BMAP is developed with local stakeholders and relies on local input and commitment for successful implementation. BMAPs are adopted by Secretarial Order and are legally enforceable. BMAPs use an adaptive management approach that allows for incremental load reductions through the implementation of projects and management strategies, while simultaneously monitoring and conducting studies to better understand the water quality and hydrologic dynamics. Progress is tracked by assessing project implementation and water quality analyses. The DEP continues to work with local and regional partners to identify additional projects necessary to meet reduction milestones to achieve the TMDLs and inform funding priorities.<sup>72</sup>

### ***Effect of Proposed Changes***

**Section 30** amends s. 403.067, F.S., to authorize the department to adopt rules establishing an enrollment in best management practices by rule process that agricultural pollutant sources and agricultural producers may utilize in lieu of the best management practices already adopted and

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<sup>71</sup> Florida Department of Environmental Protection, Water Quality Restoration Program, available at <https://floridadep.gov/dear/water-quality-restoration> (last visited March 19, 2025).

<sup>72</sup> Florida Department of Agriculture and Consumer Services, Basin Management Action Plan, available at <https://floridadep.gov/dear/water-quality-restoration/content/basin-management-action-plans-bmaps> (last visited March 19, 2025).

identify best management practices for landowners of parcels which meet the following requirements:

- A parcel not more than 25 acres in size;
- A parcel designated as agricultural land use by the county in which it is located or the parcel is granted agricultural tax classification by the county property appraiser of the county in which it is located;
- A parcel with water use not exceeding 100,000 gallons per day on average, unless the entire use is met using recycled water from wet detention treatment ponds or reuse water;
- A parcel where the agricultural activity on the parcel is not vegetable crop, agronomic crop, a nursery, or a dairy operation;
- A parcel not abutting an impaired water body identified in the department’s approved list in s. 403.067(4), F.S.; and
- A parcel not part of a larger operation that is enrolled in the department’s best management practices or conducting water quality monitoring prescribed by the department or a water management district.

Under the bill, agricultural producers who enroll in the best management practices by rule process are exempt from the two-year best management practices inspection. The bill also requires the department to annually perform onsite inspections for 20 percent of the enrollments that qualify under this section to ensure that practices are being properly implemented. The bill requires these inspections to include a collection and review of the identified best management practice documents from the previous two years. The bill requires all agricultural producers enrolled in a best management practice to annually submit nutrient records, including nitrogen and phosphorus fertilizer application records for the previous calendar year, to the department.

## **Public Drinking Water System**

### *Present Situation*

Drinking water standards are regulations that the U.S. Environmental Protection Agency (EPA) sets to control the level of contaminants in the nation’s drinking water. The regulations also require water monitoring schedules and methods to measure contaminants in water.

The standards are part of the Safe Drinking Water Act (SDWA)’s “multiple barrier” approach to drinking water protection, which includes:

- Assessing and protecting drinking water sources,
- Protecting wells and collection systems,
- Making sure water is treated by qualified operators,
- Ensuring the integrity of distribution systems (for example, minimizing leaks, maintaining adequate water pressure), and
- Making information available to the public on the quality of their drinking water.<sup>73</sup>

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<sup>73</sup> US Environmental Protection Agency, What are drinking water standards?, available at <https://www.epa.gov/sdwa/how-epa-regulates-drinking-water-contaminants> (last visited March 19, 2025).

There are two categories of drinking water standards:

- National primary drinking water regulations (NPDWR or primary standard):
  - Legally enforceable standards that apply to public water systems.
  - Protect drinking water quality by limiting the levels of specific contaminants that can adversely affect public health and are known or anticipated to occur in water from public water systems.
  - Take the form of maximum contaminant level or treatment technique rules.
- National secondary drinking water regulations (NSDWR or secondary standard):
  - Non-enforceable guidelines for contaminants that may cause:
    - Cosmetic effects (such as skin or tooth discoloration)
    - Aesthetic effects (such as taste, odor, or color) in drinking water.

The EPA recommends secondary standards to water systems but does not require systems to comply (except for the public notice required for exceedance of the fluoride secondary standard); however, states may choose to adopt them as enforceable standards.<sup>74</sup>

In November 2024, the Florida Department of Health (DOH) released a Guidance for Community Water Fluoridation memo.<sup>75</sup> The State Surgeon General Dr. Joseph A. Ladapo recommends against community water fluoridation due to the neuropsychiatric risk associated with fluoride exposure and provided studies on the effects of fluoride on children.<sup>76</sup> There are currently at least 29 counties that actively fluoridate their water.<sup>77</sup>

### *Effect of Proposed Changes*

**Section 31** amends s. 403.852, F.S., to define “water quality additive” to mean any chemical or additive which is used in a public water system for the purpose of removing contaminants or increasing water quality. The term does not include additives used for health-related purposes.

**Section 32** amends s. 403.859, F.S., to prohibit the use of any additives in a public water system which do not meet the definition of a water quality additive as defined in s. 403.852, F.S., or the use of any additives included primarily for health-related purposes.

## **Pest Control Examinations, Licensing, and Certification Programs**

### *Present Situation*

For structural pest control (pest control provided to homes or other structures), Florida law requires that each pest control business location must:

- Be licensed by the department,

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<sup>74</sup> *Id.*

<sup>75</sup> FL Department of Health, Guidance for Community Water Fluoridation, available at [https://www.floridahealth.gov/documents/newsroom/press-releases/2024/11/GUIDANCECommunityWaterFluoridation.pdf?utm\\_medium=email&utm\\_source=govdelivery](https://www.floridahealth.gov/documents/newsroom/press-releases/2024/11/GUIDANCECommunityWaterFluoridation.pdf?utm_medium=email&utm_source=govdelivery) (last visited March 19, 2025).

<sup>76</sup> *Id.*

<sup>77</sup> FL Department of Health, Public Water Systems Actively Fluoridating, available at [https://www.floridahealth.gov/programs-and-services/community-health/dental-health/Fluoridation.html?utm\\_medium=email&utm\\_source=govdelivery](https://www.floridahealth.gov/programs-and-services/community-health/dental-health/Fluoridation.html?utm_medium=email&utm_source=govdelivery) (last visited March 19, 2025).

- Carry the required insurance coverage (\$250,000 per person and \$500,000 per occurrence for bodily injury and \$250,000 per occurrence and \$500,000 in the aggregate for property damage, or a combined single limit coverage of \$500,000 in the aggregate), and
- Employ full-time a Florida-certified operator in charge of the pest control operations of the business location. This operator must be certified in the categories in which the business operates:
  - General Household Pest and Rodent Control,
  - Termite and Other Wood-Destroying Organisms Control, or
  - Lawn and Ornamental Pest Control, and/or Fumigation.<sup>78</sup>

The business license fee is \$300, and the fee for each employee identification card is \$10.<sup>79</sup>

A certified operator is an individual who has passed an examination administered by the department in any of four certification categories:

- General Household and Rodent Control;
- Lawn and Ornamental Pest Control;
- Termite and Other Wood-Destroying Organisms Control; and
- Fumigation.<sup>80</sup>

A person can be certified in just one or all four categories.

A company's pest control operations are the responsibility of the certified operator in charge and the business operations are limited to the category (or categories) possessed by the certified operator (or operators) in charge at the business location.<sup>81</sup>

The department also administers four Limited Certification Categories:

- Commercial Landscape Maintenance applicators,
- Governmental or Private applicators,
- Commercial Urban Fertilizer applicators, and
- Commercial Wildlife Management.<sup>82</sup>

None of these certifications allows the operation of a commercial pest control business.

### *Effect of Proposed Changes*

**Section 33** amends s. 482.111, F.S., to require the department to provide the pest control operator's certificate examination in person and remotely through a third-party vendor. The bill also permits the third-party vendor to collect and retain a convenience fee.

<sup>78</sup> FDACS, Pest Control Licensing and Certification, available at, <https://www.fdacs.gov/Business-Services/Pest-Control/Licensing-and-Certification> (last visited March 19, 2025).

<sup>79</sup> *Id.*

<sup>80</sup> FDACS, Pest Control FAQ, available at, <https://www.fdacs.gov/Business-Services/Pest-Control/Pest-Control-FAQ> (last visited March 19, 2025).

<sup>81</sup> *Id.*

<sup>82</sup> FDACS, Pest Control Licensing and Certification, available at, <https://www.fdacs.gov/Business-Services/Pest-Control/Licensing-and-Certification> (last visited March 19, 2025).

**Section 34** amends s. 482.141, F.S., to require the department to provide the pest control operator's certificate examination in person and remotely through a third-party vendor. The bill also permits the third-party vendor to collect and retain a convenience fee.

**Section 35** amends s. 482.155, F.S., to require the department to provide the limited certification for governmental pesticide applicators or private applicators examination in person and remotely through a third-party vendor. The bill also permits the third-party vendor to collect and retain a convenience fee.

**Section 36** amends s. 482.156, F.S., to require the department to provide the certification for limited certification for commercial landscape maintenance personnel examination in person and remotely through a third-party vendor. The bill also permits the third-party vendor to collect and retain a convenience fee.

**Section 37** amends s. 482.157, F.S., to require the department to provide the certification for limited certification for commercial wildlife management personnel examination in person and remotely through a third-party vendor. The bill also permits the third-party vendor to collect and retain a convenience fee.

**Section 38** amends s. 482.161, F.S., to require the department to impose disciplinary actions against a licensee or certificate holder based upon the issuance of a final order imposing civil penalties under subsection 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction under subsection 14(b) of FIFRA.

**Section 39** amends s. 487.044, F.S., to require the department to provide the certification for certified applicator's license examination in person and remotely through a third-party vendor. The bill also permits the third-party vendor to collect and retain a convenience fee.

**Section 40** amends s. 487.175, F.S., to authorize the department to impose disciplinary actions against a license holder based upon the issuance of a final order imposing civil penalties under subsection 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction under subsection 14(b), of FIFRA.

**Section 83** reenacts s. 388.261, F.S., related to state aid to counties and districts for arthropod control, to incorporate the changes made by the bill to s. 388.271, F.S.

**Section 84** reenacts s. 482.072, F.S., related to pest control customer contact centers, to incorporate the changes made by the bill to s. 482.161, F.S.

**Section 85** reenacts s. 482.163, F.S., related to responsibility for pest control activities of employees, to incorporate the changes made by the bill to s. 482.161, F.S.

**Section 86** reenacts s. 487.156, F.S., related to governmental agencies, to incorporate the changes made by the bill to s. 487.044, F.S.



## Charitable Organizations

### *Present Situation*

Organizations intending to solicit donations in Florida are required to register with the department pursuant to the Solicitation of Contributions (ACT).<sup>83</sup> The Act contains basic registration, financial disclosure, and notification requirements for charitable organizations and sponsors,<sup>84</sup> fundraising consultants, and solicitors.

Organizations must submit an initial registration statement to the department and include a financial report, a statement of the purpose of the charity, how donations will be used, names of individuals in charge of solicitation activities, and proof of federal tax-exempt status. The charity must also identify any professional solicitors and fundraising consultants the charity will use, along with the terms of the arrangements for compensation to be paid to the consultant and solicitor. The registration must include a statement related to the charity's activity in other states, including whether the charity is authorized to operate in another state; whether the charity's registration has been denied, suspended, or revoked in another state; and whether the charity or any person associated with the charity has been subject to any adverse administrative actions or criminal convictions in any state.<sup>85</sup>

The following charitable organizations and sponsors are exempt from the registration requirements:

- A person who is soliciting for a named individual;
- A charitable organization or sponsor that limits solicitations of contributions to the membership of the charitable organization or sponsor;
- Any division, Department, post, or chapter of certain veterans' service organizations are exempt from the registration requirements; or
- A charitable organization that has less than \$50,000 in total revenue so long as they did not employ professional solicitors or have paid employees.<sup>86</sup>

Before soliciting contributions, the charitable organization or sponsor claiming the exemption must provide the department with certain financial and identifying information including the name, address, and telephone number of the charitable organization or sponsor, the name under which it intends to solicit contributions, the purpose for which it is organized, and the purpose for which the contributions to be solicited will be used.<sup>87</sup>

A charitable organization or sponsor that is required to register or renew registration must file an annual financial statement for the immediate preceding year with the department. The statement must include:

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<sup>83</sup> Section 496.401, F.S.

<sup>84</sup> A sponsor is a group or person who is or holds itself out to be soliciting contributions by the use of a name that implies that the group or person is in any way affiliated with or organized for the benefit of emergency service employees or law enforcement officers and the group or person is not a charitable organization. The term includes a chapter, branch, or affiliate that has its principal place of business outside the state if the chapter, branch, or affiliate solicits or holds itself out to be soliciting contributions in the state. Section 496.404(25), F.S.

<sup>85</sup> Section 496.405(2), F.S.

<sup>86</sup> Section 496.406(1), F.S.

<sup>87</sup> Section 496.406(2), F.S.

- A balance sheet;
- A statement of support, revenue and expenses;
- Names and addresses of any charities, professional fundraising consultants, professional solicitors, and commercial co-ventures used and the amounts received from each of them; and
- A statement of functional expenses that must include program service costs, management and general costs, and fundraising costs.<sup>88</sup>

Upon the showing of good cause by a charitable organization or sponsor, the department may extend the time for the filing of a financial statement by up to 180 days.<sup>89</sup>

Charitable organizations or sponsors can solicit contributions only for the purpose expressed in the solicitation for contributions or the registration statement. The following disclosures must be included at the point of solicitation:

- The name of the organization or sponsor and principal place of business of the organization or sponsor;
- A description of the purpose for which the solicitation is being made;
- The name and address or telephone number of a person to whom inquiries may be addressed;
- The amount of the contribution which may be deducted from federal income tax; and
- The source from which a written financial statement may be obtained.<sup>90</sup>

Professional fundraising consultants<sup>91</sup> are required to annually register and pay a \$300 fee to the department before operating in Florida.<sup>92</sup> Additionally, professional fundraising consultants who enter into agreements with charities may do so only if the charity has complied with ch. 496, F.S. and has obtained approval from the department of a registration statement.<sup>93</sup>

Applications for registration or renewal must be signed by an authorized official of the professional fundraising consultant and must include certain identifying information such as the names and residence addresses of all principals of the applicant, including all officers, directors, and owners; the form of the applicant's business; and the street address and telephone number of the principal place of business of the applicant and any Florida street addresses if the principal place of business is located outside of Florida.<sup>94</sup>

After receiving the registration statement, the department has 15 business days to either approve the registration or notify the consultant that the registration requirements are not satisfied. If,

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<sup>88</sup> Section 496.407(1), F.S.

<sup>89</sup> Section 496.407(3), F.S.

<sup>90</sup> Section 496.411, F.S.

<sup>91</sup> A professional fundraising consultant is a person retained by a charitable organization or sponsor for a fixed fee or rate under a written agreement to plan, manage, conduct, carry on, advise, consult, or prepare material for a solicitation of contributions in Florida but who does not solicit contributions or employ, procure, or engage any compensated person to solicit contributions and who does not at any time have custody or control of contributions. Section 496.404(20), F.S.

<sup>92</sup> Section 496.409(1),(3), F.S.

<sup>93</sup> See s. 496.409(6), F.S.

<sup>94</sup> Section 496.409(2), F.S.

after 15 days the department has not notified the consultant, the registration is deemed approved.<sup>95</sup>

Anyone who willfully violates ch. 496, F.S., commits a third degree felony<sup>96</sup> and a second degree felony<sup>97</sup> for a subsequent conviction.<sup>98</sup> Additionally, the department may enter an order imposing a range of administrative penalties, including imposing an administrative fine up to \$5,000 for each act or omission as well as a fine up to \$10,000 for any violating of ch. 496, F.S., that involves fraud or deception.<sup>99</sup>

### *Effect of Proposed Changes*

**Section 41** amends s. 496.404, F.S., to define “foreign country of concern” to mean the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity under significant control of such foreign country of concern. The bill also defines “foreign source of concern” and “controlling interest.”

**Section 42** amends s. 496.405, F.S., to require a charitable organization or sponsor to provide an attestation statement to the department before engaging in solicitation of funds in the state. The bill requires that the attestation statement must be submitted on a form prescribed by the department and signed by an authorized official of the charitable organization who must attest that the charitable organization is registered with the Department of State (DOS) if required by law.

The bill also requires an attestation statement signed and attested by an authorized official of the charitable organization, that the organization, if prohibited by applicable federal or state law, is not engaged in activities that would require registration with the DOS as required by law.

The bill permits the department to investigate and refer a charitable organization or sponsor to the Florida Elections Commission for investigation of violations.

**Section 43** amends s. 496.415, F.S., to prohibit the solicitation or accepting of contributions or anything of value from a foreign source of concern.

**Section 44** amends s. 496.417, F.S., to permit the department to investigate and refer a charitable organization or sponsor to the Florida Elections Commission for investigation of violations.

**Section 45** amends s. 496.419, F.S., to prohibit a charitable organization or sponsor whose registration is denied or revoked for submitting a false attestation from registering as a charitable organization or sponsor for five years for an initial violation and prohibits them from registering as a charitable organization or sponsor following any subsequent violations.

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<sup>95</sup> Section 496.409(6), F.S.

<sup>96</sup> A third degree felony is punishable by up to 5 years imprisonment and a \$5,000 fine. Sections 775.082 and 775.083, F.S.

<sup>97</sup> A second degree felony is punishable by up to 15 years imprisonment and a \$10,000 fine. Sections 775.082 and 775.083, F.S.

<sup>98</sup> Section 496.417, F.S.

<sup>99</sup> Section 496.419, F.S.

The bill also prohibits a person serving as a board member, executive leadership team member, or registering agent of a charitable organization at the time in which the charitable organization is found to have submitted a false attestation from serving in any capacity with a charitable organization required to comply with the requirements of SS. 496.405, and 496.406, F.S., for five years after the date of the violation of this subsection.

**Section 46** creates s. 496.431, F.S., to create the Honest Service Registry. The bill permits the department to create the Honest Services Registry to provide the residents of this state with the information necessary to make an informed choice when deciding which charitable organizations to support. In order to be included on the Honest Services Registry, a charitable organization must, at a minimum, submit to the department an attestation statement on a form prescribed by the department, verified as provided in s. 92.525, F.S., attesting to all of the following:

- The organization does not solicit or accept, directly or indirectly, contributions, funding, support, or services from a foreign source of concern; and
- The organization’s messaging and content are not directly or indirectly produced or influenced by a foreign source of concern.

The bill requires the department to publish the Honest Services Registry on the department’s website and adopt rules.

**Section 87** reenacts s. 496.4055, F.S., related to charitable organization or sponsor board duties, to incorporate the changes made by the bill to s. 496.405, F.S.

**Section 88** reenacts s. 496.406, F.S., related to charitable organization exemption from registration, to incorporate the changes made by the bill to s. 496.405, F.S.

## **Retail Food Establishment Permit**

### *Present Situation*

The department issues retail food permits to food establishments selling directly to customers. These food establishments may include supermarkets, grocery stores, convenience stores, coffee shops, bakeries, retail meat markets, retail seafood markets, juice and smoothie bars, ice/water vending machines, food salvage stores, businesses selling prepackaged foods (including hemp extract intended for human consumption, which includes cannabidiol (CBD) or other cannabinoids; and kratom intended for human consumption), and department-regulated mobile food units selling only prepackaged foods or non-potentially hazardous food items.<sup>100</sup>

### *Effect of Proposed Changes*

**Section 47** amends s. 500.03, F.S., to amend the definition of “cottage food product” to include food that is not time or temperature controlled for safety.

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<sup>100</sup> FDACS, Business Services, *Retail Food Establishment Permit*, available at <https://www.fdacs.gov/Business-Services/Food/Food-Establishments/Retail-Food-Establishment-Permit> (last visited March 19, 2025).

**Section 48** amends s. 500.12, F.S., to add a requirement that food being sold by a person or business is not age restricted to the list of qualifying exemptions to the food permit requirement.

The bill also amends food permit renewal timelines and permits the department to establish a single permit renewal date for multiple food establishments owned by the same entity.

**Section 89** reenacts s. 500.80, F.S., related to cottage food operations, to incorporate the changes made by the bill to s. 500.12, F.S.

## **Interstate Commerce and Terminal Market Inspections**

### *Present Situation*

The department conducts inspections of fresh and processed fruits, vegetables, nuts, and specialty products to certify the class, quality, quantity, and condition of agricultural products when shipped or received in interstate commerce.<sup>101</sup> The department also inspects government procurement orders and imports and exports.<sup>102</sup> Anyone with a financial interest in a load of product may request grading services. The inspectors perform their duties at field locations, in packing sheds, at receiving markets and distribution centers, and in processing plants.<sup>103</sup>

Applicants may specify the type of inspection required according to U.S. Grade Standards and contract terms— i.e., full inspection (quality and condition), condition only, weight or count only, temperature only, or a combination of these certifications. Services are mostly voluntary, except when mandated by federal marketing orders.<sup>104</sup>

Carriers engaged in interstate commerce and persons receiving food in interstate commerce must, upon the request by an officer or employee duly designated by the department, permit the officer or employee to have access to and to copy all records showing the movement in interstate commerce of any food, and the quantity, shipper, and consignee thereof.<sup>105</sup>

An agent of the department may issue and enforce a stop-sale, removal, or hold order to detain or embargo when he or she finds or has probable cause to believe that any food, food processing equipment, food processing area, mislabeled food, or food storage area is in violation of department rules, and is so found to be dangerous, unwholesome, fraudulent, or insanitary.<sup>106</sup>

### *Effect of Proposed Changes*

**Section 49** amends s. 500.166, F.S., to require carriers engaged in interstate commerce and persons receiving food in interstate commerce to retain all records for three years from the date

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<sup>101</sup> FDACS, Business Services, *Terminal Market Inspections*, <https://www.fdacs.gov/Agriculture-Industry/Fruit-and-Vegetables/Terminal-Market-Inspections> (last visited March 19, 2025).

<sup>102</sup> Section 500.166, F.S.

<sup>103</sup> FDACS, Business Services, *Terminal Market Inspections*, <https://www.fdacs.gov/Agriculture-Industry/Fruit-and-Vegetables/Terminal-Market-Inspections> (last visited March 19, 2025).

<sup>104</sup> *Id.*

<sup>105</sup> Section 500.166, F.S.

<sup>106</sup> Section 500.172(1), F.S.

of the record showing the movement in interstate commerce of any food and the quantity, shipper, and consignee thereof.

**Section 50** amends s. 500.172, F.S., to permit the department to enter into a written agreement with the owner of such food, food processing equipment, food processing area, or food storage area, or otherwise facilitate the destruction of any article found or suspected by the department to be in violation. The bill prohibits the removing, use, or disposal of any article found or suspected by the department to be in violation without written agreement from the department.

**Section 90** reenacts s. 500.121, F.S., related to product manufacturer disciplinary procedures, to incorporate the changes made by the bill to s. 500.172, F.S.

## **Mushrooms and Mycelium Spores**

### *Present Situation*

Psilocybe mushrooms, also known as “magic mushrooms” or “shrooms,” are hallucinogenic drugs that contain the drug psilocybin.<sup>107</sup> They became popular in the United States during the 1960s when American researchers first studied their healing properties and medical applications. Now, they are listed as a Schedule I controlled substance by the U.S. government, meaning they have no accepted medical use.<sup>108</sup>

Mushrooms are the reproductive structures of many species in the kingdom Fungi. They are sometimes referred to as “fruiting bodies” or sporocarps. The majority of fungi grow as microscopic filaments that are referred to as hyphae.<sup>109</sup> When hyphae are aggregated into a dense mat, they are often referred to as a mycelium. Mycelium is a part of a fungus that produces spores at a certain stage, making mycelium a key part in fungal reproduction.<sup>110</sup>

As described in s. 893.03(c)(33), F.S., any material, compound, mixture, or preparation that contains the hallucinogenic substance known as Psilocybin has high potential for abuse and is not currently accepted as medical treatment in the United States.

### *Effect of Proposed Changes*

**Section 51** creates s. 500.75, F.S., to provide that it is unlawful to transport, import, sell, offer for sale, furnish, or give away spores or mycelium capable of producing mushrooms or other material which will contain a controlled substance, including psilocybin or psilocyn, during its lifecycle. The bill provides that any person who violates this section commits a misdemeanor first degree, punishable as provided in s. 775.082, F.S., or s. 775.083, F.S.

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<sup>107</sup> *The History of Psilocybin Mushrooms*, Cooper Nicholson, <https://opentextbooks.clemson.edu/hlth4000holcombtagman/chapter/the-history-of-psilocybin-mushrooms/> (last visited March 19, 2025).

<sup>108</sup> *Id.*

<sup>109</sup> IFAS, A Basic Guide to Mushrooms Commonly Encountered in Potted Plants in Florida, available at [https://www.fs.usda.gov/nrs/pubs/jrnl/2024/nrs\\_2024\\_karlsen-ayala\\_001.pdf](https://www.fs.usda.gov/nrs/pubs/jrnl/2024/nrs_2024_karlsen-ayala_001.pdf) (last visited March 19, 2025).

<sup>110</sup> *Id.*

## Plant-based Products

### *Present Situation*

Plant-based foods and beverages are often marketed and sold as alternatives to conventional animal products. Consumer demand for plant-based alternatives to animal products has increased, and the types and varieties of plant-based alternatives have expanded.<sup>111</sup> Product options resembling the flavor, form or cut (such as burger or fillet), texture, and appearance of animal foods such as eggs, seafood, poultry, meat, cheese and yogurt, and milk are now available. Consumers purchase plant-based alternatives for various reasons, including dietary choices (e.g., vegan/vegetarian diets), taste preferences, religious practices, and environmental concerns. The Food and Drug Administration (FDA) has published guidance to assist producers of plant-based milk and other animal food alternatives in providing consumers with clear labeling to help them make more informed dietary choices.<sup>112</sup>

Section 401 of the FD&C Act (21 U.S.C. 341) gives the FDA the authority to establish definitions and standards of identity for foods.<sup>113</sup> The FDA provides that plant-based alternative foods tend to be sold in packaged form, and therefore, in the absence of a common or usual name, it is recommended that they should be labeled with a statement of identity that accurately describes the food.<sup>114</sup>

There are currently several states that have laws related to the proper labeling of meat and plant-based products.<sup>115</sup>

### *Effect of Proposed Changes*

**Section 52** creates s. 500.93, F.S., to provide definitions for “egg,” “egg product,” “FDA,” “meat,” “milk,” and “poultry” or “poultry product” to align with the federal definitions. The bill grants the department rulemaking authority to enforce the FDA’s standard of identity for milk and prohibit the sale of plant-based products mislabeled as milk in the state. The bill provides that this subsection is effective upon the enactment into law of a mandatory labeling requirement to prohibit the sale of plant-based products mislabeled as milk, consistent with this section, by any 11 of the group of 14 states identified in statute.<sup>116</sup>

The bill grants the department rulemaking authority to enforce the FDA’s standard of identity for meat, poultry, and poultry products, as adopted in this section, to prohibit the sale of plant-based products mislabeled as meat, poultry, or poultry products in this state. The bill also provides that this subsection is effective upon the enactment into law of a mandatory labeling requirement to prohibit the sale of plant-based products mislabeled as meat, poultry, or poultry products, eggs

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<sup>111</sup> FDA, Plant-Based Milk and Animal Food Alternatives, available at <https://www.fda.gov/food/nutrition-food-labeling-and-critical-foods/plant-based-milk-and-animal-food-alternatives>, (last visited March 19, 2025).

<sup>112</sup> *Id.*

<sup>113</sup> FDA, Labeling of Plant-Based Alternatives to Animal-Derived Foods: Draft Guidance for Industry, available at <https://www.fda.gov/media/184810/download>, (last visited March 19, 2025).

<sup>114</sup> *Id.*

<sup>115</sup> Penn State Law, Scope of the Meat Labeling Law Issue Tracker, available at, <https://aglaw.psu.edu/research-by-topic/issue-tracker/meat-labeling-law-2018-present/> (last visited March 19, 2025).

<sup>116</sup> The 14 states are composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

and egg products, that is consistent with this section, by any 11 of the group of 14 states identified in statute.<sup>117</sup>

The bill requires the department to notify the Division of Law Revision upon by any enactment, by any 11 of the group of 14 states identified in statute, regarding mandatory labeling requirements.<sup>118</sup>

The bill provides that this section may not be construed to limit the department's authority to enforce its laws and regulations.

## **Consumer Protection**

### *Effect of proposed changes*

**Section 53** repeals s. 501.135, F.S., relating to the Consumer Unit Pricing Act.

**Section 54** amends s. 501.912, F.S., to amend the definition of “antifreeze” to include coolant. The bill also removes the cooling system of internal combustion engines of motor vehicles from the intended use of antifreeze. The bill adds the ability to aid in vehicle component cooling as an intended use of antifreeze.

## **Petroleum Inspection**

### *Present Situation*

The department regularly conducts inspections of petroleum distribution systems and analyzes samples of petroleum products to ensure that Florida consumers are getting the amount they pay for and the quality they expect. Gasoline, alternative fuels (E85, biodiesel, ethanol, etc.), kerosene, diesel, fuel oil, antifreeze products, and brake fluid products are routinely tested and must meet strict standards.<sup>119</sup>

The department inspects retail gas stations across Florida, ensuring that fuel dispensers are working safely and properly. They investigate fraud to protect consumers. The department also conducts annual Meter Mechanic Clinics across the state. Clinic attendance is mandatory for all technicians who repair or install petroleum fuel measuring devices, as part of the registration process

### *Effect of Proposed Changes*

**Section 55** creates s. 525.19, F.S., to create an annual petroleum registration program for petroleum owners or operators that own and operate vehicles for transporting petroleum products and permits the department to adopt rules detailing the requirements for such registration. The bill provides that the registration program must be free for all registrants.

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<sup>117</sup> *Id.*

<sup>118</sup> *Id.*

<sup>119</sup> FDACS, Petroleum Inspection, available at <https://www.fdacs.gov/Business-Services/Petroleum-Inspection> (last visited March 19, 2025).



The bill grants the department the authority to require registrants to provide updates related to the status of infrastructure, inventory, and delivery information during a state of emergency as declared by an executive order issued by the Governor.

**Section 56** creates s. 526.147, F.S., to create the Florida Retail Fuel Transfer Switch Modernization Grant Program, subject to appropriation, within the department. The bill provides the maximum award amounts for grants, their intended use, and the criteria for awarding grants.

The bill permits the department, in consultation with the Division of Emergency Management, to adopt rules to implement and administer this section, including establishing grant application processes for the Florida Retail Fuel Transfer Switch Modernization Grant Program. The rules must include application deadlines and establish the supporting documentation necessary to be provided to the department.

### **Bureau of Standards, Packages, and Weights, Measures, and Standards**

#### *Present Situation*

The department's Bureau of Standards is responsible for the inspection of weights and measures devices or instruments in Florida.<sup>120</sup> "Weights and measures" is defined as all weights and measures of every kind, instruments, and devices for weighing and measuring, and any appliance and accessories associated with any or all such instruments and devices, excluding taximeters, transportation measurement systems, and those weights and measures used for the purpose of inspecting the accuracy of devices used in conjunction with aviation fuel.<sup>121</sup> The weights and measures program is funded through permit fees.<sup>122</sup>

Any package kept for the purpose of sale or offered or exposed for sale must bear on the outside of the package a conspicuous declaration of the identity of the commodity in the package, unless it can easily be identified through the wrapper or container; the net quantity of contents in terms of weight, measure, or count; and the name and place of business of the manufacturer, packer, or distributor, in the case of any package kept or offered or exposed for sale or sold in any place other than on the premises where packed.<sup>123</sup>

Additionally, any package being one of a lot containing random weights of the same commodity and bearing the total selling price of the package must bear on the outside of the package a plain and conspicuous declaration of the price per single unit of weight.<sup>124</sup>

When a packaged commodity is advertised in any manner with the retail price stated, there must be closely and conspicuously associated with the retail price a declaration of quantity as required by law or rule to appear on the package.<sup>125</sup>

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<sup>120</sup> Chapter 531, F.S. "Weights and Measures Act of 1971"

<sup>121</sup> Section 531.37(1), F.S.

<sup>122</sup> Section 531.63, F.S.

<sup>123</sup> Section 531.47, F.S.

<sup>124</sup> Section 531.48, F.S.

<sup>125</sup> Section 531.49, F.S.

### *Effect of Proposed Changes*

**Section 57** amends s. 531.48, F.S., to remove the requirement that any package in a lot of containing random weights of the same commodity must bear the total selling price of the package. The bill requires each package to bear on the outside of the package a plain and conspicuous declaration of the price per single unit of weight and the total retail price of the package, as defined by department rule.

**Section 58** amends s. 531.49, F.S., to require package commodities to have a declaration of quantity as required by law or rule on the package.

### **Supporting the Future of Agriculture in Florida**

#### *Present Situation*

The Bronson Animal Disease Diagnostic Laboratory (BADDL) provides consummate scientific expertise in the detection and investigation of animal diseases that affect human and animal health. The goal and direction are to enhance the BADDL's capabilities, as science advances, and to expand their availability to those who are served.<sup>126</sup>

Accredited by the American Association of Veterinary Laboratory Diagnosticians as a full-service veterinary diagnostic laboratory, the BADDL is the only accredited laboratory in Florida and is committed to providing state-of-the-art, quality diagnostic services concentrated on maximum testing accuracy, timeliness and cost-effectiveness. Attaining these goals not only provides immediate benefits to the animal owner but also ensures the success of a disease surveillance system that provides an early detection system for high-consequence animal diseases.<sup>127</sup>

The BADDL is a part of the National Animal Health Laboratory Network (NAHLN), a group of state and regional laboratories performing surveillance testing for high-consequence agricultural and zoonotic pathogens, organized by the U.S. Department of Agriculture's Animal and Plant Health Inspection Service. The BADDL staff receive annual training, follow nationwide standard operating procedures, and stand ready to perform surge capacity testing in the event of an animal disease outbreak. As a member of the NAHLN, the BADDL performs testing and surveillance for avian influenza, foot and mouth disease, vesicular stomatitis, contagious equine metritis, classical swine fever (hog cholera), scrapie, and chronic wasting disease in deer.<sup>128</sup>

4-H is the nation's largest youth development organization. Over 230,000 members in Florida help to make up the community of more than 6.5 million young people across America. 4-H is a non-formal, practical educational program for youth. Florida 4-H is the youth development program of Florida Cooperative Extension, a part of the University of Florida – Institute of Food and Agricultural Sciences (IFAS).<sup>129</sup>

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<sup>126</sup> FDACS, Bronson Animal Disease Diagnostic Laboratory (BADDL), available at <https://www.fdacs.gov/Agriculture-Industry/Livestock/Bronson-Animal-Disease-Diagnostic-Laboratory-BADDL> (last visited March 19, 2025).

<sup>127</sup> *Id.*

<sup>128</sup> *Id.*

<sup>129</sup> Florida 4-H, What is 4-H?, <https://florida4h.ifas.ufl.edu/about-us/> (last visited March 19, 2025).

4-H is open to all youth, ages five through 18, determined as of September 1 of the current 4-H program year and open to all counties in Florida. 4-H serves youth from all backgrounds and interests. It reaches both boys and girls through 4-H clubs, special interest groups and short-term projects, school-age childcare, individual and family learning and mentoring, camping, and school enrichment. There are three primary program areas, or mission mandates: science, citizenship, and healthy living.<sup>130</sup>

Future Farmers of America (FFA) is an intracurricular student organization for those interested in agriculture and leadership. It is one of the three components of agricultural education.<sup>131</sup>

The FFA develops members' potential and helps them discover their talent through hands-on experiences, which give members the tools to achieve real-world success. Members are future farmers, chemists, veterinarians, government officials, entrepreneurs, bankers, international business leaders, teachers, and premier professionals in many career fields.<sup>132</sup>

### *State Contracts*

Sections 287.042 and 287.057, F.S. grant agencies the ability to contract out services for the best interests of the public. The Department of Management Services (DMS) is statutorily designated as the primary state agency overseeing procurement<sup>133</sup> and its responsibilities include creating uniform agency procurement rules,<sup>134</sup> implementing the online procurement program,<sup>135</sup> and procuring state term contracts.<sup>136</sup>

The Division of Administration (DOAH) manages the administrative functions of the department and reports to the Office of the Commissioner. The DOAH's responsibilities include personnel management, finance and accounting services, professional and organizational development, information technology support and general services, including procurement, contract management and facilities management.<sup>137</sup>

### *Effect of Proposed Changes*

**Section 59** amends s. 570.07, F.S., to permit the department to reimburse the educational expenses of qualified veterinary pathologists who enter into an agreement with the department to retain employment for a specified period of time.

Subject to appropriation, the bill also extends state and national FFA opportunities to any public-school student enrolled in agricultural education, at little or no cost to the student or school district, and to support statewide FFA programming that helps such students develop their potential for premier leadership, personal growth, and career success.

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<sup>130</sup> *Id.*

<sup>131</sup> FFA, What is FFA, available at <https://www.ffa.org/about-us/what-is-ffa/> (last visited March 19, 2025).

<sup>132</sup> FFA, What is FFA, available at <https://www.ffa.org/about/> (last visited March 19, 2025).

<sup>133</sup> Sections 287.032 and 287.042, F.S.

<sup>134</sup> Sections 287.032(2) and 287.042(3), (4), and (12), F.S.

<sup>135</sup> Section 287.057(24), F.S.

<sup>136</sup> Sections 287.042(2) and 287.056, F.S.

<sup>137</sup> FDACS, Division of Administration, available at <https://www.fdacs.gov/Divisions-Offices/Administration> (last visited March 19, 2025).

The bill permits the department to directly use contracts procured by another agency. The bill also provides the term “agency” has the same meaning as provided in s. 287.012, F.S.

**Section 60** amends s. 570.544, F.S., to permit the Division of Consumer Services director to enforce provisions outlined in statute.

**Section 61** creates s. 570.546, F.S., to permit the department to:

- Create a process for the bulk renewal of licenses which will allow licensees the ability, upon request, to submit all license applications of the same type, notwithstanding any provisions of law applicable to each application process.
- Create a process that will allow licensees, upon request, to align the expiration dates of licenses within a statutory program.
- Change the expiration dates for current licensees for the purpose of reducing large numbers of license expirations that occur during the same month.

The bill permits the department to prorate any licensing fee for which the term of the license was reduced for the purposes of alignment. The bill also grants the department rulemaking authority to implement this section.

## Florida Aquaculture

### *Present Situation*

Section 597.0015, F.S. defines aquaculture as the cultivation of aquatic organisms.<sup>138</sup> Broadly, aquaculture involves breeding, rearing, and harvesting of aquatic organisms in controlled environments for commercial, recreational, or public purposes.<sup>139</sup>

Aquaculture is a rapidly growing industry in Florida, with over one thousand aqua culturists growing over 1,5000 species of aquatic crops<sup>140</sup> and an approximate total of \$100 million<sup>141</sup> in annual sales. Florida’s subtropical climate and extensive coastline provides optimal conditions for aquaculture farming. Aquatic crops grown by Florida aqua culturists involve both marine and freshwater species and environments including plants, catfish, molluscan shellfish, shrimp, tilapia, tropical and ornamental fish, alligators, and other aquatics and fish.<sup>142</sup> Overall, the Florida aquaculture industry accounts for 95 percent of tropical fish sales nationwide.<sup>143</sup>

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<sup>138</sup> Section 597.0015, F.S.

<sup>139</sup> National Oceanic and Atmospheric Administration, *What is Aquaculture?*, (August 9, 2016), available at <https://www.noaa.gov/stories/what-is-aquaculture> (last visited March 19, 2025).

<sup>140</sup> FDACS, *Florida Aquaculture Industry Overview*, (August 2020), available at <https://ccmedia.fdacs.gov/content/download/91723/file/FDACS-P-02145-2020FLAquacultureIndustryOverview.pdf> (last visited March 19, 2025).

<sup>141</sup> Megan Winslow, *Farm but no fowl: How Florida aquaculture is growing the economy*, University of Florida News, (March 12, 2025), available at <https://news.ufl.edu/2025/03/florida-aquaculture-/> (last visited March 19, 2025).

<sup>142</sup> University of Florida IFAS Extension, *Aquatic Crops*, available at <https://sfyl.ifas.ufl.edu/agriculture/aquatic-crops/> (last visited March 19, 2025).

<sup>143</sup> University of Florida IFAS Extension, *Aquaculture*, available at <https://sfyl.ifas.ufl.edu/agriculture/aquaculture/> (last visited March 19, 2025).

Florida aquaculture benefits food production, economic growth, aquascapes for aquariums and zoos, restoration of threatened and endangered species and their habitats, diversity of food systems, and boosts wild stock populations; however, unregulated, the industry may cause water pollution from nutrient discharge and chemical use, ecosystem destruction, possible release of invasive or non-native species during climate events, and the spread of disease from captive to wild populations.<sup>144</sup>

The department hosts the Division of Aquaculture which is responsible for implementing the Florida Aquaculture Policy Act (FAPA) in ch. 597, F.S.<sup>145</sup> The FAPA declares aquaculture as agriculture and assigns the department responsibility of the industry.

### *Direct-support organizations*

Direct-support organizations are defined as an organization that is a Florida corporation not for profit incorporated under ch. 617, F.S. and approved by the department to operate for the benefit of a museum or a designated program.<sup>146</sup> The department may authorize the establishment of direct-support organizations to provide assistance, funding, and promotional support for programs of the department.<sup>147</sup>

**Section 62** creates s. 570.694, F.S., to establish the Florida Aquaculture Foundation (Foundation) as a direct-support organization within the department. The bill provides the purpose of the foundation is to:

- Conduct programs and activities related to the assistance, promotion, and furtherance of aquaculture and aquaculture producers in this state.
- Identify and pursue methods to provide statewide resources and materials for these programs.

The bill specifies the Foundation is governed by s. 570.691, F.S. and the department is authorized to appoint an advisory committee adjunct to the foundation.

**Section 80** creates s. 1013.373, F.S., to prohibit, notwithstanding any other provision of law, a local government from adopting any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit any activities of public educational facilities and auxiliary facilities constructed by a board for agricultural education, for FFA or 4-H activities, or the storage of any animals or equipment therein.

The bill provides that lands used for agricultural education or for FFA or 4-H activities shall be considered agricultural lands pursuant to s. 193.461, F.S.

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<sup>144</sup> Levi Hoskins, *Tell Me About: Aquaculture*, UF Thompson Earth Systems Institute, (November 1, 2024), available at <https://www.floridamuseum.ufl.edu/earth-systems/blog/tell-me-about-aquaculture/> (last visited March 19, 2025).

<sup>145</sup> [Chapter 597, F.S.](#)

<sup>146</sup> Section 570.69, F.S.

<sup>147</sup> Section 570.691, F.S.

## Silviculture

### *Present Situation*

Florida's Silviculture Best Management Practices (BMPs) are forest land management guidelines designed as the minimum standards necessary for protecting and maintaining the state's water quality and wetland ecosystems during forestry activities. As such, they represent a balance between overall natural resource protection and forest resource use.<sup>148</sup>

Florida's Silviculture BMPs were first established in the mid-1970s in response to the Federal Clean Water Act of 1972 and should be applied on all bona fide ongoing forestry operations, especially those adjacent to waterbodies, wetlands, and sinkholes. Silviculture BMPs may be enforced by federal, state, and local authorities through reference of regulatory statute or rule. However, Silviculture BMPs are not intended for use during tree removal or land clearing operations associated with development or other activities that have non-forestry objectives.<sup>149</sup>

The Florida Forest Service serves as the lead agency responsible for the development, implementation, and monitoring of Silviculture BMPs in Florida. The Forest Hydrology Section is available to provide specialized information and guidance about Florida's Silviculture BMPs.<sup>150</sup>

### *Effect of Proposed Changes*

**Section 64** creates s. 570.823, F.S., to create the Silviculture Emergency Recovery Program within the department to administer a grant program to assist timber landowners whose timber land was damaged as a result of a declared emergency. The bill provides definitions for "bona fide farm operation," "declared emergency," "department," and "program."

The bill provides eligibility requirements and approved uses of grant funds. The bill also requires the department to coordinate with state agencies and other entities to ensure to the greatest extent possible that timber landowners have access to the maximum financial assistance available following a specified declared emergency. The bill provides that the coordination must ensure that there is no duplication of financial assistance between these funds and other funding sources, which would render the approved applicant ineligible for other financial assistance.

The bill grants the department rulemaking authority to implement this section. The bill provides that notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for six months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

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<sup>148</sup> FDACS, Silviculture Best Management Practices, available at <https://www.fdacs.gov/Forest-Wildfire/Silviculture-Best-Management-Practices> (last visited March 19, 2025).

<sup>149</sup> *Id.*

<sup>150</sup> *Id.*

## Florida Beef

### *Present Situation*

On January 1, 2025, Florida ranked 10th in beef cattle production. All cattle and calves in Florida totaled 1.56 million head, unchanged from last year. This is the smallest inventory in Florida since 1951 and has declined by 120,000 head since the cyclical peak in 2019.<sup>151</sup> Nearly half of all Florida's agricultural land is in cattle production, with over 15,000 producers involved in all facets of the industry.

The Cattle Enhancement Board, Inc. (CEB) is a Direct Support Organization of the University of Florida. The CEB is organized to promote research, education and scientific purposes on issues relating to the Florida cattle industry, including production, disease prevention, forage development, genetic research, and technology.<sup>152</sup>

### *Effect of Proposed Changes*

**Section 65** creates s. 570.831, F.S., establishing the Florida beef marketing program. It directs the CEB, in coordination with the department, subject to appropriation, to establish a beef marketing program to conduct research designed to expand the uses of beef and beef products and strengthen the position of Florida's cattle industry through marketing campaigns and promotions within this state and the nation.

## Florida Citrus

### *Present Situation*

Early Spanish explorers planted the first orange trees near St. Augustine, Florida in the 1500s. Commercial production began nearly 300 years later – after the Civil War – when the development of the railroad allowed citrus growers to ship their products across the country. In 1894 and 1895, freezes destroyed much of Florida's citrus crops. Not to be defeated, many citrus growers moved south and began growing again.<sup>153</sup>

The industry rallied within 15 years and by 1950, more than 100 million boxes of citrus were picked. That number reached 200 million in 1970. Most citrus is now grown in the southern two-thirds of the Florida peninsula, where probability of freezing temperatures is lowest, although Polk County in Central Florida remains the top citrus producing county in the state.<sup>154</sup> The 2024-

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<sup>151</sup> Annual Cattle Market Report: January 2025, available at [https://rcrec-ona.ifas.ufl.edu/media/rcrec-onaifasufledu/pdf/2025\\_01\\_AR.pdf](https://rcrec-ona.ifas.ufl.edu/media/rcrec-onaifasufledu/pdf/2025_01_AR.pdf) (last visited March 27, 2025).

<sup>152</sup> Florida Cattle Enhancement Board, available at [Cattle Enhancement Board - UF/IFAS Animal Sciences - University of Florida, Institute of Food and Agricultural Sciences - UF/IFAS](#) (last visited March 27, 2025).

<sup>153</sup> Florida Citrus, What is the history of Citrus?, available at <https://www.floridacitrus.org/about-florida-citrus/our-history/> (last visited March 19, 2025).

<sup>154</sup> *Id.*

2025 Season, Florida All Orange Production forecast released by the United States Department of Agriculture (USDA) Agricultural Statistics Board is 12 million boxes.<sup>155</sup>

### *Effect of Proposed Changes*

**Section 66** amends s. 581.1843, F.S., to remove the requirement that citrus nursery may not be propagated or grown on a site that is not at least one mile away from commercial citrus groves. The bill also removes the requirement that a citrus nursery registered with the department prior to April 1, 2006, shall not be required to comply with the one-mile setback from commercial citrus groves while continuously operating at the same location for which it was registered.

The bill removes requirements and prohibitions related to the authorized areas in which commercial citrus may be planted.

**Section 67** repeals the following statutes: ss. 593.101, 593.102, 593.103, 593.104, 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111, 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116, and 593.117, F.S., relating to the Florida Boll Weevil Eradication Law; definitions; powers and duties of Department of Agriculture and Consumer Services; the entry of premises to carry out boll weevil eradication activities and inspections; reports by persons growing cotton; quarantine areas and the regulation of articles within a boll weevil eradication zone; the regulation of collection, transportation, distribution, and movement of cotton; cooperative programs for persons engaged in growing, processing, marketing, or handling cotton; the department's authority to designate eradication zones, prohibit planting of cotton, and require participation in eradication program; regulation of the pasturage of livestock, entry by persons, and location of honeybee colonies in eradication zones and other areas; eligibility for certification of cotton growers' organization; the certification of cotton growers' organization; a referendum; an assessment; the department's authority to enter agreements with the Farm Service Agency; liens; mandamus or injunction; penalty for violation; and the handling of moneys received, respectively

**Section 68** amends s. 595.404, F.S., to update judicial review statutes relating to appeal proceedings of school food and other nutrition programs.

## **Florida Viticulture Advisory Council**

### *Present Situation*

The Legislature declared that viticulture, the production and utilization of grapes, is an underdeveloped agricultural commodity enterprise in this state. The Legislature recognizes that Florida possesses many resources and geographic advantages that favor the expansion and growth of present-day viticulture into a broad-based, economically viable industry. The growth potential of the present industry offers good opportunities for local economic development and supply trade. The development of viticulture is compatible with the economies, lifestyles, and interests of both rural and urban Florida.<sup>156</sup>

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<sup>155</sup> USDA, Citrus, available at

[https://www.nass.usda.gov/Statistics\\_by\\_State/Florida/Publications/Citrus/Citrus\\_Forecast/2024-25/cit0125.pdf](https://www.nass.usda.gov/Statistics_by_State/Florida/Publications/Citrus/Citrus_Forecast/2024-25/cit0125.pdf) (last visited March 19, 2025).

<sup>156</sup> Section 599.001 F.S.



Further, the Legislature finds that factors such as minimal new grape cultivar development, lack of printed information on production and processing, minimal understanding of winemaking techniques and requirements that will capitalize on the unique characteristics of available grape cultivars, minimal understanding of grape juice processing requirements, lack of fresh fruit handling and processing technology specifically for muscadine grape cultivars, lack of quality standards for wine and other processed grapes, lack of assistance and printed information for overall business planning and marketing, and lack of coordination of the many diverse interests and expertise's which could contribute to the further development of viticulture in the state are inhibitory to the development of viticulture to the potential of which it is reasonably capable, going into the 21st century.<sup>157</sup>

The Legislature further declares that, in order to effectively support the efficient and expeditious development and growth of viticulture into a broad-based and economically sound industry, there is a need for leadership and statewide viticultural planning.<sup>158</sup>

### *Effect of Proposed Changes*

**Section 69** amends s. 599.002, F.S., to change the name of the “Viticulture Advisory Council” to the “Florida Wine Advisory Council” and make conforming changes related to the new name.

**Section 70** amends s. 599.003, F.S., to make conforming changes related to the new name.

**Section 71** amends s. 599.004, F.S., to make conforming changes related to the new name. The bill also provides that wineries that fail to recertify annually or pay the licensing fee are subject to having its certified Florida Farm Wineries sign removed and will be responsible for all costs incurred by the Department of Transportation in connection with the removal.

**Section 72** amends s. 599.012, F.S., to make conforming changes replacing “viticulture” with “wine.”

### **County Fair Permitting**

#### *Present Situation*

The department is responsible for issuing annual permits to fair associations that are organized under Chapter 616, Florida Statutes.<sup>159</sup>

The purpose of fair associations is to produce an annual fair and/or exposition for the benefit and development of the educational, agricultural, horticultural, livestock, charitable, historical, civic, cultural, scientific and other resources of the geographical area the fair or exposition represents and serves.<sup>160</sup>

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<sup>157</sup> *Id.*

<sup>158</sup> *Id.*

<sup>159</sup> FDACS, Division of Licensing, *Number of Licensees by Type* (Nov. 30, 2023), [https://www.fdacs.gov/content/download/82618/file/Number\\_of\\_Licensees\\_By\\_Type.pdf](https://www.fdacs.gov/content/download/82618/file/Number_of_Licensees_By_Type.pdf) (last visited March 19, 2025).

<sup>160</sup> *Id.*

### *Effect of Proposed Changes*

**Section 73** amends s. 616.12, F.S., to remove antiquated terms used in the department's fair permitting program.

### **Right to Farm Laws, Nuisances, and the Florida Right to Farm Act**

#### *Present Situation*

In the 1970s, states began to identify the potential conflicts between farmers and developers as urban sprawl crept into rural and agricultural areas. One of the initial concerns was that the relocation of city dwellers into agricultural areas would result in a rash of very expensive nuisance lawsuits once the new neighbors were confronted with the sensory nature of farm life, complete with an inescapable array of odors, loud noises, dust, and other side-effects.<sup>161</sup>

In an effort to protect farms and agricultural operations from the encroaching sprawl, states passed anti-nuisance laws that are referred to as "Right to Farm" laws. These laws, enacted in all 50 states, protect agricultural production against some nuisance lawsuits. The laws do not grant absolute immunity but generally provide protections for defendants based upon a "coming to the nuisance" defense theory. These laws provide a liability shield for pre-existing agricultural operations when changes are made to the use of nearby parcels, such that the plaintiffs are described as "coming to the nuisance."<sup>162</sup> The Florida Right to Farm Act was enacted in 1979.<sup>163</sup>

A nuisance is described as an activity, condition, or situation created by someone that significantly interferes with another person's use or enjoyment of their property. A private nuisance affects a person's private right that is not common to the public while a public nuisance is an interference that affects the general public, for example, a condition that is dangerous to health or community standards.<sup>164</sup>

The Florida Right to Farm Act protects farm operations from nuisance lawsuits if the operations comply with generally accepted agricultural and management practices.<sup>165</sup>

The Florida Right to Farm Act states that a farm operation cannot be classified as a public or private nuisance if the farm:

- Has been in operation for one year or more since its established date of operation;
- Was not a nuisance when it was established; and
- Conforms to generally accepted agricultural and management practices.<sup>166</sup>

However, the following four unsanitary conditions constitute evidence of a nuisance:

- The presence of untreated or improperly treated human waste, garbage, offal, dead animals, dangerous waste materials, or gases which are harmful to human or animal life;

<sup>161</sup> Alexia B. Borden and Thomas R. Head, III, *The "Right To Farm" In The Southeast – Does it Go Too Far?* (2007).

<sup>162</sup> *Id.*

<sup>163</sup> Chapter 79-61, ss. 1-2, Laws of Fla.

<sup>164</sup> BLACK'S LAW DICTIONARY (11<sup>th</sup> ed. 2019).

<sup>165</sup> Section 823.14, F.S.

<sup>166</sup> Section 823.14(4)(a), F.S.

- The presence of improperly built or improperly maintained septic tanks, water closets, or privies;
- The keeping of diseased animals which are dangerous to human health, unless the animals are kept in accordance with a current state or federal disease control program; or
- The presence of unsanitary places where animals are slaughtered, which may give rise to diseases which are harmful to human or animal life.<sup>167</sup>

Additionally, a farm operation cannot be classified as a public or private nuisance due to a change:

- In ownership;
- In the type of farm product that is produced;
- In conditions in or around the locality of the farm; or
- Made in compliance with Best Management Practices adopted by local, state, or federal agencies.<sup>168</sup>

The Florida Right to Farm Act, however, may not be construed to permit an existing farm operation to increase to a more excessive farm operation with regard to noise, odor, dust, or fumes where the existing operation is adjacent to an established homestead or business.<sup>169,170</sup>

### *Effect of Proposed Changes*

**Section 74** creates s. 687.16, F.S., to establish the Florida Farmer Financial Protection Act. The bill provides the definitions of “agritourism activity,” “agriculture producer,” “Commissioner,” “company,” “denies or restricts,” “discriminate in the provision of financial services,” “ESG factor,” “farm,” “financial institution,” and “financial service.”

The bill prohibits a financial institution from discriminating in the provision of financial services to an agriculture producer based, in whole or in part, upon an ESG factor. The bill also provides that if a financial institution has made any ESG commitment related to agriculture, there is an inference that the institution’s denial or restriction of a financial service to an agriculture producer is discriminating against the agriculture producer based upon an ESG factor. The bill also provides that a financial institution may overcome such inference in by demonstrating that its denial or restriction of a financial service was based solely on documented risk analysis, and not on any ESG factor.

The bill authorizes the Attorney General, in consultation with the Office of Financial Regulation, to enforce these provisions. The bill provides that any violation constitutes an unfair trade practice under part II of ch. 501, F.S., and the Attorney General is authorized to investigate and seek remedies as provided in general law. The bill also permits that actions for damages may be sought by an aggrieved party.

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<sup>167</sup> *Id.*

<sup>168</sup> Section 823.14(4)(b), F.S.

<sup>169</sup> Section 823.14(5), F.S.

<sup>170</sup> In an effort to eliminate duplication of regulatory authority over farm operations, local governments may not adopt an ordinance or similar policy to prohibit or limit an activity of a bona fide farm operation on land that is classified as agricultural land in accordance with statute, where the activity is regulated through implemented best management practices or certain interim measures. The full text of this prohibition is contained in s. 823.14(6), F.S.

**Section 75** amends s. 741.0305, F.S., to make a conforming change related to religious institutions.

## **Firearm Licensing and Expedited Concealed Carry License Processing for Military, Law Enforcement License**

### ***Present Situation***

The department is statutorily authorized to issue concealed weapon and concealed firearm licenses to applicants who qualify.<sup>171</sup> For purposes of the concealed carry licensure law, “concealed weapons or concealed firearms” means a handgun, electronic weapon or device, tear gas gun, knife, or billie, but not a machine gun.<sup>172</sup>

To obtain a concealed weapon or concealed firearm license, a person must complete, under oath, an application that includes:

- The name, address, place and date of birth, race, and occupation of the applicant;
- A full-frontal view color photograph of the applicant which must be taken within the preceding 30 days;
- A statement that the applicant has been furnished with a copy of ch. 790, F.S., relating to weapon and firearms and is knowledgeable of its provisions;
- A warning that the application is executed under oath with penalties for falsifying or substituting false documents;
- A statement that the applicant desires a concealed weapon or firearm license as a means of lawful self-defense;
- A full set of fingerprints;
- Documented proof of completion of a firearm safety and training course; and
- A nonrefundable license fee.<sup>173</sup>

The department must issue the license to carry a concealed weapon or concealed firearm if all other requirements are met and the applicant:

- Is a resident of the United States and a citizen of the United States or a permanent resident alien of the United States, as determined by the United States Bureau of Citizenship and Immigration Services, or is a consular security official of a foreign government;<sup>174</sup>
- Is 21 years of age or older;<sup>175</sup>
- Does not suffer from a physical infirmity which prevents the safe handling of a weapon or firearm;

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<sup>171</sup> Section 790.06(1), F.S.

<sup>172</sup> *Id.*

<sup>173</sup> Section 790.06,(4)-(5) F.S.

<sup>174</sup> Such consular security official must maintain diplomatic relations and treaties of commerce, friendship, and navigation with the United States and is certified as such by the foreign government and by the appropriate embassy in this country.

<sup>175</sup> Pursuant to s. 790.062, F.S., the department must issue a license to carry a concealed weapon or concealed firearm to a servicemember or veteran who does not meet the 21 years of age threshold if he or she is otherwise qualified.

- Is not ineligible to possess a firearm pursuant to s. 790.23, F.S., by virtue of having been convicted of a felony;
- Has not been committed for the abuse of a controlled substance or been found guilty of a crime under the provisions of ch. 893, F.S., or similar laws of any other state relating to controlled substances within a three-year period immediately preceding the date on which the application is submitted;
- Does not chronically and habitually use alcoholic beverages or other substances to the extent that his or her normal faculties are impaired;<sup>176</sup>
- Desires a legal means to carry a concealed weapon or concealed firearm for lawful self-defense;
- Demonstrates competence with a firearm;
- Has not been adjudicated an incapacitated person under s. 744.331, F.S., or similar laws of any other state, unless five years have elapsed since the applicant's restoration to capacity by court order;
- Has not been committed to a mental institution under ch. 394, F.S., or similar laws of any other state, unless the applicant produces a certificate from a licensed psychiatrist that he or she has not suffered from disability for at least five years prior to the date of submission of the application;
- Has not had adjudication of guilt withheld or imposition of sentence suspended on any felony or misdemeanor crime of domestic violence unless three years have elapsed since probation or any other conditions set by the court have been fulfilled, or the record has been sealed or expunged;
- Has not been issued an injunction that is currently in force and effect and that restrains the applicant from committing acts of domestic violence or acts of repeat violence; and
- Is not prohibited from purchasing or possessing a firearm by any other provision of Florida or federal law.<sup>177</sup>

Pursuant to s. 790.06(3), F.S., the department must deny the application if the applicant has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence constituting a misdemeanor, unless three years have elapsed since probation or any other conditions set by the court have been fulfilled or the record has been sealed or expunged.<sup>178</sup>

The department must:

- Revoke a license if the licensee has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence within the preceding three years.<sup>179</sup>

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<sup>176</sup> It shall be presumed that an applicant chronically and habitually uses alcoholic beverages or other substances to the extent that his or her normal faculties are impaired if the applicant has been committed under ch. 397, F.S., or under the provisions of former ch. 396, F.S., or has been convicted under s. 790.151, F.S., or has been deemed a habitual offender under s. 856.011(3), F.S., or has had two or more convictions under s. 316.193, F.S., or similar laws of any other state, within the 3-year period immediately preceding the date on which the application is submitted. Section 790.06(2), F.S.

<sup>177</sup> Section 790.06(2), F.S.

<sup>178</sup> Section 790.06(3), F.S.

<sup>179</sup> *Id.*

- Upon notification by a law enforcement agency, a court, or the Florida Department of Law Enforcement (FDLE) and subsequent written verification, suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime that would disqualify such person from having a license under this section, until final disposition of the case.<sup>180</sup>
- Suspend a license or the processing of an application for a license if the licensee or applicant is issued an injunction that restrains the licensee or applicant from committing acts of domestic violence or acts of repeat violence.<sup>181</sup>

A service member<sup>182</sup> or a veteran<sup>183</sup> may request expedited processing of his or her application.<sup>184</sup> For expedited processing of an application:

- A servicemember must submit a copy of the Common Access Card, United States Uniformed Services Identification Card, or current deployment orders.
- A veteran must submit a copy of the DD Form 214, issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs.<sup>185</sup>

### *Effect of Proposed Changes*

**Section 76** amends s. 790.06, F.S., to permit the department to issue a concealed carry license if the applicant demonstrates competence with a firearm training through the United States military service.

The bill permits the department to temporarily suspend a license or application if notified by a law enforcement agency, a court, clerk's office, or FDLE that the licensee or applicant is arrested or formally charged with a crime that would disqualify such person from having a license under this section, until final disposition of the case.

The bill requires that the department notify the licensee or applicant suspended under this section of his or her right to a hearing pursuant to ch. 120, F.S. The bill provides that a hearing conducted regarding the temporary suspension must be for the limited purpose of determining whether the licensee has been arrested or charged with a disqualifying crime resulting in the department issuing an order lifting the suspension or in a disqualifying disposition. The suspension remains in effect and the department must proceed with denial or revocation proceedings pursuant to ch. 120 F.S.

The bill provides that these provisions may not be construed to limit, restrict, or inhibit the constitutional right to bear arms and carry a concealed weapon in this state. The bill also

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<sup>180</sup> *Id.*

<sup>181</sup> *Id.*

<sup>182</sup> "Servicemember" means any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Florida National Guard and United States Reserve Forces. s. 250.01, F.S.

<sup>183</sup> "Veteran" means a person who served in the active military, naval, or air service and who was discharged or released under honorable conditions only or who later received an upgraded discharge under honorable conditions, notwithstanding any action by the United States Department of Veterans Affairs on individuals discharged or released with other than honorable discharges. s. 1.01(14), F.S.

<sup>184</sup> Section 790.06(4)(f), F.S.

<sup>185</sup> Section 790.06(4)(f), F.S.

provides that Legislature finds it a matter of public policy and public safety that it is necessary to ensure that potentially disqualifying information about an applicant or licensee is investigated and processed in a timely manner. The bill also provides that the Legislature intends to clarify that suspensions pursuant to this section are temporary and the department has the duty to make an eligibility determination and issue a license in the prescribed time frame.

The bill permits the department to extend the 90-day time period for a license if a criminal history screening identifies a potential crime that may disqualify the applicant, but there is no final disposition of the crime, or it lacks sufficient information to make an eligibility determination. The bill permits the department to request information where the criminal history originated but also issue a license if does not obtain a disposition or sufficient information to make an eligibility determination within the additional 90-day period. The bill permits the department to take appropriate action if it receives disqualifying criminal history information during the review or after issuance of a license.

The bill permits the department to temporarily suspend a license if the license was issued in error.

**Section 91** reenacts s. 790.061, F.S., related to judges and justices exemption from concealed carry provisions, to conform to the changes made by the bill to s. 790.06, F.S.

## **Retail Fuel Theft and Retail Theft**

### *Present Situation*

The department regularly inspects petroleum distribution systems and samples of petroleum products to ensure consistency as well as retail gas stations to ensure fuel dispensers are working safely and properly.<sup>186</sup>

A fuel pulser is a plastic device connected to the fuel pump dispenser meter housed within the fuel pump. The pulse converts the mechanical movement of the fuel meter and then sends electrical pulses to control the dispenser's electronic display.<sup>187</sup>

The pulsers can be replaced by an altered pulser that interrupts the electrical signal.<sup>188</sup> This enables the ability to obtain large amounts of gas for a small percentage of the cost. In Hillsborough County, \$60,000 worth of gasoline was stolen from two different gas stations by individuals using the pulsar manipulation devices.<sup>189</sup> In Lakeland, two individuals were caught

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<sup>186</sup> Florida Department of Agriculture and Consumer Services, Petroleum Inspection, available at <https://www.fdacs.gov/Business-Services/Petroleum-Inspection> (last visited March 19, 2025).

<sup>187</sup> Florida Department of Agriculture and Consumer Services, SB 1150 Analysis. On file with the Senate Commerce and Tourism Committee.

<sup>188</sup> *Id.*

<sup>189</sup> Matthew Impelli, Fuel Thieves Used 'Homemade Device' to Steal \$60,000 in Gas, Police Say, Newsweek, April 4, 2022, available at <https://www.newsweek.com/fuel-thieves-used-homemade-device-steal-60000-gas-police-say-1694856> (last visited March 19, 2025).

while filling up a large gas tank in the back of a pickup truck after accessing the inside of the fuel pump.<sup>190</sup>

The use of these devices is not just an issue in Florida. It is happening in other states as well. In Arizona, the State Senate is considering a bill that would make the possession of a pulsar manipulation device a third-degree felony.<sup>191</sup>

Currently, law enforcement relies on s. 316.80, F.S., for fuel theft crimes; however, the statute does not address fuel pulsers and only penalizes the use of conveyances or vehicles equipped with auxiliary fuel tanks or bladders which do not comply with applicable federal regulation.<sup>192</sup>

Section 812.014(1), F.S., provides that a person commits “theft” if he or she knowingly obtains or uses, or endeavors to obtain or use, the property of another with intent to, either temporarily or permanently:

- Deprive the other person of a right to the property or a benefit from the property; or
- Appropriate the property to his or her own use or to the use of any person not entitled to the use of the property.

The statute punishes “grand theft” and “petit theft.” Grand theft is more severe than petit theft penalties and is typically theft of property valued at \$750 or more. Petit theft is generally theft of property valued at less than \$750.

While theft is generally punished in s. 812.014, F.S., and thefts from retailers can be punished under that statute, s. 812.015, F.S., is specifically directed at punishing “retail theft,” which the statute defines as “the taking possession of or carrying away of merchandise,<sup>193</sup> property, money, or negotiable documents; altering or removing a label, universal product code, or price tag; transferring merchandise from one container to another; or removing a shopping cart, with intent to deprive the merchant<sup>194</sup> of possession, use, benefit, or full retail value.”<sup>195</sup>

Section 812.015(8), F.S., provides that it is a third-degree felony<sup>196</sup> to commit retail theft, if the property stolen is valued at \$750 or more, and the person:

- Individually commits retail theft, or in concert with one or more other persons, coordinates the activities of one or more individuals in committing the offense, which may occur through

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<sup>190</sup> Catherine Hawley, Florida men accused of tampering with gas pumps, stealing fuel in Bay area, Fox 13 News, March 17, 2022, available at <https://www.fox13news.com/news/florida-men-accused-of-tampering-with-gas-pumps-stealing-fuel-in-bay-area> (last visited March 19, 2025).

<sup>191</sup> Morgan Loew, Arizona Senate committee votes to outlaw fuel theft devices, 3TV/CBS 5, Feb. 3, 2023, available at <https://www.azfamily.com/2023/02/03/arizona-senate-committee-votes-outlaw-fuel-theft-devices/> (last visited March 19, 2025).

<sup>192</sup> Florida Department of Agriculture and Consumer Services, SB 1150 Analysis. On file with the Senate Commerce and Tourism Committee.

<sup>193</sup> “Merchandise” means “any personal property, capable of manual delivery, displayed, held, or offered for retail sale by a merchant.” Section 812.015(1)(a), F.S.

<sup>194</sup> “Merchant” means “an owner or operator, or the agent, consignee, employee, lessee, or officer of an owner or operator, of any premises or apparatus used for retail purchase or sale of any merchandise.” Section 812.015(1)(b), F.S.

<sup>195</sup> Section 812.015(1)(d), F.S.

<sup>196</sup> A third degree felony is generally punishable by not more than five years in state prison and a fine not exceeding \$5,000. Sections 775.082 and 775.083, F.S.



multiple acts of retail theft, in which the amount of each individual theft is aggregated within a 30-day period to determine the value of the property stolen;

- Conspires with another person to commit retail theft with the intent to sell the stolen property for monetary or other gain, and subsequently takes or causes such property to be placed in the control of another person in exchange for consideration, in which the stolen property taken or placed within a 30-day period is aggregated to determine the value of the stolen property;
- Individually, or in concert with one or more other persons, commits theft from more than one location within a 30-day period, in which the amount of each individual theft is aggregated to determine the value of the property stolen;
- Acts in concert with one or more other individuals within one or more establishments to distract the merchant, merchant's employee, or law enforcement officer in order to carry out the offense, or acts in other ways to coordinate efforts to carry out the offense; or
- Commits the offense through the purchase of merchandise in a package or box that contains merchandise other than, or in addition to, the merchandise purported to be contained in the package or box.

### *Effect of Proposed Changes*

**Section 77** amends s. 812.0151, F.S., to provide that a person commits a felony if they possess any form of a payment instrument that can be used, alone or in conjunction with another access device, to authorize a fuel transaction or obtain fuel, including, but not limited to, a plastic payment card, with the intent to defraud the fuel retailer, the authorized payment instrument financial account holder, or the banking institution that issued the payment instrument financial account.

The bill also provides that a person commits a felony if they tamper with any mechanical or electrical component located externally on a retail fuel dispenser.

**Section 78** creates s. 812.136, F.S., to create an offense of mail theft. The bill provides definitions for "mail," "mail depository," and "postal service." The bill also provides what is considered acts that constitute mail theft and the theft of or unauthorized reproduction of a mail depository key or lock.

The bill creates the following criminal penalties for mail theft:

- First degree misdemeanor, punishable by a term of imprisonment not exceeding 1 year, for a first violation; and
- Felony of the third degree, punishable by a term of imprisonment not exceeding 5 years or a fine not to exceed \$5,000, for a second or subsequent violation.

**Section 92** provides that the bill shall take effect July 1, 2025.

## **IV. Constitutional Issues:**

### A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

The bill may have an indeterminate impact on local property taxes due to lands used for agricultural education now being taxed as agricultural lands.

B. Private Sector Impact:

Third parties are now permitted to collect and retain convenience fees related to remote pest control license examinations.

Food distributors may incur costs associated with the proper labeling of plant-based products currently labeled as meat, poultry, and eggs.

C. Government Sector Impact:

The bill increases the amount of state aid a county or district can receive from \$50,000 to \$75,000 per year for three years for any new program for the control of mosquitoes in an area not previously serviced by county.

The bill creates new misdemeanors for illegal activities relating to drones on agricultural land, mushroom spores' distribution, and mail theft. The bill also creates felonies<sup>197</sup> for possession of any form of payment used to defraud fuel retailers or tamper with components of retail fuel dispenser.

This may have a positive indeterminate prison bed impact (an unquantifiable increase in prison beds) on the Department of Corrections. The Legislature's Office of Economic and Demographic Research (EDR) and the Criminal Justice Impact Conference (CJIC),

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<sup>197</sup> A third degree felony is punishable by up to five years imprisonment and a \$5,000 fine. Sections 775.082 and 775.083, F.S. A second-degree felony is punishable by up to 15 years imprisonment and a \$10,000 fine. Sections 775.082 and 775.083, F.S.

which provides the final, official estimate of the prison bed impact, if any, of legislation, has not yet reviewed the bill.

Overall, the bill has an indeterminate, yet insignificant impact to the Department of Agriculture and Consumer Services (department). It is unknown how many administrative and enforcement actions the department will realize due to the changes in the bill. Any additional responsibilities required by the bill will be absorbed within existing resources.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 110.205, 163.3162, , 201.25, 253.0341, 330.41, 366.94, 388.011, 388.021, 388.181, 388.201, 388.241, 388.261, 388.271, 388.281, 388.291, 388.301, 388.311, 388.321, 388.322, 388.323, 388.341, 388.351, 388.361, 388.3711, 388.381, 388.391, 388.401, 388.46, 403.067, 403.852, 403.859, 482.111, 482.141, 482.155, 482.156, 482.157, 482.161, 487.044, 487.175, 496.404, 496.405, 496.415, 496.417, 496.419, 500.03, 500.12, 500.166, 500.172, 501.912, 531.48, 531.49, 570.07, 570.544, 570.822, 581.1843, 595.404, 599.002, 599.003, 599.004, 599.012, 616.12, 741.0305, 790.06, 812.0151, and 943.50.

This bill creates the following sections of the Florida Statutes: 366.20, 496.431, 500.75, 500.93, 525.19, 526.147, 570.694, 570.546, 570.546, 570.823, 570.831, 687.16, 812.136, and 1013.373.

This bill repeals the following sections of the Florida Statutes: 501.135, 593.101, 593.102, 593.103, 593.104, 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111, 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116, and 593.117.

This bill re-enacts the following sections of the Florida Statutes: 189.062, 295.07, , 388.261, 482.072, 482.163, 487.156, 496.4055, 496.406, 500.80, 500.121, 790.061.

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS/CS by Appropriation Committee on Agriculture, Environment and General Government on March 26, 2025:**

The committee substitute makes the following changes:

- Technical changes to remove reenactments that are no longer necessary.
- Establishes the Florida beef marketing program and outlines the purpose.

**CS by Agriculture on March 11, 2025:**

The CS makes the following changes:

- Provides definitions and permits the construction of housing for “legally verified agricultural workers.”
- Provides penalties for agricultural property owners who violate the provisions related to verified agricultural worker housing.
- Provides that the department will monitor complaints, provide enforcement, and provide information to the State Board of Immigration Enforcement about verified agricultural worker housing.
- Removes requirements related to 10-year site plans from electric utilities.
- Permits the department to consult with the DEP to create a process to acquire land purchased by utility companies, which were formerly agricultural land. The bill also permits the department to retain a rural-lands protection easement on surplus land suitable for bona fide agricultural production.
- Requires the department to provide a report of lands surplus to the board.
- Provides that any lands designated as a state forest, state park, or wildlife management area are ineligible to be surplus. The bill also provides that this subsection is retroactive to January 1, 2009.
- Provides drone usage exemptions to be in compliance with provisions of s. 934.50, F.S. Eliminates governmental entity exemptions to drone usage.
- Eliminates penalties for charitable organizations that provide false statements to the department and replaces them with penalties pursuant to s. 496.405(2)(d) F.S.
- Provides definition for “egg” and “egg product,” to have the same meanings as in 21 1464 U.S.C. s. 1033 and the Egg Products Inspection Act.
- Permits the department to adopt rules to enforce the FDA’s standard of identity for eggs and egg products to prohibit the sale of plant-based products mislabeled as egg or egg products in this state.
- Permits the department to directly use contracts procured by another agency. The bill also provides the term “agency” has the same meaning as provided in s. 287.012, F.S.
- Establishes the Florida Aquaculture Foundation as a direct-support organization within the department. The bill provides the purpose of the foundation and governance of foundation.
- Removes civil fines and any attorney fees assessed upon a finding that an entity received notice of the local regulations infringing the field of regulation of firearms and ammunition at least 30 days before a suit and that the entity failed to take action.
- Eliminates the exemption provided to those using drones, under a business or professional license to perform reasonable tasks within the scope of practice or activities permitted under their license.

**B. Amendments:**

None.



396046

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/26/2025	.	
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	.	
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The Appropriations Committee on Agriculture, Environment, and General Government (Truenow) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 2372 and 2373

insert:

Section 65. Section 570.831, Florida Statutes, is created to read:

570.831 Florida beef marketing program.—The Cattle Enhancement Board, Inc., in coordination with the department, shall, subject to appropriation, establish a Florida beef marketing program to conduct research designed to expand the



396046

11 uses of beef and beef products and strengthen the market  
12 position of Florida's cattle industry through marketing  
13 campaigns and promotions within this state and the nation.

14  
15 ===== T I T L E A M E N D M E N T =====

16 And the title is amended as follows:

17 Delete line 363

18 and insert:

19 construction; creating s. 570.831, F.S.; requiring the  
20 Cattle Enhancement Board, Inc., in coordination with  
21 the department, to establish a Florida beef marketing  
22 program, subject to appropriation; providing a purpose  
23 for such program; amending s. 581.1843, F.S.; deleting



976366

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/26/2025	.	
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The Appropriations Committee on Agriculture, Environment, and  
General Government (Truenow) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 2963 - 3675.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 468 - 498

and insert:

a reference thereto; reenacting ss. 189.062(1)(a) and  
388.261(7),

By the Committee on Agriculture; and Senator Truenow

575-02298-25

2025700c1

1 A bill to be entitled  
 2 An act relating to the Department of Agriculture and  
 3 Consumer Services; amending s. 110.205, F.S.;  
 4 providing that certain positions in the department are  
 5 exempt from the Career Service System; amending s.  
 6 163.3162, F.S.; defining terms; prohibiting  
 7 governmental entities from adopting or enforcing any  
 8 legislation that inhibits the construction of housing  
 9 for legally verified agricultural workers on  
 10 agricultural land operated as a bona fide farm;  
 11 requiring that the construction or installation of  
 12 such housing units on agricultural lands satisfies  
 13 certain criteria; requiring that local ordinances  
 14 comply with certain regulations; authorizing  
 15 governmental entities to adopt local land use  
 16 regulations that are less restrictive; requiring  
 17 property owners to maintain certain records for a  
 18 specified timeframe; requiring that use of a housing  
 19 site be discontinued and authorizing the removal of a  
 20 such site under certain circumstances; specifying  
 21 applicability of permit allocation systems in certain  
 22 areas of critical state concern; authorizing the  
 23 continued use of housing sites constructed before the  
 24 effective date of the act if certain conditions are  
 25 met; requiring the department to adopt certain rules;  
 26 providing for enforcement; requiring the department to  
 27 submit certain information to the State Board of  
 28 Immigration Enforcement on a certain schedule;  
 29 amending s. 201.25, F.S.; conforming a provision to

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575-02298-25

2025700c1

30 changes made by the act; amending s. 253.0341, F.S.;  
 31 authorizing the department to surplus certain lands  
 32 determined to be suitable for bona fide agricultural  
 33 production; requiring the department to consult with  
 34 the Department of Environmental Protection before  
 35 making such determination; requiring the Department of  
 36 Agriculture and Consumer Services to retain a rural-  
 37 lands-protection easement for all surplus lands and  
 38 deposit all proceeds into a specified trust fund;  
 39 requiring the department to provide a report of lands  
 40 surplus to the board of trustees; providing that  
 41 certain lands are ineligible to be surplus;  
 42 providing for retroactive applicability; amending s.  
 43 330.41, F.S.; defining terms; prohibiting a person  
 44 from knowingly or willfully performing certain actions  
 45 on lands classified as agricultural; providing  
 46 criminal penalties; providing applicability;  
 47 prohibiting a person from knowingly or willfully  
 48 performing certain actions on private property, state  
 49 wildlife management lands, or a sport shooting and  
 50 training range; providing criminal penalties;  
 51 providing applicability; creating s. 366.20, F.S.;  
 52 requiring that certain lands acquired or owned by an  
 53 electric utility be offered for fee simple acquisition  
 54 by the department before the land may be offered for  
 55 sale or transfer to a private individual or entity;  
 56 providing retroactive applicability; amending s.  
 57 366.94, F.S.; defining the term "electric vehicle  
 58 charging station"; authorizing the department to adopt

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2025700c1

59 rules; requiring local governmental entities to issue  
 60 permits for electric vehicle charging stations based  
 61 on specified standards and provisions of law;  
 62 requiring that an electric vehicle charger be  
 63 registered with the department before being placed  
 64 into service for use by the public; providing the  
 65 department with certain authority relating to electric  
 66 vehicle charging stations; providing a penalty;  
 67 authorizing the department to issue an immediate final  
 68 order to an electric vehicle charging station under  
 69 certain circumstances; providing that the department  
 70 may bring an action to enjoin a violation of specified  
 71 provisions or rules; requiring the court to issue a  
 72 temporary or permanent injunction under certain  
 73 circumstances; amending s. 388.011, F.S.; revising the  
 74 definition of the terms "board of commissioners" and  
 75 "district"; defining the term "program"; amending s.  
 76 388.021, F.S.; making a technical change; amending s.  
 77 388.181, F.S.; authorizing programs to perform  
 78 specified actions; amending s. 388.201, F.S.;  
 79 conforming provisions to changes made by the act;  
 80 requiring that the tentative work plan budget covering  
 81 the proposed operations and requirements for arthropod  
 82 control measures show the estimated amount to be  
 83 raised by county, municipality, or district taxes;  
 84 requiring that county commissioners' or a similar  
 85 governing body's mosquito control budget be made and  
 86 adopted pursuant to specified provisions and requiring  
 87 that summary figures be incorporated into the county

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575-02298-25

2025700c1

88 budgets as prescribed by the department; amending s.  
 89 388.241, F.S.; providing that certain rights, powers,  
 90 and duties be vested in the board of county  
 91 commissioners or similar governing body of a county,  
 92 city, or town; amending s. 388.261, F.S.; increasing  
 93 the amount of state funds, supplies, services, or  
 94 equipment for a certain number of years for any new  
 95 program for the control of mosquitos and other  
 96 arthropods which serves an area not previously served  
 97 by a county, municipality, or district; conforming a  
 98 provision to changes made by the act; amending s.  
 99 388.271, F.S.; requiring each program participating in  
 100 arthropod control activities to file a tentative  
 101 integrated arthropod management plan with the  
 102 department by a specified date; conforming provisions  
 103 to changes made by the act; amending s. 388.281, F.S.;  
 104 requiring that all funds, supplies, and services  
 105 released to programs be used in accordance with the  
 106 integrated arthropod management plan and certified  
 107 budget; requiring that such integrated arthropod  
 108 management plan and certified budget be approved by  
 109 both the department and the board of county  
 110 commissioners and an appropriate representative;  
 111 conforming provisions to changes made by the act;  
 112 amending s. 388.291, F.S.; providing that a program  
 113 may perform certain source reduction measures in any  
 114 area providing that the department has approved the  
 115 operating or construction plan as outlined in the  
 116 integrated arthropod management plan; conforming

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2025700c1

117 provisions to changes made by the act; amending s.  
 118 388.301, F.S.; revising the schedule by which state  
 119 funds for the control of mosquitos and other  
 120 arthropods may be paid; conforming provisions to  
 121 changes made by the act; amending s. 388.311, F.S.;  
 122 conforming provisions to changes made by the act;  
 123 amending s. 388.321, F.S.; conforming provisions to  
 124 changes made by the act; amending s. 388.322, F.S.;  
 125 requiring the department to maintain a record and  
 126 inventory of certain property purchased with state  
 127 funds for arthropod control use; conforming provisions  
 128 to changes made by the act; amending s. 388.323, F.S.;  
 129 providing that certain equipment no longer needed by a  
 130 program be first offered for sale to other programs  
 131 engaged in arthropod control at a specified price;  
 132 requiring that all proceeds from the sale of certain  
 133 property owned by a program and purchased using state  
 134 funds be deposited in the program's state fund  
 135 account; conforming provisions to changes made by the  
 136 act; amending s. 388.341, F.S.; requiring a program  
 137 receiving state aid to submit a monthly report of all  
 138 expenditures from all funds for arthropod control by a  
 139 specified timeframe as may be required by the  
 140 department; conforming provisions to changes made by  
 141 the act; amending s. 388.351, F.S.; conforming  
 142 provisions to changes made by the act; amending s.  
 143 388.361, F.S.; conforming provisions to changes made  
 144 by the act; amending s. 388.3711, F.S.; revising the  
 145 department's enforcement powers; amending s. 388.381,

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2025700c1

146 F.S.; conforming provisions to changes made by the  
 147 act; amending s. 388.391, F.S.; conforming provisions  
 148 to changes made by the act; amending s. 388.401, F.S.;  
 149 conforming provisions to changes made by the act;  
 150 amending s. 388.46, F.S.; revising the composition of  
 151 the Florida Coordinating Council on Mosquito Control;  
 152 amending s. 403.067, F.S.; providing an exception for  
 153 inspection requirements for certain agricultural  
 154 producers; authorizing the department to adopt rules  
 155 establishing an enrollment in best management  
 156 practices by rule process; authorizing the department  
 157 to identify best management practices for specified  
 158 landowners; requiring the department to perform onsite  
 159 inspections annually of a certain percentage of all  
 160 enrollments that meet specified qualifications within  
 161 a specified area; providing requirements for such  
 162 inspections; requiring agricultural producers enrolled  
 163 by rule in a best management practice to submit  
 164 nutrient records annually to the department; requiring  
 165 the department to collect and retain such records;  
 166 amending s. 403.852, F.S.; defining the term "water  
 167 quality additive"; amending s. 403.859, F.S.;  
 168 providing that the use of certain additives in a water  
 169 system which do not meet the definition of water  
 170 quality additive or certain other additives is  
 171 prohibited and violates specified provisions; amending  
 172 s. 482.111, F.S.; revising requirements for the  
 173 renewal of a pest control operator's certificate;  
 174 authorizing a third-party vendor to collect and retain

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2025700c1

175 a convenience fee; amending s. 482.141, F.S.;

176 requiring the department to provide in-person and

177 remote testing for the examination through a third-

178 party vendor for an individual seeking pest control

179 operator certification; authorizing a third-party

180 vendor to collect and retain a convenience fee;

181 amending s. 482.155, F.S.; requiring the department to

182 provide in-person and remote testing for the

183 examination through a third-party vendor for an

184 individual seeking limited certification for a

185 governmental pesticide applicator or a private

186 applicator; authorizing a third-party vendor to

187 collect and retain a convenience fee; deleting

188 provisions requiring the department to make such

189 examination readily accessible and available to all

190 applicants on a specified schedule; amending s.

191 482.156, F.S.; requiring the department to provide in-

192 person and remote testing for the examination through

193 a third-party vendor for an individual seeking a

194 limited certification for commercial landscape

195 maintenance; authorizing a third-party vendor to

196 collect and retain a convenience fee; deleting

197 provisions requiring the department to make such

198 examination readily accessible and available to all

199 applicants on a specified schedule; amending s.

200 482.157, F.S.; revising requirements for issuance of a

201 limited certification for commercial wildlife

202 management personnel; authorizing a third-party vendor

203 to collect and retain a convenience fee; deleting

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2025700c1

204 provisions requiring the department to make an

205 examination readily accessible and available to all

206 applicants on a specified schedule; amending s.

207 482.161, F.S.; authorizing the department to take

208 specified disciplinary action upon the issuance of a

209 final order imposing civil penalties or a criminal

210 conviction pursuant to the Federal Insecticide,

211 Fungicide, and Rodenticide Act; amending s. 487.044,

212 F.S.; requiring the department to provide in-person

213 and remote testing through a third-party vendor for

214 the examination of an individual seeking a limited

215 certification for pesticide application; authorizing a

216 third-party vendor to collect and retain a convenience

217 fee; amending s. 487.175, F.S.; providing that the

218 department may suspend, revoke, or deny licensure of a

219 pesticide applicator upon issuance of a final order to

220 a licensee which imposes civil penalties or a criminal

221 conviction under the Federal Insecticide, Fungicide,

222 and Rodenticide Act; amending s. 496.404, F.S.;

223 defining the terms "foreign country of concern" and

224 "foreign source of concern"; amending s. 496.405,

225 F.S.; revising which documents a charitable

226 organization or sponsor must file before engaging in

227 specified activities; requiring that any changes to

228 such documents be reported to the department on a

229 specified form in a specified timeframe; revising the

230 requirements of the charitable organization's initial

231 registration statement; authorizing the department to

232 investigate or refer to the Florida Elections

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2025700c1

233 Commission certain violations of the charitable  
 234 organization or sponsor; amending s. 496.415, F.S.;  
 235 prohibiting specified persons from soliciting or  
 236 accepting anything of value from a foreign source of  
 237 concern; amending s. 496.417, F.S.; authorizing the  
 238 department to investigate or refer to the Florida  
 239 Elections Commission certain violations of a  
 240 charitable organization or sponsor; amending s.  
 241 496.419, F.S.; providing penalties for a charitable  
 242 organization or sponsor whose registration is denied  
 243 or revoked for submitting a false attestation;  
 244 creating s. 496.431, F.S.; requiring the department to  
 245 create the Honest Service Registry to provide  
 246 residents with information relating to charitable  
 247 organizations; requiring a charitable organization  
 248 included in the Honest Services Registry to submit an  
 249 attestation statement to the department; requiring the  
 250 department to publish the Honest Services Registry on  
 251 the department's website; requiring the department to  
 252 adopt rules; amending s. 500.03, F.S.; revising the  
 253 definition of the term "cottage food product";  
 254 amending s. 500.12, F.S.; providing that the  
 255 department requires a food permit from any person or  
 256 business that operates a food establishment; revising  
 257 exceptions; revising the schedule for renewing certain  
 258 food permits; authorizing the department to establish  
 259 a single permit renewal date for certain food  
 260 establishments; amending s. 500.166, F.S.; requiring  
 261 certain persons engaged in interstate commerce to

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2025700c1

262 retain all records that show certain information for a  
 263 specified timeframe; amending s. 500.172, F.S.;  
 264 authorizing the department to facilitate the  
 265 destruction of certain articles that violate specified  
 266 provisions; prohibiting certain persons from certain  
 267 actions without permission from, or in accord with a  
 268 written agreement with, the department; creating s.  
 269 500.75, F.S.; providing that it is unlawful to import,  
 270 sell, offer for sale, furnish, or give away certain  
 271 spores or mycelium; providing a penalty for  
 272 violations; creating s. 500.93, F.S.; defining terms;  
 273 requiring the department to adopt rules to enforce the  
 274 Food and Drug Administration's standard of identity  
 275 for milk, meat, poultry, and poultry products, and  
 276 eggs and egg products to prohibit the sale of plant-  
 277 based products mislabeled as milk, meat, poultry, or  
 278 poultry products, or egg or egg products; providing  
 279 contingent effective dates; requiring the department  
 280 to adopt rules; providing construction; repealing s.  
 281 501.135, F.S., relating to consumer unit pricing;  
 282 amending s. 501.912, F.S.; revising the definition of  
 283 the term "antifreeze"; creating s. 525.19, F.S.;  
 284 requiring the department to create an annual petroleum  
 285 registration program for petroleum owners or  
 286 operators; requiring the department to adopt rules for  
 287 such registration which include specified information;  
 288 requiring that the registration program be free for  
 289 all registrants; authorizing the department to require  
 290 registrants to provide certain information during a

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2025700c1

291 state of emergency; creating s. 526.147, F.S.;

292 creating the Florida Retail Fuel Transfer Switch

293 Modernization Grant Program within the department;

294 requiring the grant program to provide funds up to a

295 certain amount to be used for installation and

296 equipment costs related to installing or modernizing

297 transfer switch infrastructure at retail fuel

298 facilities; requiring the department to award funds

299 based on specified criteria; requiring retail fuel

300 facilities awarded grant funds to comply with

301 specified provisions; requiring such facilities to

302 install a transfer switch with specified capabilities;

303 requiring retail fuel facilities to provide specified

304 documentation before being awarded funding;

305 prohibiting certain facilities from being awarded

306 funding; requiring the department, in consultation

307 with the Division of Emergency Management, to adopt

308 rules; requiring that such rules include specified

309 information; amending s. 531.48, F.S.; requiring that

310 certain packages bear specified information on the

311 outside of the package; amending s. 531.49, F.S.;

312 revising requirements for the advertising of a

313 packaged commodity; amending s. 570.07, F.S.;

314 requiring the department to foster and encourage the

315 employment and retention of qualified veterinary

316 pathologists; providing that the department may

317 reimburse the educational expenses of certain

318 veterinary pathologists who enter into a certain

319 agreement with the department; requiring the

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2025700c1

320 department to adopt certain rules; requiring the

321 department to extend certain opportunities to public

322 school students enrolled in agricultural education to

323 support Future Farmers of America programming;

324 requiring the department to use contracts procured by

325 agencies; defining the term "agency"; amending s.

326 570.544, F.S.; revising which provisions the director

327 of the Division of Consumer Services must enforce;

328 creating s. 570.546, F.S.; authorizing the department

329 to create a process for the bulk renewal of licenses;

330 authorizing the department to create a process that

331 will allow licensees to align the expiration dates of

332 licenses within a specified program; authorizing the

333 department to change the expiration date for current

334 licenses for a certain purpose; requiring the

335 department to prorate the licensing fee for certain

336 licenses; requiring the department to adopt rules;

337 amending s. 570.694, F.S.; creating the Florida

338 Aquaculture Foundation as a direct support

339 organization within the department; providing the

340 purpose of the foundation; providing governance for

341 the foundation; authorizing the department to appoint

342 an advisory committee adjunct to the foundation;

343 amending s. 570.822, F.S.; revising the definition of

344 the terms "declared natural disaster" and "program";

345 providing that loan funds from the department may be

346 used to restock aquaculture; authorizing the

347 department to renew a loan application under certain

348 circumstances; authorizing the department to defer or

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2025700c1

349 waive loan payments under certain circumstances;  
 350 conforming provisions to changes made by the act;  
 351 creating s. 570.823, F.S.; defining terms;  
 352 establishing the silviculture emergency recovery  
 353 program within the department to administer a grant  
 354 program to assist certain timber landowners; requiring  
 355 that such grants be used for certain purposes;  
 356 requiring that only timber lands located on  
 357 agricultural property are eligible for the program;  
 358 requiring the department to coordinate with state  
 359 agencies to provide financial assistance to timber  
 360 landowners after a specified declared emergency;  
 361 providing construction; authorizing the department to  
 362 adopt rules to implement this section; providing  
 363 construction; amending s. 581.1843, F.S.; deleting  
 364 provisions that exclude certain citrus nurseries from  
 365 certain requirements; deleting provisions relating to  
 366 regulated areas around the perimeter of commercial  
 367 citrus nurseries; repealing ss. 593.101, 593.102,  
 368 593.103, 593.104, 593.105, 593.106, 593.107, 593.108,  
 369 593.109, 593.11, 593.111, 593.112, 593.113, 593.114,  
 370 593.1141, 593.1142, 593.115, 593.116, and 593.117,  
 371 F.S., relating to the Florida Boll Weevil Eradication  
 372 Law; definitions; powers and duties of Department of  
 373 Agriculture and Consumer Services; the entry of  
 374 premises to carry out boll weevil eradication  
 375 activities and inspections; reports by persons growing  
 376 cotton; quarantine areas and the regulation of  
 377 articles within a boll weevil eradication zone; the

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378 regulation of collection, transportation,  
 379 distribution, and movement of cotton; cooperative  
 380 programs for persons engaged in growing, processing,  
 381 marketing, or handling cotton; the department's  
 382 authority to designate eradication zones, prohibit  
 383 planting of cotton, and require participation in  
 384 eradication program; regulation of the pasturage of  
 385 livestock, entry by persons, and location of honeybee  
 386 colonies in eradication zones and other areas;  
 387 eligibility for certification of cotton growers'  
 388 organization; the certification of cotton growers'  
 389 organization; a referendum; an assessment; the  
 390 department's authority to enter agreements with the  
 391 Farm Service Agency; liens; mandamus or injunction;  
 392 penalty for violation; and the handling of moneys  
 393 received, respectively; amending s. 595.404, F.S.;  
 394 revising the department's powers and duties regarding  
 395 school nutrition programs; amending s. 599.002, F.S.;  
 396 renaming the Viticulture Advisory Council as the  
 397 Florida Wine Advisory Council; revising the membership  
 398 of the Florida Wine Advisory Council; conforming  
 399 provisions to changes made by the act; amending s.  
 400 599.003, F.S.; renaming the State Viticulture Plan as  
 401 the State Wine Plan; conforming provisions to changes  
 402 made by the act; amending s. 599.004, F.S.; making  
 403 technical changes; providing that wineries that fail  
 404 to recertify annually or pay a specified licensing fee  
 405 are subject to certain actions and costs; conforming  
 406 provisions to changes made by the act; amending s.

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407 599.012, F.S.; conforming provisions to changes made  
 408 by the act; amending s. 616.12, F.S.; deleting  
 409 provisions requiring a person who operates a minstrel  
 410 show in connection with any certain public fairs to  
 411 pay specified license taxes; deleting a provision that  
 412 exempts such person from paying specified taxes;  
 413 creating s. 687.16, F.S.; providing a short title;  
 414 defining terms; prohibiting a financial institution  
 415 from discriminating in the provision of financial  
 416 services to an agricultural producer based on an ESG  
 417 factor; providing an inference with regard to a  
 418 certain violation; providing that the financial  
 419 institution may overcome the inference by making  
 420 certain demonstrations regarding its denial or  
 421 restriction of financial services to an agricultural  
 422 producer; authorizing the Attorney General to enforce  
 423 specified provisions; providing that a violation of  
 424 specified provisions constitutes an unfair and  
 425 deceptive trade practice; authorizing the Attorney  
 426 General to investigate and seek remedies for such  
 427 unfair trade practices; authorizing an aggrieved party  
 428 to seek an action for damages; amending s. 741.0305,  
 429 F.S.; conforming a cross-reference; amending s.  
 430 790.06, F.S.; revising the circumstances under which  
 431 the department may temporarily suspend a person's  
 432 license to carry a concealed weapon or concealed  
 433 firearm or the processing of an application for such  
 434 license; requiring the department to notify certain  
 435 licensees or applicants of his or her right to a

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436 hearing; requiring that the hearing regarding such  
 437 suspension of license be for a limited purpose;  
 438 requiring the department to issue an order lifting the  
 439 suspension of an applicant's license upon a certain  
 440 disposition of the criminal case; requiring that the  
 441 suspension remain in effect upon a certain disposition  
 442 of the criminal case; providing construction;  
 443 providing legislative findings; revising the duties of  
 444 the department after the date of receipt of a  
 445 completed application for a license to carry a  
 446 concealed weapon or concealed firearm; requiring that  
 447 a license issued under this section be temporarily  
 448 suspended or revoked if the license was issued in  
 449 error or if the licensee commits certain actions;  
 450 amending s. 812.0151, F.S.; revising the elements of  
 451 third degree and second degree felony retail fuel  
 452 theft; creating s. 812.136, F.S.; defining terms;  
 453 providing elements for the crime of mail theft;  
 454 providing elements of theft of or unauthorized  
 455 reproduction of a mail depository key or lock;  
 456 providing criminal penalties; amending s. 934.50,  
 457 F.S.; deleting certain exceptions from the prohibited  
 458 uses of drones; creating s. 1013.373, F.S.;  
 459 prohibiting a local government from adopting any  
 460 measure to limit the activities of public educational  
 461 facilities or auxiliary facilities constructed by  
 462 certain organizations; requiring that lands used for  
 463 agricultural education or for the Future Farmers of  
 464 America or 4-H activities be considered agricultural

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465 lands; reenacting s. 295.07(5)(a), F.S., relating to  
 466 preference in appointment and retention, to  
 467 incorporate the amendment made to s. 110.205, F.S., in  
 468 a reference thereto; reenacting ss. 125.01(1)(r),  
 469 163.3162(3)(a) through (d), 163.3163(3)(c),  
 470 163.3164(4), 163.3194(5), 170.01(4), 193.052(2),  
 471 193.4615, 212.08(5)(a) and (19)(a), 373.406(2),  
 472 403.182(11)(a), 403.9337(4), 472.029(2)(d),  
 473 474.2021(5), 474.2165(4)(d), 487.081(6), 570.85(1),  
 474 570.87(1), 570.94(3), 582.19(1)(a), 586.055,  
 475 604.50(2)(a) and (d), 604.73(3)(b), 692.201(1),  
 476 741.30(5)(a) and (6)(a), 810.011(5)(a), and 823.14(6),  
 477 F.S., relating to powers and duties; agricultural  
 478 lands and practices; applications for development  
 479 permits; community planning act; legal status of  
 480 comprehensive plan; authority for providing  
 481 improvements and levying and collecting special  
 482 assessments against property benefited; preparation  
 483 and serving of returns; assessment of obsolete  
 484 agricultural equipment; storage tax; exemptions; local  
 485 pollution control programs; the Model Ordinance for  
 486 Florida-Friendly Fertilizer Use on Urban Landscapes;  
 487 authorization to enter lands of third parties;  
 488 veterinary telehealth; ownership and control of  
 489 veterinary medical patient records; exemptions;  
 490 agritourism; agritourism participation impact on land  
 491 classification; best management practices for  
 492 wildlife; qualifications and tenure of supervisors;  
 493 location of apiaries; nonresidential farm buildings;

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494 urban agriculture pilot projects; definitions;  
 495 domestic violence; definitions; and the Florida Right  
 496 to Farm Act, respectively, to incorporate the  
 497 amendment made to s. 193.461, F.S., in references  
 498 thereto; reenacting ss. 189.062(1)(a) and 388.261(7),  
 499 F.S., relating to special procedures for inactive  
 500 districts and state aid to counties and districts for  
 501 arthropod control, respectively, to incorporate the  
 502 amendment made to s. 388.271, F.S., in references  
 503 thereto; reenacting ss. 482.072(3)(b) and 482.163,  
 504 F.S., relating to pest control customer contact  
 505 centers and responsibility for pest control activities  
 506 of employee, respectively, to incorporate the  
 507 amendment made to s. 482.161, F.S., in references  
 508 thereto; reenacting s. 487.156, F.S., relating to  
 509 governmental agencies, to incorporate the amendment  
 510 made to s. 487.044, F.S., in a reference thereto;  
 511 reenacting ss. 496.4055(2) and 496.406(2) and (4),  
 512 F.S., relating to charitable organization or sponsor  
 513 board duties and exemption from registration,  
 514 respectively, to incorporate the amendment made to s.  
 515 496.405, F.S., in references thereto; reenacting s.  
 516 500.80(1)(a), F.S., relating to cottage food  
 517 operations, to incorporate the amendment made to s.  
 518 500.12, F.S., in a reference thereto; reenacting s.  
 519 500.121(6), F.S., relating to disciplinary procedures,  
 520 to incorporate the amendment made to s. 500.172, F.S.,  
 521 in a reference thereto; reenacting s. 790.061, F.S.,  
 522 relating to judges and justices, to incorporate the

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523 amendment made to s. 790.06, F.S., in a reference  
524 thereto; providing an effective date.

525  
526 Be It Enacted by the Legislature of the State of Florida:

527  
528 Section 1. Paragraph (m) of subsection (2) of section  
529 110.205, Florida Statutes, is amended to read:

530 110.205 Career service; exemptions.—

531 (2) EXEMPT POSITIONS.—The exempt positions that are not  
532 covered by this part include the following:

533 (m) All assistant division director, deputy division  
534 director, and bureau chief positions in any department, and  
535 those positions determined by the department to have managerial  
536 responsibilities comparable to such positions, which include,  
537 but are not limited to:

538 1. Positions in The Department of Health and the Department  
539 of Children and Families which are assigned primary duties of  
540 serving as the superintendent or assistant superintendent of an  
541 institution.

542 2. Positions in The Department of Corrections which are  
543 assigned primary duties of serving as the warden, assistant  
544 warden, colonel, or major of an institution or that are assigned  
545 primary duties of serving as the circuit administrator or deputy  
546 circuit administrator.

547 3. Positions in The Department of Transportation which are  
548 assigned primary duties of serving as regional toll managers and  
549 managers of offices, as specified in s. 20.23(3)(b) and (4)(c).

550 4. Positions in The Department of Environmental Protection  
551 which are assigned the duty of an Environmental Administrator or

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552 program administrator.

553 5. Positions in The Department of Health which are assigned  
554 the duties of Environmental Administrator, Assistant County  
555 Health Department Director, and County Health Department  
556 Financial Administrator.

557 6. Positions in The Department of Highway Safety and Motor  
558 Vehicles which are assigned primary duties of serving as  
559 captains in the Florida Highway Patrol.

560 7. Positions in the Department of Agriculture and Consumer  
561 Services which are assigned primary duties of serving as  
562 captains or majors in the Office of Agricultural Law  
563 Enforcement.

564  
565 Unless otherwise fixed by law, the department shall set the  
566 salary and benefits of the positions listed in this paragraph in  
567 accordance with the rules established for the Selected Exempt  
568 Service.

569 Section 2. Present paragraphs (a) through (d) of subsection  
570 (2) of section 163.3162, Florida Statutes, are redesignated as  
571 paragraphs (b) through (e), respectively, new paragraph (a) and  
572 paragraphs (f) and (g) are added to that subsection, and  
573 subsections (5), (6), and (7) are added to that section, to  
574 read:

575 163.3162 Agricultural Lands and Practices.—

576 (2) DEFINITIONS.—As used in this section, the term:

577 (a) "Department" means the Department of Agriculture and  
578 Consumer Services.

579 (f) "Housing site" means the totality of development  
580 supporting authorized housing, including buildings, mobile

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581 homes, barracks, dormitories used as living quarters, parking  
 582 areas, common areas such as athletic fields or playgrounds,  
 583 storage structures, and other related structures.

584 (g) "Legally verified agricultural worker" means a person  
 585 who:

586 1. Is lawfully present in the United States;  
 587 2. Meets the definition of eligible worker pursuant to 29  
 588 C.F.R. s. 502.10;

589 3. Has been verified through the process provided in s.  
 590 448.095(2) and is authorized to work at the time of employment;

591 4. Is seasonally or annually employed in bona fide  
 592 agricultural production;

593 5. Remains lawfully present and authorized to work  
 594 throughout the duration of that employment; and

595 6. Is not an unauthorized alien as defined in s.  
 596 448.095(1).

597 (5) HOUSING FOR LEGALLY VERIFIED AGRICULTURAL WORKERS.—

598 (a) A governmental entity may not adopt or enforce any  
 599 legislation, regulation, or ordinance to inhibit the  
 600 construction or installation of housing for legally verified  
 601 agricultural workers on land classified as agricultural land  
 602 pursuant to s. 193.461 which is operated as a bona fide farm  
 603 except as provided in this subsection.

604 (b) Construction or installation of housing units for  
 605 legally verified agricultural workers on parcels of land  
 606 classified as agricultural land under s. 193.461 must satisfy  
 607 all of the following criteria:

608 1. The dwelling units must meet federal, state, and local  
 609 building standards, including standards of the Department of

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610 Health adopted pursuant to ss. 381.008-381.00897 and federal  
 611 standards for H-2A visa housing. If written notice of intent is  
 612 required to be submitted to the Department of Health pursuant to  
 613 s. 381.0083, the appropriate governmental entity with  
 614 jurisdiction over the agricultural lands may also require  
 615 submittal of a copy of the written notice.

616 2. The housing site must be maintained in a neat, orderly,  
 617 and safe manner.

618 3. All structures containing dwelling units must be located  
 619 a minimum of 10 feet apart.

620 4. The square footage of the housing site's climate-  
 621 controlled facilities may not exceed 1.5 percent of the  
 622 property's area or 35,000 square feet, whichever is less.

623 5. A housing site must provide front, side, and rear yard  
 624 setbacks of at least 50 feet. However, an internal project  
 625 driveway may be located in the required yard space if the yard  
 626 is adjacent to a public roadway or to property that is under  
 627 common ownership with the housing site.

628 6. A housing site must be located at least 100 feet from a  
 629 property line adjacent to property zoned for residential use. If  
 630 the housing site is located less than 250 feet from any property  
 631 line, screening must be provided between the housing site and  
 632 any residentially developed adjacent parcels that are under  
 633 different ownership. The screening may be designed in any of the  
 634 following ways:

635 a. Evergreen plants that, at the time of planting, are at  
 636 least 6 feet in height and provide an overall screening opacity  
 637 of 75 percent;

638 b. A masonry wall at least 6 feet in height and finished on

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639 all sides with brick, stone, or painted or pigmented stucco;  
 640 c. A solid wood or PVC fence at least 6 feet in height with  
 641 the finished side of the fence facing out;  
 642 d. A row of evergreen shade trees that, at the time of  
 643 planting, are at least 10 feet in height, a minimum of 2-inch  
 644 caliper, and spaced no more than 20 feet apart; or  
 645 e. A berm made with a combination of the materials listed  
 646 in sub-subparagraphs a.-d., which is at least 6 feet in height  
 647 and provides an overall screening capacity of 75 percent at the  
 648 time of installation.  
 649 7. All access driveways that serve the housing site must be  
 650 made of packed shell, gravel, or a similar material that will  
 651 provide a relatively dust-free surface.  
 652 (c) Any local ordinance adopted pursuant to this subsection  
 653 must comply with all state and federal regulations for migrant  
 654 farmworker housing, as applicable, including rules adopted by  
 655 the Department of Health pursuant to ss. 381.008-381.00897 and  
 656 federal regulations under the Migrant and Seasonal Agricultural  
 657 Worker Protection Act or the H-2A visa program. A governmental  
 658 entity may adopt local government land use regulations that are  
 659 less restrictive than this subsection, but which still meet  
 660 regulations established by the Department of Health pursuant to  
 661 ss. 381.008-381.00897 and federal regulations under the Migrant  
 662 and Seasonal Agricultural Worker Protection Act or the H-2A visa  
 663 program. An ordinance adopted pursuant to this paragraph may not  
 664 conflict with the definition and requirements of a legally  
 665 verified agricultural worker.  
 666 (d) Beginning July 1, 2025, a property owner must maintain  
 667 records of all approved permits, including successor permits,

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668 for migrant labor camps or residential migrant housing as  
 669 required under s. 381.0081. A property owner must maintain such  
 670 records for at least 3 years and make the records available for  
 671 inspection within 14 days after receipt of a request for records  
 672 by a governmental entity.  
 673 (e) A housing site may not continue to be used and may be  
 674 required to be removed under the following circumstances:  
 675 1. If, for any reason, a housing site is not being used for  
 676 legally verified agricultural workers for longer than 365 days,  
 677 any structure used as living quarters must be removed from the  
 678 housing site within 180 days after receipt of written  
 679 notification from the county unless the property owner can  
 680 demonstrate that use of the site for housing legally verified  
 681 agricultural workers will occur within 90 days after the written  
 682 notification.  
 683 2. If the property on which the housing site is located  
 684 ceases to be classified as agricultural land pursuant to s.  
 685 193.461.  
 686 3. If the permit authorized by the Department of Health for  
 687 the housing site is revoked, all structures must be removed from  
 688 the housing site within 180 days after receipt of written  
 689 notification from the county unless the permit is reinstated by  
 690 the Department of Health.  
 691 4. If a housing site is found to be occupied by any person  
 692 who does not meet the definition of a legally verified  
 693 agricultural worker, or is otherwise unlawfully present in the  
 694 United States. A property owner who violates this subparagraph  
 695 is subject to a Class I fine pursuant to s. 570.971, not to  
 696 exceed \$1,000, for the first violation, and a Class II fine, not

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697 to exceed \$5,000, for any subsequent violations. The fines shall  
 698 be collected by the clerk of the court of the county in which  
 699 the violation occurred.

700 (f) Notwithstanding this subsection, the construction or  
 701 installation of housing for legally verified agricultural  
 702 workers in the Florida Keys Area of Critical State Concern or  
 703 the City of Key West Area of Critical State Concern is subject  
 704 to the permit allocation systems of the Florida Keys Area of  
 705 Critical State Concern or City of Key West Area of Critical  
 706 State Concern, respectively.

707 (g) A housing site that was constructed and in use before  
 708 July 1, 2024, may continue to be used, and the property owner  
 709 may not be required by a governmental entity to make changes to  
 710 meet the requirements of this subsection, unless the housing  
 711 site will be enlarged, remodeled, renovated, or rehabilitated.  
 712 The property owner of a housing site authorized under this  
 713 paragraph must provide regular maintenance and repair, including  
 714 compliance with health and safety regulations and maintenance  
 715 standards, for such housing site to ensure the health, safety,  
 716 and habitability of the housing site.

717 (6) DATA COLLECTION.—The Department shall adopt rules  
 718 providing for:

719 (a) A method for government entities to submit reports of  
 720 property owners who have a housing site for legally verified  
 721 agriculture workers on lands classified as agricultural land  
 722 pursuant to s. 193.461, as provided in this section.

723 (b) A method for persons to submit complaints for review  
 724 and investigation by the Department.

725

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726 Government entities shall provide this information quarterly to  
 727 the department in a format and timeframe prescribed by rule.

728 (7) ENFORCEMENT.—

729 (a) In addition to the enforcement methods of employment  
 730 verification outlined in s. 448.095, the Department shall  
 731 enforce the requirements of subsection (5). Enforcement includes  
 732 completing routine inspections based on a random sample of data  
 733 collected by government entities and submitted to the  
 734 Department, the investigation and review of complaints, and the  
 735 enforcement of violations.

736 (b) The Department shall submit the information collected  
 737 to the State Board of Immigration Enforcement on a quarterly  
 738 basis, except that the first quarter shall begin 60 days after  
 739 the first quarterly data report under subsection (6) by a  
 740 government entity is received and reviewed by the Department.

741 Section 3. Subsection (3) of section 201.25, Florida  
 742 Statutes, is amended to read:

743 201.25 Tax exemptions for certain loans.—There shall be  
 744 exempt from all taxes imposed by this chapter:

745 (3) Any loan made by the Agriculture and Aquaculture  
 746 Producers ~~Emergency Natural Disaster~~ Recovery Loan Program  
 747 pursuant to s. 570.822.

748 Section 4. Subsection (19) is added to section 253.0341,  
 749 Florida Statutes, to read:

750 253.0341 Surplus of state-owned lands.—

751 (19) Notwithstanding any other law or rule, the Department  
 752 of Agriculture and Consumer Services may surplus lands acquired  
 753 pursuant to s. 366.20 which are determined to be suitable for  
 754 bona fide agricultural production, as defined in s. 193.461. The

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755 Department of Agriculture and Consumer Services shall consult  
 756 with the Department of Environmental Protection in the process  
 757 of making such determination. In the event that lands acquired  
 758 pursuant to s. 366.20, which are determined to be suitable for  
 759 bona fide agricultural production are surplusd, the Department  
 760 of Agriculture and Consumer Services must retain a rural-lands-  
 761 protection easements pursuant to s. 570.71(3), and all proceeds  
 762 must be deposited into the Incidental Trust Fund within the  
 763 Department of Agriculture and Consumer Services for less than  
 764 fee simple land acquisition pursuant to ss. 570.71 and 570.715.  
 765 By January 1, 2026, and each January 1 thereafter, the  
 766 Department of Agriculture and Consumer Services shall provide a  
 767 report of lands surplusd pursuant to this subsection to the  
 768 board.

769 (a) Any lands designated as a state forest, state park, or  
 770 wildlife management area are ineligible to be surplusd pursuant  
 771 to this subsection.

772 (b) This subsection is retroactive to January 1, 2009.

773 Section 5. Present paragraphs (a) through (d) and (e) of  
 774 subsection (2) and subsection (6) of section 330.41, Florida  
 775 Statutes, are redesignated as paragraphs (b) through (e) and (j)  
 776 of subsection (2) and subsection (8), respectively, new  
 777 paragraphs (a) and (f) and paragraphs (g), (h), and (i) are  
 778 added to subsection (2) and new subsection (6) and subsection  
 779 (7) are added to that section, and paragraph (d) of subsection  
 780 (4) of that section is amended, to read:

781 330.41 Unmanned Aircraft Systems Act.—

782 (2) DEFINITIONS.—As used in this act, the term:

783 (a) "Commercial property" means real property other than

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784 residential property. The term includes, but is not limited to,  
 785 a property zoned multifamily residential which is comprised of  
 786 five or more dwelling units, and real property used for  
 787 commercial, industrial, or agricultural purposes.

788 (f) "Private property" means any residential or commercial  
 789 property.

790 (g) "Property owner" means the owner or owners of record of  
 791 real property. The term includes real property held in trust for  
 792 the benefit of one or more individuals, in which case the  
 793 individual or individuals may be considered as the property  
 794 owner or owners, provided that the trustee provides written  
 795 consent. The term does not include persons renting, using,  
 796 living, or otherwise occupying real property.

797 (h) "Residential property" means real property zoned as  
 798 residential or multifamily residential and composed of four or  
 799 fewer dwelling units.

800 (i) "Sport shooting and training range" has the same  
 801 meaning as in s. 790.333(3)(h).

802 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

803 (d) This subsection and ~~paragraph (2)(b)~~ ~~paragraph (2)(a)~~  
 804 shall sunset 60 days after the date that a process pursuant to  
 805 s. 2209 of the FAA Extension, Safety and Security Act of 2016  
 806 becomes effective.

807 (6) PROTECTION OF AGRICULTURAL LANDS.—

808 (a) A person may not knowingly or willfully do any of the  
 809 following on lands classified as agricultural lands pursuant to  
 810 s. 193.461:

811 1. Allow a drone to make contact with any person or object  
 812 on the premises of or within the boundaries of such lands.

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813 2. Allow a drone to come within a distance close enough to  
 814 such lands to interfere with or cause a disturbance to  
 815 agricultural production.

816 (b) A person who violates paragraph (a) commits a  
 817 misdeemeanor of the second degree, punishable as provided in s.  
 818 775.082 or s. 775.083. A person who commits a second or  
 819 subsequent violation commits a misdemeanor of the first degree,  
 820 punishable as provided in s. 775.082 or s. 775.083.

821 (c) This subsection does not apply to actions identified in  
 822 paragraph (a) which are committed by:

823 1. The owner of the agricultural lands, or a person acting  
 824 under the prior written consent of the owner of the agricultural  
 825 lands.

826 2. A person or entity acting in compliance with the  
 827 provisions of s. 934.50.

828 (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING  
 829 LANDS.-

830 (a) A person may not knowingly or willfully allow a drone  
 831 to make contact with private property, state wildlife management  
 832 lands, or a sport shooting and training range or any person or  
 833 object on the premises of or within such property with the  
 834 intent to harass.

835 (b) A person who violates paragraph (a) commits a  
 836 misdeemeanor of the second degree, punishable as provided in s.  
 837 775.082 or s. 775.083. A person who commits a second or  
 838 subsequent violation commits a misdemeanor of the first degree,  
 839 punishable as provided in s. 775.082 or s. 775.083.

840 (c) A person who violates paragraph (a) and records video  
 841 of the private property, state wildlife management lands, or

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842 sport shooting and training range, including any person or  
 843 object on the premises of or within the private property, state  
 844 wildlife management lands, or sport shooting and training range,  
 845 commits a misdemeanor of the first degree, punishable as  
 846 provided in s. 775.082 or s. 775.083. A person who commits a  
 847 second or subsequent violation commits a felony of the third  
 848 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 849 775.084.

850 (d) This subsection does not apply to actions identified in  
 851 paragraph (a) which are committed by:

852 1. The property owner of the private property or sport  
 853 shooting and training range, or a person acting under the prior  
 854 written consent of the property owner.

855 2. A person or entity acting in compliance with the  
 856 provisions of s. 934.50.

857 Section 6. Section 366.20, Florida Statutes, is created to  
 858 read:

859 366.20 Sale and management of lands owned by electric  
 860 utilities.-

861 (1) Lands acquired by an electric utility as defined in s.  
 862 361.11(2) which have been classified as agricultural lands  
 863 pursuant to s. 193.461 at any time in the 5 years preceding the  
 864 acquisition of the land by the electric utility must be offered  
 865 for fee simple acquisition by the Department of Agriculture and  
 866 Consumer Services before offering for sale or transferring the  
 867 land to a private individual or entity.

868 (2) Lands owned by an electric utility as defined in s.  
 869 361.11(2) which were classified as agricultural lands pursuant  
 870 to s. 193.461 at any time in the 5 years preceding the date of

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871 acquisition of the land by the electric utility must be offered  
 872 for fee simple acquisition by the Department of Agriculture and  
 873 Consumer Services before offering for sale or transferring the  
 874 land to a private individual or entity.

875 (3) This section is retroactive to January 1, 2009.

876 Section 7. Present subsections (3) and (4) of section  
 877 366.94, Florida Statutes, are redesignated as subsections (4)  
 878 and (5), respectively, a new subsection (3) is added to that  
 879 section, and subsection (2) of that section is amended, to read:  
 880 366.94 Electric vehicle charging.-

881 (2) (a) As used in this section, the term "electric vehicle  
 882 charging station" means the area in the immediate vicinity of  
 883 electric vehicle supply equipment and includes the electric  
 884 vehicle supply equipment, supporting equipment, and associated  
 885 parking spaces. The regulation of electric vehicle charging  
 886 stations is preempted to the state.

887 (b) (a) A local governmental entity may not enact or enforce  
 888 an ordinance or regulation related to electric vehicle charging  
 889 stations.

890 (3) (a) ~~(b)~~ The Department of Agriculture and Consumer  
 891 Services shall adopt rules to implement this subsection and to  
 892 provide requirements for electric vehicle charging stations to  
 893 allow for consistency for consumers and the industry.

894 (b) The department may adopt rules to protect the public  
 895 health, safety, and welfare and establish standards for the  
 896 placement, design, installation, maintenance, and operation of  
 897 electric vehicle charging stations.

898 (c) Local governmental entities shall issue permits for  
 899 electric vehicle charging stations based solely upon standards

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900 established by department rule and other applicable provisions  
 901 of state law. The department shall prescribe by rule the time  
 902 period for approving or denying permit applications.

903 (d) Before a charger at an electric vehicle charging  
 904 station is placed into service for use by the public, the  
 905 charger must be registered with the department on a form  
 906 prescribed by department rule.

907 (e) The department shall have the authority to inspect  
 908 electric vehicle charging stations, conduct investigations, and  
 909 enforce this subsection and any rules adopted thereto. The  
 910 department may impose one or more of the following penalties  
 911 against a person who violates this subsection or any rule  
 912 adopted under this subsection:

913 1. Issuance of a warning letter.

914 2. Imposition of an administrative fine in the Class II  
 915 category pursuant to s. 570.971 for each violation.

916 (f) If the department determines that an electric vehicle  
 917 charging station or any associated equipment presents a threat  
 918 to the public health, safety, or welfare, the department may  
 919 issue an immediate final order prohibiting the use of the  
 920 electric vehicle charging station or any portion thereof.

921 (g) In addition to the remedies provided in this  
 922 subsection, and notwithstanding the existence of any adequate  
 923 remedy at law, the department may bring an action to enjoin a  
 924 violation of this subsection or rules adopted under this  
 925 subsection in the circuit court of the county in which the  
 926 violation occurs or is about to occur. Upon demonstration of  
 927 competent and substantial evidence by the department to the  
 928 court of the violation or threatened violation, the court shall

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929 immediately issue the temporary or permanent injunction sought  
 930 by the department. The injunction must be issued without bond.

931 Section 8. Present subsections (10) and (11) of section  
 932 388.011, Florida Statutes, are redesignated as subsections (11)  
 933 and (12), respectively, a new subsection (10) is added to that  
 934 section, and subsections (2) and (5) of that section are  
 935 amended, to read:

936 388.011 Definitions.—As used in this chapter:

937 (2) “Board of commissioners” means the governing body of  
 938 any mosquito control program district, and may include boards of  
 939 county commissioners, city councils, municipalities, or other  
 940 similar governing bodies when context so indicates.

941 (5) “District” means any mosquito control special district  
 942 established in this state by law for the express purpose of  
 943 controlling arthropods within boundaries of such said districts.

944 (10) “Program” means any governmental jurisdiction that  
 945 conducts mosquito control, whether it be a special district,  
 946 county, or municipality.

947 Section 9. Section 388.021, Florida Statutes, is amended to  
 948 read:

949 388.021 Creation of mosquito control special districts.—

950 (1) The abatement or suppression of arthropods, whether  
 951 disease-bearing or merely pestiferous, within any or all  
 952 counties of this state is advisable and necessary for the  
 953 maintenance and betterment of the comfort, health, and welfare  
 954 of the people thereof and is found and declared to be for public  
 955 purposes. Areas where arthropods incubate, hatch, or occur in  
 956 significant numbers so as to constitute a public health,  
 957 welfare, or nuisance problem may be controlled or abated as

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958 provided in this chapter or the rules promulgated hereunder.  
 959 Therefore, any municipality ~~city~~, town, or county, or any  
 960 portion or portions thereof, whether such portion or portions  
 961 include incorporated territory or portions of two or more  
 962 counties in the state, may be created into a special taxing  
 963 district for the control of arthropods under the provisions of  
 964 this chapter.

965 (2) It is the legislative intent that ~~these~~ mosquito  
 966 control districts established prior to July 1, 1980, pursuant to  
 967 the petition process contained in former s. 388.031, may  
 968 continue to operate as outlined in this chapter. However, on and  
 969 after that date, no mosquito control districts may be created  
 970 except pursuant to s. 125.01.

971 Section 10. Section 388.181, Florida Statutes, is amended  
 972 to read:

973 388.181 Power to do all things necessary.—The respective  
 974 programs ~~districts~~ of the state are hereby fully authorized to  
 975 do and perform all things necessary to carry out the intent and  
 976 purposes of this law.

977 Section 11. Subsections (1), (2), (4), and (5) of section  
 978 388.201, Florida Statutes, are amended to read:

979 388.201 Program District budgets; hearing.—

980 (1) The fiscal year of programs ~~districts~~ operating under  
 981 ~~the provisions of~~ this chapter shall be the 12-month period  
 982 extending from October 1 of one year through September 30 of the  
 983 following year. The governing board of the programs ~~district~~  
 984 shall before July 15 of each year complete the preparation of a  
 985 tentative detailed work plan budget covering its proposed  
 986 operations and requirements for arthropod control measures



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987 during the ensuing fiscal year and, for the purpose of  
 988 determining eligibility for state aid, shall submit copies as  
 989 may be required to the department for review and approval. The  
 990 tentative detailed work plan budget ~~must shall~~ set forth,  
 991 classified by account number, title and program items, and by  
 992 fund from which to be paid, the proposed expenditures of the  
 993 ~~program district~~ for construction, for acquisition of land, and  
 994 other purposes, for the operation and maintenance of the  
 995 ~~program's district's~~ works, the conduct of the ~~program district~~  
 996 generally, to which may be added an amount to be held as a  
 997 reserve.

998 (2) The tentative detailed work plan budget ~~must shall~~ also  
 999 show the estimated amount which will appear at the beginning of  
 1000 the fiscal year as obligated upon commitments made but  
 1001 uncompleted, ~~There shall be shown~~ the estimated unobligated or  
 1002 net balance which will be on hand at the beginning of the fiscal  
 1003 year, and the estimated amount to be raised by county,  
 1004 municipality, or district taxes and from any and all other  
 1005 sources for meeting the program's ~~the district's~~ requirements.

1006 (4) The governing board shall:

1007 (a) ~~shall~~ Consider objections filed against adoption of the  
 1008 tentative detailed work plan budget and in its discretion may  
 1009 amend, modify, or change such budget; and

1010 (b) ~~shall~~ By September 30, adopt and execute on a form  
 1011 furnished by the department a certified budget for the programs  
 1012 ~~district~~ which shall be the operating and fiscal guide for the  
 1013 program district. Certified copies of this budget ~~must shall~~ be  
 1014 submitted by September 30 to the department for approval.

1015 (5) County commissioners' mosquito and arthropod control

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1016 budgets or the budgets of or similar governing body of said  
 1017 county, city, or town's ~~must shall~~ be made and adopted as  
 1018 prescribed by subsections (1) and (2); summary figures must  
 1019 ~~shall~~ be incorporated into the county budgets as prescribed by  
 1020 the Department of Financial Services.

1021 Section 12. Section 388.241, Florida Statutes, is amended  
 1022 to read:

1023 388.241 Board of county commissioners vested with powers  
 1024 and duties of board of commissioners in certain counties.—In  
 1025 those counties or cities where there has been no formation of a  
 1026 separate or special board of commissioners, all the rights,  
 1027 powers, and duties of a board of commissioners as conferred in  
 1028 this chapter shall be vested in the board of county  
 1029 commissioners or similar governing body of said county or city.

1030 Section 13. Section 388.261, Florida Statutes, is amended  
 1031 to read:

1032 388.261 State aid to counties, municipalities, and  
 1033 districts for arthropod control; distribution priorities and  
 1034 limitations.—

1035 (1) A county, municipality, or district may, without  
 1036 contributing matching funds, receive state funds, supplies,  
 1037 services, or equipment in an amount of no more than \$75,000  
 1038 ~~\$50,000~~ per year for up to 3 years for any new program for the  
 1039 control of mosquitoes and other arthropods which serves an area  
 1040 not previously served by the county, municipality, or district.  
 1041 These funds may be expended for any and all types of control  
 1042 measures approved by the department.

1043 (2) Every county, municipality, or district budgeting local  
 1044 funds to be used exclusively for the control of mosquitoes and

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1045 other arthropods, under a plan submitted by the county,  
 1046 municipality, or district and approved by the department, is  
 1047 eligible to receive state funds and supplies, services, and  
 1048 equipment on a dollar-for-dollar matching basis to the amount of  
 1049 local funds budgeted. If state funds appropriated by the  
 1050 Legislature are insufficient to grant each county, municipality,  
 1051 or district state funds on a dollar-for-dollar matching basis to  
 1052 the amount budgeted in local funds, the department ~~must shall~~  
 1053 distribute the funds as prescribed by rule. Such rules must  
 1054 ~~shall~~ provide for up to 80 percent of the funds to be  
 1055 distributed to programs with local funds for mosquito control  
 1056 budgets of less than \$1 million, if the county, municipality, or  
 1057 district meets the eligibility requirements. The funds must  
 1058 ~~shall~~ be distributed as equally as possible within the category  
 1059 of counties pursuant to this section. The remaining funds must  
 1060 ~~shall~~ be distributed as prescribed by rule among the remaining  
 1061 counties to support mosquito control and to support research,  
 1062 education, and outreach.

1063 (3) Every county shall be limited to receive a total of  
 1064 \$120,000 of state funds, exclusive of state funds brought  
 1065 forward, during any one year.

1066 (4) Up to 20 percent of the annual funds appropriated to  
 1067 local governments for arthropod control may be used for  
 1068 arthropod control research or demonstration projects as approved  
 1069 by the department.

1070 (5) If more than one ~~program local mosquito control agency~~  
 1071 exists in a county or municipality, the funds must shall be  
 1072 prorated between the programs agencies based on the population  
 1073 served by each program agency.

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1074 (6) The Commissioner of Agriculture may exempt counties,  
 1075 municipalities, or districts from the requirements in subsection  
 1076 (1), subsection (2), or subsection (3) when the department  
 1077 determines state funds, supplies, services, or equipment are  
 1078 necessary for the immediate control of mosquitoes and other  
 1079 arthropods that pose a threat to human or animal health.

1080 (7) The department may use state funds appropriated for a  
 1081 county, municipality, or district under subsection (1) or  
 1082 subsection (2) to provide state mosquito or other arthropod  
 1083 control equipment, supplies, or services when requested by a  
 1084 county, municipality, or district eligible to receive state  
 1085 funds under s. 388.271.

1086 (8) The department is authorized to use up to 5 percent of  
 1087 the funds appropriated annually by the Legislature under this  
 1088 section to provide technical assistance to the counties,  
 1089 municipalities, or districts, or to purchase equipment,  
 1090 supplies, or services necessary to administer the provisions of  
 1091 this chapter.

1092 Section 14. Subsections (1) and (2) of section 388.271,  
 1093 Florida Statutes, are amended to read:

1094 388.271 Prerequisites to participation.—

1095 (1) When state funds are involved, it is the duty of the  
 1096 department to guide, review, approve, and coordinate the  
 1097 activities of all county and municipal governments and special  
 1098 districts receiving state funds in furtherance of the goal of  
 1099 integrated arthropod control. Each program county eligible to  
 1100 participate may, and each district must, begin participation on  
 1101 October 1 of any year by filing with the department not later  
 1102 than July 15 a tentative integrated arthropod management plan

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1103 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for  
 1104 the control of arthropods. Following approval of the plan and  
 1105 budget by the department, a ~~copy two copies~~ of the program's  
 1106 ~~county's or district's~~ certified budget based on the approved  
 1107 integrated arthropod management ~~work plan~~ and detailed ~~work plan~~  
 1108 budget ~~must shall~~ be submitted to the department by September 30  
 1109 following. State funds, supplies, and services ~~must shall~~ be  
 1110 made available to such program ~~county or district~~ by and through  
 1111 the department ~~immediately~~ upon release of funds by the  
 1112 Executive Office of the Governor.

1113 (2) All purchases of supplies, materials, and equipment by  
 1114 programs must ~~counties or districts shall~~ be made in accordance  
 1115 with the laws governing purchases by boards of county  
 1116 commissioners or similar governing bodies, except that programs  
 1117 ~~districts~~ with special laws relative to competitive bidding  
 1118 shall make purchases in accordance therewith.

1119 Section 15. Subsections (1) and (3) of section 388.281,  
 1120 Florida Statutes, are amended to read:

1121 388.281 Use of state matching funds.—

1122 (1) All funds, supplies, and services released to programs  
 1123 ~~counties and districts~~ hereunder ~~must shall~~ be used in  
 1124 accordance with the integrated arthropod management ~~detailed~~  
 1125 ~~work plan~~ and certified budget approved by both the department  
 1126 and the board of county commissioners or an appropriate  
 1127 representative county or district. The integrated arthropod  
 1128 management plan and budget may be amended at any time upon prior  
 1129 approval of the department.

1130 (3) In any program ~~county or district~~ where the arthropod  
 1131 problem has been eliminated, or reduced to such an extent that

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1132 it does not constitute a health, comfort, or economic problem as  
 1133 determined by the department, the maximum amount of state funds  
 1134 available under this chapter shall be reduced to the amount  
 1135 necessary to meet actual need.

1136 Section 16. Subsections (1) and (2) of section 388.291,  
 1137 Florida Statutes, are amended to read:

1138 388.291 Source reduction measures; supervision by  
 1139 department.—

1140 (1) Any program ~~county or district~~ may perform source  
 1141 reduction measures in conformity with good engineering practices  
 1142 in any area, provided that the department cooperating with the  
 1143 county, municipality, or district has approved the operating or  
 1144 construction plan as outlined in the integrated arthropod  
 1145 management plan and that it has been determined by criteria  
 1146 contained in rule that the area or areas to be controlled would  
 1147 produce arthropods in significant numbers to constitute a health  
 1148 or nuisance problem.

1149 (2) The program ~~county or district~~ shall manage the  
 1150 detailed business affairs and supervise the said work, and the  
 1151 department shall advise the programs ~~districts~~ as to the best  
 1152 and most effective measures to be used in bringing about better  
 1153 temporary control and the permanent elimination of breeding  
 1154 conditions. The department may at its discretion discontinue any  
 1155 state aid provided hereunder in the event it finds the jointly  
 1156 agreed upon program is not being followed or is not efficiently  
 1157 and effectively administered.

1158 Section 17. Section 388.301, Florida Statutes, is amended  
 1159 to read:

1160 388.301 Payment of state funds; supplies and services.—

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1161 State funds shall be payable ~~quarterly~~, in accordance with the  
 1162 rules of the department, upon requisition by the department to  
 1163 the Chief Financial Officer. The department is authorized to  
 1164 furnish insecticides, chemicals, materials, equipment, vehicles,  
 1165 and personnel in lieu of state funds where mass purchasing may  
 1166 save funds for the state, or where it would be more practical  
 1167 and economical to use equipment, supplies, and services between  
 1168 two or more programs ~~counties or districts~~.

1169 Section 18. Section 388.311, Florida Statutes, is amended  
 1170 to read:

1171 388.311 Carry over of state funds and local funds.—State  
 1172 and local funds budgeted for the control of mosquitoes and other  
 1173 arthropods shall be carried over at the end of the program's  
 1174 ~~county or district's~~ fiscal year, and rebudgeted for such  
 1175 control measures the following fiscal year.

1176 Section 19. Section 388.321, Florida Statutes, is amended  
 1177 to read:

1178 388.321 Equipment to become property of a program ~~the~~  
 1179 ~~county or district~~.—All equipment purchased under this chapter  
 1180 with state funds made available directly to a program ~~the county~~  
 1181 ~~or district~~ shall become the property of the program ~~county or~~  
 1182 ~~district~~ unless otherwise provided, and may be traded in on  
 1183 other equipment, or sold, when no longer needed by the program  
 1184 ~~county or district~~.

1185 Section 20. Section 388.322, Florida Statutes, is amended  
 1186 to read:

1187 388.322 Record and inventory of certain property.—A record  
 1188 and inventory of certain property purchased with state funds for  
 1189 arthropod control use owned by the program ~~must~~ ~~district~~ shall

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1190 be maintained in accordance with s. 274.02.

1191 Section 21. Section 388.323, Florida Statutes, is amended  
 1192 to read:

1193 388.323 Disposal of surplus property.—Surplus property  
 1194 shall be disposed of according to the provisions set forth in s.  
 1195 274.05 with the following exceptions:

1196 (1) Serviceable equipment purchased using state funds for  
 1197 arthropod control use no longer needed by a program ~~must~~ ~~county~~  
 1198 ~~or district~~ shall first be offered to any ~~or all~~ other programs  
 1199 ~~counties or districts~~ engaged in arthropod control at a price  
 1200 established by the board of commissioners owning the equipment.

1201 (2) The alternative procedure for disposal of surplus  
 1202 property, as prescribed in s. 274.06, must ~~shall~~ be followed if  
 1203 it is determined that no other program ~~county or district~~  
 1204 engaged in arthropod control has need for the equipment.

1205 (3) All proceeds from the sale of any real or tangible  
 1206 personal property owned by the program and purchased using state  
 1207 funds ~~county or district~~ shall be deposited in the program's  
 1208 ~~county's or district's~~ state fund account unless otherwise  
 1209 specifically designated by the department.

1210 Section 22. Section 388.341, Florida Statutes, is amended  
 1211 to read:

1212 388.341 Reports of expenditures and accomplishments.—Each  
 1213 program receiving state aid ~~county and district participating~~  
 1214 ~~under the provisions of~~ this chapter shall within 30 days after  
 1215 the end of each month submit to the department a monthly report  
 1216 for the preceding month of expenditures from all funds for  
 1217 arthropod control, and each program participating under this  
 1218 chapter shall provide such reports of activities and

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1219 accomplishments as may be required by the department.

1220 Section 23. Section 388.351, Florida Statutes, is amended  
1221 to read:

1222 388.351 Transfer of equipment, personnel, and supplies  
1223 during an emergency.—The department, upon notifying a program  
1224 ~~county or district~~ and obtaining its approval, is authorized to  
1225 transfer equipment, materials, and personnel from one program  
1226 ~~district~~ to another in the event of an emergency brought about  
1227 by an arthropod-borne epidemic or other disaster requiring  
1228 emergency control.

1229 Section 24. Subsection (7) of section 388.361, Florida  
1230 Statutes, is amended to read:

1231 388.361 Department authority and rules; administration.—

1232 (7) The department shall have the authority to collect,  
1233 detect, suppress, and control mosquitoes and other arthropods  
1234 that are determined by the State Health Officer to pose a threat  
1235 to public health, or determined by the Commissioner of  
1236 Agriculture to pose a threat to animal health, wherever they may  
1237 occur on public or private land in this state, and to do all  
1238 things necessary in the exercise of such authority. Prior to the  
1239 start of treatments for the control of mosquitoes or other  
1240 arthropods, the department shall consult with the mosquito  
1241 control programs ~~districts~~ in the proposed treatment areas, the  
1242 Department of Health, the Department of Environmental  
1243 Protection, and the Fish and Wildlife Conservation Commission  
1244 regarding the proposed locations, dates, and methods to be used.

1245 Section 25. Subsections (2) and (3) of section 388.3711,  
1246 Florida Statutes, are amended to read:

1247 388.3711 Enforcement.—

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1248 (2) The department may issue a written warning, impose a  
1249 fine; deny, suspend, or revoke any license or certification, or  
1250 the disbursal of state aid; or deny participation, in accordance  
1251 with the provisions of chapter 120, upon any one or more of the  
1252 following grounds as may be applicable:

1253 (a) Violation of any rule of the department or provision of  
1254 this chapter.

1255 (b) Violation of FIFRA or any relevant EPA rule or  
1256 regulation pertaining to the use of arthropod control pesticides  
1257 by the licensee.

1258 (c) Failure to give the department, or any authorized  
1259 representative thereof, true information upon request regarding  
1260 methods and materials used, work performed, or other information  
1261 essential to the administration of this chapter.

1262 (3) The department may, if it finds a violation is of such  
1263 nature or circumstances that imposition of a fine, or denial,  
1264 revocation, or suspension of a certification or license or  
1265 disbursal of state aid would be detrimental to the public or be  
1266 unnecessarily harsh under the circumstances, in its discretion,  
1267 place the offending party on probation for a period of not more  
1268 than 2 years. If the department determines that the terms of  
1269 such probation have been violated, it may reinstitute license or  
1270 certification or state aid denial, suspension, or revocation  
1271 proceedings.

1272 Section 26. Section 388.381, Florida Statutes, is amended  
1273 to read:

1274 388.381 Cooperation by programs ~~counties and district~~.—Any  
1275 program conducting county or district carrying on an arthropod  
1276 control ~~program~~ may cooperate with another county, district, or

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1277 municipality in carrying out work ~~a program~~ for the control of  
 1278 mosquitoes and other arthropods, by agreement as to the program  
 1279 and reimbursement thereof, when approved by the department.

1280 Section 27. Section 388.391, Florida Statutes, is amended  
 1281 to read:

1282 388.391 Control measures in municipalities and portions of  
 1283 counties located outside boundaries of programs ~~districts~~.—Any  
 1284 program district whose operation is limited to a portion of the  
 1285 county in which it is located may perform any control measures  
 1286 authorized by this chapter in any municipality located in the  
 1287 same county or in any portions of the same county, where there  
 1288 is no established program district, when requested to do so by  
 1289 the municipality or county, pursuant to s. 388.381.

1290 Section 28. Section 388.401, Florida Statutes, is amended  
 1291 to read:

1292 388.401 Penalty for damage to property or operations.—  
 1293 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of  
 1294 any program county or district created under this or other  
 1295 chapters, or any works constructed, maintained, or controlled by  
 1296 such program county or district, or who obstructs ~~shall obstruct~~  
 1297 or causes ~~cause~~ to be obstructed any of the operations of such  
 1298 program county or district, or who ~~shall~~ knowingly or willfully  
 1299 violates ~~violate~~ any provisions of this chapter or any rule or  
 1300 regulation promulgated by any board of commissioners of any  
 1301 program, commits county or district shall be guilty of a  
 1302 misdemeanor of the second degree, punishable as provided in s.  
 1303 775.082 or s. 775.083.

1304 Section 29. Paragraph (a) of subsection (2) of section  
 1305 388.46, Florida Statutes, is amended to read:

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1306 388.46 Florida Coordinating Council on Mosquito Control;  
 1307 establishment; membership; organization; responsibilities.—

1308 (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

1309 (a) Membership.—The Florida Coordinating Council on  
 1310 Mosquito Control shall be composed ~~comprised~~ of the following  
 1311 representatives or their authorized designees:

- 1312 1. The Secretary of Environmental Protection.
- 1313 2. The State Surgeon General.
- 1314 3. The executive director of the Fish and Wildlife  
 1315 Conservation Commission.
- 1316 4. The state epidemiologist.
- 1317 5. The Commissioner of Agriculture.
- 1318 6. The Board of Trustees of the Internal Improvement Trust  
 1319 Fund.

1320 7. Representatives from:

- 1321 a. The University of Florida, Institute of Food and  
 1322 Agricultural Sciences, Florida Medical Entomological Research  
 1323 Laboratory.
- 1324 b. The United States Environmental Protection Agency.
- 1325 c. The United States Department of Agriculture, Center of  
 1326 Medical, Agricultural, and Veterinary Entomology Insects  
 1327 Affecting Man Laboratory.
- 1328 d. The United States Fish and Wildlife Service.

1329 8. Four ~~Two~~ mosquito control directors to be nominated by  
 1330 the Florida Mosquito Control Association, two representatives of  
 1331 Florida environmental groups, and two private citizens who are  
 1332 property owners whose lands are regularly subject to mosquito  
 1333 control operations, to be appointed to 4-year terms by the  
 1334 Commissioner of Agriculture and serve until his or her successor

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1335 is appointed.1336 Section 30. Paragraph (d) of subsection (7) of section  
1337 403.067, Florida Statutes, is amended to read:1338 403.067 Establishment and implementation of total maximum  
1339 daily loads.—1340 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND  
1341 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—1342 (d) *Enforcement and verification of basin management action*  
1343 *plans and management strategies.*—1344 1. Basin management action plans are enforceable pursuant  
1345 to this section and ss. 403.121, 403.141, and 403.161.  
1346 Management strategies, including best management practices and  
1347 water quality monitoring, are enforceable under this chapter.

1348 2. No later than January 1, 2017:

1349 a. The department, in consultation with the water  
1350 management districts and the Department of Agriculture and  
1351 Consumer Services, shall initiate rulemaking to adopt procedures  
1352 to verify implementation of water quality monitoring required in  
1353 lieu of implementation of best management practices or other  
1354 measures pursuant to sub-subparagraph (b)2.g.;1355 b. The department, in consultation with the water  
1356 management districts and the Department of Agriculture and  
1357 Consumer Services, shall initiate rulemaking to adopt procedures  
1358 to verify implementation of nonagricultural interim measures,  
1359 best management practices, or other measures adopted by rule  
1360 pursuant to subparagraph (c)1.; and1361 c. The Department of Agriculture and Consumer Services, in  
1362 consultation with the water management districts and the  
1363 department, shall initiate rulemaking to adopt procedures to

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1364 verify implementation of agricultural interim measures, best  
1365 management practices, or other measures adopted by rule pursuant  
1366 to subparagraph (c)2.1367  
1368 The rules required under this subparagraph shall include  
1369 enforcement procedures applicable to the landowner, discharger,  
1370 or other responsible person required to implement applicable  
1371 management strategies, including best management practices or  
1372 water quality monitoring as a result of noncompliance.1373 3. At least every 2 years, the Department of Agriculture  
1374 and Consumer Services shall perform onsite inspections of each  
1375 agricultural producer that enrolls in a best management  
1376 practice, except those enrolled by rule in subparagraph 4., to  
1377 ensure that such practice is being properly implemented. Such  
1378 verification must include a collection and review of the best  
1379 management practice documentation from the previous 2 years  
1380 required by rules adopted pursuant to subparagraph (c)2.,  
1381 including, but not limited to, nitrogen and phosphorus  
1382 ~~fertilizer~~ application records, which must be collected and  
1383 retained pursuant to subparagraphs (c)3., 4., and 6. The  
1384 Department of Agriculture and Consumer Services shall initially  
1385 prioritize the inspection of agricultural producers located in  
1386 the basin management action plans for Lake Okeechobee, the  
1387 Indian River Lagoon, the Caloosahatchee River and Estuary, and  
1388 Silver Springs.1389 4. The Department of Agriculture and Consumer Services is  
1390 authorized to adopt rules establishing an enrollment in best  
1391 management practices by rule process that agricultural pollutant  
1392 sources and agricultural producers may use in lieu of the best

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1393 management practices adopted in paragraph (c) and identify best  
 1394 management practices for landowners of parcels which meet the  
 1395 following requirements:

1396     a. A parcel not more than 25 acres in size;  
 1397     b. A parcel designated as agricultural land use by the  
 1398 county in which it is located or the parcel is granted  
 1399 agricultural tax classification by the county property appraiser  
 1400 of the county in which it is located;

1401     c. A parcel with water use not exceeding 100,000 gallons  
 1402 per day on average unless the entire use is met using recycled  
 1403 water from wet detention treatment ponds or reuse water;

1404     d. A parcel where the agricultural activity on the parcel  
 1405 is not a vegetable crop, an agronomic crop, a nursery, or a  
 1406 dairy operation;

1407     e. A parcel not abutting an impaired water body identified  
 1408 in subsection (4); and

1409     f. A parcel not part of a larger operation that is enrolled  
 1410 in the Department of Agriculture and Consumer Services best  
 1411 management practices or conducting water quality monitoring  
 1412 prescribed by the department or a water management district.

1413

1414 Such requirements must specify design or performance criteria  
 1415 that, if applied, would result in compliance with appropriate  
 1416 water quality standards. The Department of Agriculture and  
 1417 Consumer Services is authorized to adopt additional eligibility  
 1418 criteria for landowners or producers to use enrollment by rule  
 1419 and to revoke enrollment by rule.

1420     5. The Department of Agriculture and Consumer Services  
 1421 shall annually perform onsite inspections of 20 percent for all

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1422 enrollments that meet the qualifications pursuant to  
 1423 subparagraph 4. by rule within basin management action plan  
 1424 areas, to ensure that practices are being properly implemented.  
 1425 Such inspections must include a collection and review of the  
 1426 identified best management practice documentation from the  
 1427 previous 2 years required by rules adopted pursuant to  
 1428 subparagraph (c)2. All agricultural producers enrolled by rule  
 1429 in a best management practice must annually submit nutrient  
 1430 records, including nitrogen and phosphorus application records  
 1431 for the previous calendar year, to the Department of Agriculture  
 1432 and Consumer Services as required by rules adopted pursuant to  
 1433 subparagraph (c)2. The Department of Agriculture and Consumer  
 1434 Services shall collect and retain these nutrient records  
 1435 pursuant to subparagraphs (c)3., 4., and 6.

1436     Section 31. Subsection (19) is added to section 403.852,  
 1437 Florida Statutes, to read:  
 1438     403.852 Definitions; ss. 403.850-403.864.—As used in ss.  
 1439 403.850-403.864:  
 1440     (19) “Water quality additive” means any chemical or  
 1441 additive which is used in a public water system for the purpose  
 1442 of removing contaminants or increasing water quality. The term  
 1443 does not include additives used for health-related purposes.

1444     Section 32. Subsection (8) is added to section 403.859,  
 1445 Florida Statutes, to read:  
 1446     403.859 Prohibited acts.—The following acts and the causing  
 1447 thereof are prohibited and are violations of this act:  
 1448     (8) The use of any additive in a public water system which  
 1449 does not meet the definition of a water quality additive as  
 1450 defined in s. 403.852(19), or the use of any additive included



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1451 primarily for health-related purposes.

1452 Section 33. Subsection (10) of section 482.111, Florida  
1453 Statutes, is amended to read:

1454 482.111 Pest control operator's certificate.—

1455 (10) In order to renew a certificate, the certificateholder  
1456 must complete 2 hours of approved continuing education on  
1457 legislation, safety, pesticide labeling, and integrated pest  
1458 management and 2 hours of approved continuing education in each  
1459 category of her or his certificate or must pass an examination  
1460 that the department shall provide in person and remotely through  
1461 a third-party vendor. The third-party vendor may collect and  
1462 retain a convenience fee given by the department. The department  
1463 may not renew a certificate if the continuing education or  
1464 examination requirement is not met.

1465 (a) Courses or programs, to be considered for credit, must  
1466 include one or more of the following topics:

1467 1. The law and rules of this state pertaining to pest  
1468 control.

1469 2. Precautions necessary to safeguard life, health, and  
1470 property in the conducting of pest control and the application  
1471 of pesticides.

1472 3. Pests, their habits, recognition of the damage they  
1473 cause, and identification of them by accepted common name.

1474 4. Current accepted industry practices in the conducting of  
1475 fumigation, termites and other wood-destroying organisms pest  
1476 control, lawn and ornamental pest control, and household pest  
1477 control.

1478 5. How to read labels, a review of current state and  
1479 federal laws on labeling, and a review of changes in or

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1480 additions to labels used in pest control.

1481 6. Integrated pest management.

1482 (b) The certificateholder must submit with her or his  
1483 application for renewal a statement certifying that she or he  
1484 has completed the required number of hours of continuing  
1485 education. The statement must be on a form prescribed by the  
1486 department and must identify at least the date, location,  
1487 provider, and subject of the training and must provide such  
1488 other information as required by the department.

1489 (c) The department shall charge the same fee for  
1490 examination as provided in s. 482.141(2).

1491 Section 34. Subsection (1) of section 482.141, Florida  
1492 Statutes, is amended to read:

1493 482.141 Examinations.—

1494 (1) Each individual seeking certification must  
1495 satisfactorily pass an examination which must be written but  
1496 ~~which~~ may include practical demonstration. The department shall  
1497 provide in-person and remote testing through a third-party  
1498 vendor. A third-party vendor may collect and retain a  
1499 convenience fee held at least two examinations each year. An  
1500 applicant may seek certification in one or more categories.

1501 Section 35. Paragraph (b) of subsection (1) of section  
1502 482.155, Florida Statutes, is amended to read:

1503 482.155 Limited certification for governmental pesticide  
1504 applicators or private applicators.—

1505 (1)

1506 (b) A person seeking limited certification under this  
1507 subsection must pass an examination that the department shall  
1508 provide in person and remotely through a third-party vendor. The

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1509 ~~third-party vendor may collect and retain a convenience fee~~  
 1510 ~~given or approved by the department.~~ Each application for  
 1511 examination must be accompanied by an examination fee set by the  
 1512 department, in an amount of not more than \$150 or less than \$50;  
 1513 and a recertification fee of \$25 every 4 years. Until rules  
 1514 setting these fees are adopted by the department, the  
 1515 examination fee is \$50. Application for recertification must be  
 1516 accompanied by proof of having completed 4 classroom hours of  
 1517 acceptable continuing education. The limited certificate expires  
 1518 4 years after the date of issuance. If the certificateholder  
 1519 fails to renew his or her certificate and provide proof of  
 1520 completion of the required continuing education units within 60  
 1521 days after the expiration date, the certificateholder may be  
 1522 recertified only after reexamination. The department shall make  
 1523 available ~~provide~~ the appropriate reference material ~~and make~~  
 1524 ~~the examination readily accessible and available to all~~  
 1525 ~~applicants at least quarterly or as necessary in each county.~~

1526 Section 36. Subsection (2) of section 482.156, Florida  
 1527 Statutes, is amended to read:

1528 482.156 Limited certification for commercial landscape  
 1529 maintenance personnel.—

1530 (2) (a) A person seeking limited certification under this  
 1531 section must pass an examination that the department shall  
 1532 provide in person and remotely through a third-party vendor. The  
 1533 third-party vendor may collect and retain a convenience fee  
 1534 ~~given by the department.~~ Each application for examination must  
 1535 be accompanied by an examination fee set by rule of the  
 1536 department, in an amount of not more than \$150 or less than \$50.  
 1537 Before the department issues a limited certification under this

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1538 section, each person applying for the certification must furnish  
 1539 proof of having a certificate of insurance which states that the  
 1540 employer meets the requirements for minimum financial  
 1541 responsibility for bodily injury and property damage required by  
 1542 s. 482.071(4).

1543 (b) The department shall make available ~~provide~~ the  
 1544 appropriate reference materials for the examination and provide  
 1545 in-person and remote testing through a third-party vendor. A  
 1546 third-party vendor may collect and retain a convenience fee ~~make~~  
 1547 ~~the examination readily accessible and available to applicants~~  
 1548 ~~at least quarterly or as necessary in each county.~~

1549 Section 37. Subsection (2) of section 482.157, Florida  
 1550 Statutes, is amended to read:

1551 482.157 Limited certification for commercial wildlife  
 1552 management personnel.—

1553 (2) The department shall issue a limited certificate to an  
 1554 applicant who:

1555 (a) Submits an application and examination fee of at least  
 1556 \$150, but not more than \$300, as prescribed by the department by  
 1557 rule;

1558 (b) Passes an examination that the department shall provide  
 1559 in person and remotely through a third-party vendor. The third-  
 1560 party vendor may collect and retain a convenience fee  
 1561 ~~administered by the department.~~ The department shall make  
 1562 available ~~provide~~ the appropriate study materials for the  
 1563 examination ~~and make the examination readily available to~~  
 1564 ~~applicants in each county as necessary, but not less frequently~~  
 1565 ~~than quarterly;~~ and

1566 (c) Provides proof, including a certificate of insurance,

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1567 that the applicant has met the minimum bodily injury and  
 1568 property damage insurance requirements in s. 482.071(4).

1569 Section 38. Paragraph (m) is added to subsection (1) of  
 1570 section 482.161, Florida Statutes, to read:

1571 482.161 Disciplinary grounds and actions; reinstatement.—

1572 (1) The department may issue a written warning to or impose  
 1573 a fine against, or deny the application for licensure or  
 1574 licensure renewal of, a licensee, certified operator, limited  
 1575 certificateholder, identification cardholder, or special  
 1576 identification cardholder or any other person, or may suspend,  
 1577 revoke, or deny the issuance or renewal of any license,  
 1578 certificate, limited certificate, identification card, or  
 1579 special identification card that is within the scope of this  
 1580 chapter, in accordance with chapter 120, upon any of the  
 1581 following grounds:

1582 (m) Upon the issuance of a final order imposing civil  
 1583 penalties under subsection 14(a) of the Federal Insecticide,  
 1584 Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction  
 1585 under subsection 14(b), of FIFRA.

1586 Section 39. Subsection (2) of section 487.044, Florida  
 1587 Statutes, is amended to read:

1588 487.044 Certification; examination.—

1589 (2) The department shall require each applicant for a  
 1590 certified applicator's license to demonstrate competence by a  
 1591 written or oral examination in which the applicant must  
 1592 demonstrate adequate knowledge concerning the proper use and  
 1593 application of restricted-use pesticides in each classification  
 1594 for which application for license is made. The department shall  
 1595 provide in-person and remote testing through a third-party

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1596 vendor. A third-party vendor may collect and retain a  
 1597 convenience fee. The examination may be prepared, administered,  
 1598 and evaluated by the department. Each applicant for a certified  
 1599 applicator's license must ~~shall~~ demonstrate minimum competence  
 1600 as to:

1601 (a) The proper use of the equipment.

1602 (b) The environmental hazards that may be involved in  
 1603 applying restricted-use pesticides.

1604 (c) Calculating the concentration of restricted-use  
 1605 pesticides to be used in particular circumstances.

1606 (d) Identification of common pests to be controlled and the  
 1607 damages caused by such pests.

1608 (e) Protective clothing and respiratory equipment required  
 1609 during the handling and application of restricted-use  
 1610 pesticides.

1611 (f) General precautions to be followed in the disposal of  
 1612 containers, as well as the cleaning and decontamination of the  
 1613 equipment which the applicant proposes to use.

1614 (g) Applicable state and federal pesticide laws, rules, and  
 1615 regulations.

1616 (h) General safety precautions.

1617 Section 40. Subsection (6) is added to section 487.175,  
 1618 Florida Statutes, to read:

1619 487.175 Penalties; administrative fine; injunction.—

1620 (6) Licensure may be suspended, revoked, or denied by the  
 1621 department, upon the issuance of a final order to a licensee  
 1622 imposing civil penalties under subsection 14(a) of the Federal  
 1623 Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a  
 1624 criminal conviction under subsection 14(b) of FIFRA.

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1625 Section 41. Present subsections (13) through (28) of  
 1626 section 496.404, Florida Statutes, are redesignated as  
 1627 subsections (15) through (30), respectively, and new subsections  
 1628 (13) and (14) are added to that section, to read:

1629 496.404 Definitions.—As used in ss. 496.401-496.424, the  
 1630 term:

1631 (13) "Foreign country of concern" means the People's  
 1632 Republic of China, the Russian Federation, the Islamic Republic  
 1633 of Iran, the Venezuelan regime of Nicolás Maduro, or the Syrian  
 1634 Arab Republic, including any agency of or any other entity under  
 1635 significant control of such foreign country of concern.

1636 (14) "Foreign source of concern" means any of the  
 1637 following:

1638 (a) The government or any official of the government of a  
 1639 foreign country of concern;

1640 (b) A political party or member of a political party or any  
 1641 subdivision of a political party in a foreign country of  
 1642 concern;

1643 (c) A partnership, an association, a corporation, an  
 1644 organization, or other combination of persons organized under  
 1645 the laws of or having its principal place of business in a  
 1646 foreign country of concern, or a subsidiary of such entity;

1647 (d) Any person who is domiciled in a foreign country of  
 1648 concern and is not a citizen or lawful permanent citizen of the  
 1649 United States;

1650 (e) An agent, including a subsidiary or an affiliate of a  
 1651 foreign legal entity, acting on behalf of a foreign source of  
 1652 concern; or

1653 (f) An entity in which a person, entity, or collection of

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1654 ~~persons or entities described in paragraphs (a)-(e) has a~~  
 1655 ~~controlling interest. As used in this paragraph, the term~~  
 1656 ~~"controlling interest" means the possession of the power to~~  
 1657 ~~direct or cause the direction of the management or policies of~~  
 1658 ~~an entity, whether through ownership of securities, by contract,~~  
 1659 ~~or otherwise. A person or an entity that directly or indirectly~~  
 1660 ~~has the right to vote 25 percent or more of the voting interest~~  
 1661 ~~of the company or is entitled to 25 percent or more of its~~  
 1662 ~~profits is presumed to possess a controlling interest.~~

1663 Section 42. Present paragraphs (d) through (g) of  
 1664 subsection (2) of section 496.405, Florida Statutes, are  
 1665 redesignated as paragraphs (f) through (i), respectively, new  
 1666 paragraphs (d) and (e) are added to that subsection, subsection  
 1667 (11) is added to that section, and subsection (1) and paragraph  
 1668 (b) of subsection (7) of that section are amended, to read:

1669 496.405 Registration statements by charitable organizations  
 1670 and sponsors.—

1671 (1) A charitable organization or sponsor, unless exempted  
 1672 pursuant to s. 496.406, which intends to solicit contributions  
 1673 in or from this state by any means or have funds solicited on  
 1674 its behalf by any other person, charitable organization,  
 1675 sponsor, commercial co-venturer, or professional solicitor, or  
 1676 that participates in a charitable sales promotion or sponsor  
 1677 sales promotion, must, before engaging in any of these  
 1678 activities, file an initial registration statement, which  
 1679 includes an attestation statement, and a renewal statement  
 1680 annually thereafter, with the department.

1681 (a) Except as provided in paragraph (b), any changes in the  
 1682 information submitted on the initial registration statement or

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1683 the last renewal statement must be updated annually on a renewal  
 1684 statement provided by the department on or before the date that  
 1685 marks 1 year after the date the department approved the initial  
 1686 registration statement as provided in this section. The  
 1687 department shall annually provide a renewal statement to each  
 1688 registrant by mail or by electronic mail at least 30 days before  
 1689 the renewal date.

1690 (b) Any changes to the information submitted to the  
 1691 department pursuant to paragraph (2) (f) ~~(2) (d)~~ on the initial  
 1692 registration statement, which includes an attestation statement,  
 1693 or the last renewal statement must be reported to the department  
 1694 on a form prescribed by the department within 10 days after the  
 1695 change occurs.

1696 (c) A charitable organization or sponsor that is required  
 1697 to file an initial registration statement or annual renewal  
 1698 statement may not, before approval of its statement by the  
 1699 department in accordance with subsection (7), solicit  
 1700 contributions or have contributions solicited on its behalf by  
 1701 any other person, charitable organization, sponsor, commercial  
 1702 co-venturer, or professional solicitor or participate in a  
 1703 charitable sales promotion or sponsor sales promotion.

1704 (d) The registration of a charitable organization or  
 1705 sponsor may not continue in effect and shall expire without  
 1706 further action of the department under either of the following  
 1707 circumstances:

- 1708 1. After the date the charitable organization or sponsor  
 1709 should have filed, but failed to file, its renewal statement in  
 1710 accordance with this section.
- 1711 2. For failure to provide a financial statement within any

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1712 extension period provided under s. 496.407.

1713 (2) The initial registration statement must be submitted on  
 1714 a form prescribed by the department, signed by an authorized  
 1715 official of the charitable organization or sponsor who shall  
 1716 certify that the registration statement is true and correct, and  
 1717 include the following information or material:

1718 (d) An attestation statement, which must be submitted on a  
 1719 form prescribed by the department and signed by an authorized  
 1720 official of the charitable organization, who shall certify and  
 1721 attest that the charitable organization, if engaged in  
 1722 activities that would require registration pursuant to chapter  
 1723 106 is registered with the Department of State, pursuant to  
 1724 chapter 106.

1725 (e) An attestation statement on a form prescribed by the  
 1726 department, signed by an authorized official of the charitable  
 1727 organization, who shall certify and attest that the charitable  
 1728 organization, if prohibited by applicable federal or state law,  
 1729 is not engaged in activities that would require registration  
 1730 with the Department of State pursuant to chapter 106.

1731 (7)

1732 (b) If a charitable organization or sponsor discloses  
 1733 information specified in subparagraphs ~~(2) (f) 2.-7.~~ ~~(2) (d) 2.-7.~~  
 1734 in the initial registration statement or annual renewal  
 1735 statement, the time limits set forth in paragraph (a) are  
 1736 waived, and the department shall process such initial  
 1737 registration statement or annual renewal statement in accordance  
 1738 with the time limits set forth in chapter 120. The registration  
 1739 of a charitable organization or sponsor shall be automatically  
 1740 suspended for failure to disclose any information specified in

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1741 subparagraphs ~~(2)(f)2.-7.~~ ~~(2)(d)2.-7.~~ until such time as the  
1742 required information is submitted to the department.

1743 (11) The department may investigate and refer a charitable  
1744 organization or sponsor to the Florida Elections Commission for  
1745 investigation of violations pursuant to chapters 104 and 106.

1746 Section 43. Subsection (20) is added to section 496.415,  
1747 Florida Statutes, to read:

1748 496.415 Prohibited acts.—It is unlawful for any person in  
1749 connection with the planning, conduct, or execution of any  
1750 solicitation or charitable or sponsor sales promotion to:

1751 (20) Solicit or accept contributions or anything of value  
1752 from a foreign source of concern.

1753 Section 44. Section 496.417, Florida Statutes, is amended  
1754 to read:

1755 496.417 Criminal penalties.—Except as otherwise provided in  
1756 ss. 496.401-496.424, and in addition to any administrative or  
1757 civil penalties, any person who willfully and knowingly violates  
1758 ss. 496.401-496.424 commits a felony of the third degree,  
1759 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1760 For a second or subsequent conviction, such violation  
1761 constitutes a felony of the second degree, punishable as  
1762 provided in s. 775.082, s. 775.083, or s. 775.084. The  
1763 department may also investigate and refer a charitable  
1764 organization or sponsor to the Florida Elections Commission for  
1765 investigation of violations pursuant to chapters 104 and 106.

1766 Section 45. Subsection (11) is added to section 496.419,  
1767 Florida Statutes, to read:

1768 496.419 Powers of the department.—

1769 (11) A charitable organization or sponsor whose

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1770 registration is denied or revoked for submitting a false  
1771 attestation required pursuant to s. 496.405(2)(d) or (2)(e) is  
1772 subject to the penalties specified in subsection (5) at the  
1773 discretion of the department.

1774 Section 46. Section 496.431, Florida Statutes, is created  
1775 to read:

1776 496.431 Honest Service Registry.—

1777 (1) The department shall create the Honest Services  
1778 Registry to provide the residents of this state with the  
1779 information necessary to make an informed choice when deciding  
1780 which charitable organizations to support.

1781 (2) To be included on the Honest Services Registry, a  
1782 charitable organization must, at a minimum, submit to the  
1783 department an attestation statement on a form prescribed by the  
1784 department, verified as provided in s. 92.525, attesting to all  
1785 of the following:

1786 (a) That the organization does not solicit or accept,  
1787 directly or indirectly, contributions, funding, support, or  
1788 services from a foreign source of concern.

1789 (b) That the organization's messaging and content are not  
1790 directly or indirectly produced or influenced by a foreign  
1791 source of concern.

1792 (3) The department shall publish the Honest Services  
1793 Registry on the department's website.

1794 (4) The department shall adopt rules to implement this  
1795 section.

1796 Section 47. Paragraph (j) of subsection (1) of section  
1797 500.03, Florida Statutes, is amended to read:

1798 500.03 Definitions; construction; applicability.—

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1799 (1) For the purpose of this chapter, the term:

1800 (j) "Cottage food product" means food that is not time or  
 1801 temperature controlled for safety or a potentially hazardous  
 1802 food as defined by department rule which is sold by a cottage  
 1803 food operation in accordance with s. 500.80.

1804 Section 48. Paragraphs (a) and (b) of subsection (1) of  
 1805 section 500.12, Florida Statutes, are amended to read:

1806 500.12 Food permits; building permits.—

1807 (1)(a) A food permit from the department is required of any  
 1808 person or business that ~~who~~ operates a food establishment,  
 1809 except:

1810 1. Persons or businesses operating minor food outlets that  
 1811 sell food that is commercially prepackaged, not potentially  
 1812 hazardous, not age restricted, and not time or temperature  
 1813 controlled for safety, if the shelf space for those items does  
 1814 not exceed 12 total linear feet and no other food is sold by the  
 1815 person or business minor food outlet.

1816 2. Persons subject to continuous, onsite federal or state  
 1817 inspection.

1818 3. Persons selling only legumes in the shell, either  
 1819 parched, roasted, or boiled.

1820 4. Persons selling sugar cane or sorghum syrup that has  
 1821 been boiled and bottled on a premise located within this state.  
 1822 Such bottles must contain a label listing the producer's name  
 1823 and street address, all added ingredients, the net weight or  
 1824 volume of the product, and a statement that reads, "This product  
 1825 has not been produced in a facility permitted by the Florida  
 1826 Department of Agriculture and Consumer Services."

1827 (b) Each food establishment regulated under this chapter

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1828 must apply for and receive a food permit before operation  
 1829 begins. An application for a food permit from the department  
 1830 must be accompanied by a fee in an amount determined by  
 1831 department rule. The department shall adopt by rule a schedule  
 1832 of fees to be paid by each food establishment as a condition of  
 1833 issuance or renewal of a food permit. Such fees may not exceed  
 1834 \$650 and must be used solely for the recovery of costs for the  
 1835 services provided, except that the fee accompanying an  
 1836 application for a food permit for operating a bottled water  
 1837 plant may not exceed \$1,000 and the fee accompanying an  
 1838 application for a food permit for operating a packaged ice plant  
 1839 may not exceed \$250. The fee for operating a bottled water plant  
 1840 or a packaged ice plant must be set by rule of the department.  
 1841 Food permits are not transferable from one person or physical  
 1842 location to another. Food permits must be renewed in accordance  
 1843 with subparagraphs 1.-3. If an application for renewal of a food  
 1844 permit is not received by the department on or before its due  
 1845 date, a late fee not exceeding \$100 must be paid in addition to  
 1846 the food permit fee before the department may issue the food  
 1847 permit. The moneys collected must be deposited in the General  
 1848 Inspection Trust Fund.

1849 1. A food permit issued to a new food establishment ~~on or~~  
 1850 ~~after September 1, 2023~~, is valid for 1 calendar year after the  
 1851 date of issuance and must be renewed annually on or before that  
 1852 date thereafter.

1853 2. ~~Effective January 1, 2024~~, A food permit issued before  
 1854 September 1, 2023, expires on the month and day the initial  
 1855 permit was issued to the food establishment and must be renewed  
 1856 annually on or before that date thereafter. The department may

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1857 charge a prorated permit fee for purposes of this subparagraph.

1858 3. The department may establish a single permit renewal  
 1859 date for multiple food establishments owned by the same entity  
 1860 ~~The owner of 100 or more permitted food establishment locations~~  
 1861 ~~may elect to set the expiration of food permits for such~~  
 1862 ~~establishments as December 31 of each calendar year.~~

1863 Section 49. Section 500.166, Florida Statutes, is amended  
 1864 to read:

1865 500.166 Records of interstate shipment.—For the purpose of  
 1866 enforcing this chapter, carriers engaged in interstate commerce  
 1867 and persons receiving food in interstate commerce shall retain  
 1868 all records for 3 years from the date of the record showing the  
 1869 movement in interstate commerce of any food, and the quantity,  
 1870 shipper and consignee thereof and, upon the request by an  
 1871 officer or employee duly designated by the department, permit  
 1872 the officer or employee to have access to and to copy all  
 1873 records showing the movement in interstate commerce of any food,  
 1874 and the quantity, shipper, and consignee thereof.

1875 Section 50. Subsection (1) of section 500.172, Florida  
 1876 Statutes, is amended to read:

1877 500.172 Embargoing, detaining, destroying of food, food  
 1878 processing equipment, or areas that are in violation.—

1879 (1) When the department, or its duly authorized agent who  
 1880 has received appropriate education and training regarding the  
 1881 legal requirements of this chapter, finds or has probable cause  
 1882 to believe that any food, food processing equipment, food  
 1883 processing area, or food storage area is in violation of this  
 1884 chapter or any rule adopted under this chapter so as to be  
 1885 dangerous, unwholesome, mislabeled, fraudulent, or insanitary

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1886 within the meaning of this chapter, an agent of the department  
 1887 may issue and enforce a stop-sale, stop-use, removal, or hold  
 1888 order, which order gives notice that such article, processing  
 1889 equipment, processing area, or storage area is or is suspected  
 1890 of being in violation and has been detained or embargoed and  
 1891 which order warns all persons not to remove, use, or dispose of  
 1892 such article, processing equipment, processing area, or storage  
 1893 area by sale or otherwise until permission for removal, use, or  
 1894 disposal is given by the department or the court. The department  
 1895 is authorized to enter into a written agreement with the owner  
 1896 of such food, food processing equipment, food processing area,  
 1897 or food storage area, or otherwise facilitate the destruction of  
 1898 any article found or suspected by the department to be in  
 1899 violation of this section. A person may not remove, use, or  
 1900 dispose of such detained or embargoed article, processing  
 1901 equipment, processing area, or storage area by sale or otherwise  
 1902 without such permission from or in accordance with a written  
 1903 agreement with the department.

1904 Section 51. Section 500.75, Florida Statutes, is created to  
 1905 read:

1906 500.75 Mushrooms spores and mycelium; offenses.—It is  
 1907 unlawful to transport, import, sell, offer for sale, furnish, or  
 1908 give away spores or mycelium capable of producing mushrooms or  
 1909 other material which will contain a controlled substance,  
 1910 including psilocybin or psilocyn, during its lifecycle. A person  
 1911 who transports, imports into this state, sells, offers for sale,  
 1912 furnishes, gives away, or offers to transport, import into this  
 1913 state, sell, furnish, or give away any spores or mycelium  
 1914 capable of producing mushrooms or other material which will

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1915 contain a controlled substance commits a misdemeanor of the  
 1916 first degree, punishable as provided in s. 775.082 or s.  
 1917 775.083.

1918 Section 52. Section 500.93, Florida Statutes, is created to  
 1919 read:

1920 500.93 Mislabeling of plant-based products as milk, meat,  
 1921 or poultry.—

1922 (1) As used in this section, the term:

1923 (a) "Egg" and "egg product" have the same meanings as in 21  
 1924 U.S.C. s. 1033 and the Egg Products Inspection Act.

1925 (b) "FDA" means the United States Food and Drug  
 1926 Administration.

1927 (c) "Meat" has the same meaning as in 9 C.F.R. s. 301.2 and  
 1928 the Federal Meat Inspection Act.

1929 (d) "Milk" has the same meaning as in 21 C.F.R. s. 131.110  
 1930 and the Grade "A" pasteurized milk ordinance.

1931 (e) "Poultry" and "poultry product" have the same meanings  
 1932 as in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

1933 (2) (a) In accordance with the established standard of  
 1934 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade  
 1935 "A" pasteurized milk ordinance, the department shall adopt rules  
 1936 to enforce the FDA's standard of identity for milk, as adopted  
 1937 in state law, to prohibit the sale of plant-based products  
 1938 mislabeled as milk in this state.

1939 (b) This subsection is effective upon the enactment into  
 1940 law of a mandatory labeling requirement to prohibit the sale of  
 1941 plant-based products mislabeled as milk that is consistent with  
 1942 this section by any 11 of the group of 14 states composed of  
 1943 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,

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1944 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,  
 1945 Texas, Virginia, and West Virginia.

1946 (3) (a) In accordance with the established standard of  
 1947 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal  
 1948 Meat Inspection Act, and both poultry and poultry products  
 1949 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection  
 1950 Act, the department shall adopt rules to enforce the FDA's  
 1951 standard of identity for meat, poultry, and poultry products as  
 1952 adopted in this section, to prohibit the sale of plant-based  
 1953 products mislabeled as meat, poultry, or poultry products in  
 1954 this state.

1955 (b) This subsection is effective upon the enactment into  
 1956 law of a mandatory labeling requirement to prohibit the sale of  
 1957 plant-based products mislabeled as meat, poultry, or poultry  
 1958 products which is consistent with this section by any 11 of the  
 1959 group of 14 states composed of Alabama, Arkansas, Florida,  
 1960 Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,  
 1961 South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1962 (4) (a) In accordance with the established standard of  
 1963 identity for eggs and egg products defined in 21 U.S.C. s. 1033  
 1964 and the Egg Products Inspection Act, the department shall adopt  
 1965 rules to enforce the FDA's standard of identity for eggs and egg  
 1966 products, as adopted in state law, to prohibit the sale of  
 1967 plant-based products mislabeled as egg or egg products in this  
 1968 state.

1969 (b) This subsection is effective upon the enactment into  
 1970 law of a mandatory labeling requirement to prohibit the sale of  
 1971 plant-based products mislabeled as egg or egg products that is  
 1972 consistent with this section by any 11 of the group of 14 states

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1973 composed of Alabama, Arkansas, Florida, Georgia, Kentucky,  
 1974 Louisiana, Maryland, Mississippi, Oklahoma, South Carolina,  
 1975 Tennessee, Texas, Virginia, and West Virginia.

1976 (5) The Department of Agriculture and Consumer Services  
 1977 shall notify the Division of Law Revision upon the enactment  
 1978 into law by any 11 of the group of 14 states composed of  
 1979 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,  
 1980 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,  
 1981 Texas, Virginia, and West Virginia of the mandatory labeling  
 1982 requirements pursuant to subsections (2) and (3).

1983 (6) The department shall adopt rules to implement this  
 1984 section.

1985 (7) This section may not be construed to limit the  
 1986 department's authority to enforce its laws and regulations.

1987 Section 53. Section 501.135, Florida Statutes, is repealed.

1988 Section 54. Subsection (1) of section 501.912, Florida  
 1989 Statutes, is amended to read:

1990 501.912 Definitions.—As used in ss. 501.91-501.923:

1991 (1) "Antifreeze" means any substance or preparation,  
 1992 including, but not limited to, coolant, antifreeze-coolant,  
 1993 antifreeze and summer coolant, or summer coolant, that is sold,  
 1994 distributed, or intended for use:

1995 (a) As the cooling liquid, or to be added to the cooling  
 1996 liquid, in the cooling system of ~~internal combustion engines of~~  
 1997 motor vehicles to prevent freezing of the cooling liquid or to  
 1998 lower its freezing point; or

1999 (b) To raise the boiling point of water, aid in vehicle  
 2000 component cooling, or for the prevention of engine overheating,  
 2001 whether or not the liquid is used as a year-round cooling system

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2002 fluid.

2003 Section 55. Section 525.19, Florida Statutes, is created to  
 2004 read:

2005 525.19 Petroleum registration.—

2006 (1) The department shall create an annual petroleum  
 2007 registration program for petroleum owners or operators and shall  
 2008 adopt rules detailing the requirements for such registration  
 2009 that include, at minimum:

2010 (a) Name of the petroleum owner or operator;

2011 (b) Address of the petroleum owner or operator;

2012 (c) Phone number of the petroleum owner or operator;

2013 (d) E-mail address of the petroleum owner or operator;

2014 (e) Requirements for the transfer switch;

2015 (f) Fuel and petroleum infrastructure; and

2016 (g) Fuel and petroleum inventory and delivery information.

2017 (2) The registration program must be free for all  
 2018 registrants.

2019 (3) The department has the authority to require registrants  
 2020 to provide updates related to the status of infrastructure,  
 2021 inventory, and delivery information during a state of emergency  
 2022 as declared by an executive order issued by the Governor.

2023 Section 56. Section 526.147, Florida Statutes, is created  
 2024 to read:

2025 526.147 Florida Retail Fuel Transfer Switch Modernization  
 2026 Grant Program.—

2027 (1) (a) There is created, subject to appropriation, the  
 2028 Florida Retail Fuel Transfer Switch Modernization Grant Program  
 2029 within the Department of Agriculture and Consumer Services.

2030 (b) The grant program shall provide grant funds, not to

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2031 exceed \$10,000 per retail fuel facility, to be used for  
 2032 installation and equipment costs related to installing or  
 2033 modernizing transfer switch infrastructure at retail fuel  
 2034 facilities to allow for the continuity of fueling operations  
 2035 under generated power.

2036 (c) The department shall award funds based upon the  
 2037 following criteria:

2038 1. Up to \$10,000, of costs for transfer switch purchase and  
 2039 installation for retail fuel locations in fiscally constrained  
 2040 counties as designated under s. 218.67(1).

2041 2. Up to \$5,000, of costs for transfer switch purchase and  
 2042 installation for all other retail fuel locations.

2043 (d) Retail fuel facilities which are awarded grant funds  
 2044 must comply with s. 526.143 and must install a transfer switch  
 2045 capable of operating all fuel pumps, dispensing equipment, life  
 2046 safety systems, and payment acceptance equipment using an  
 2047 alternative generated power source.

2048 (e) Before being awarded funding from the department,  
 2049 retail fuel facilities must provide documentation on transfer  
 2050 switch installation and required generator sizing to the  
 2051 department.

2052 (f) Marinas and fueling facilities with fewer than 4  
 2053 fueling positions are excluded from being awarded funding  
 2054 through this program.

2055 (g) Fueling facilities subject to s. 526.143(2) are  
 2056 excluded from being awarded funding through this program.

2057 (2) The department, in consultation with the Division of  
 2058 Emergency Management, shall adopt rules to implement and  
 2059 administer this section, including establishing grant

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2060 application processes for the Florida Retail Fuel Transfer  
 2061 Switch Modernization Grant Program. The rules must include  
 2062 application deadlines and establish the supporting documentation  
 2063 necessary to be provided to the department.

2064 Section 57. Section 531.48, Florida Statutes, is amended to  
 2065 read:

2066 531.48 Declarations of unit price on random packages.—In  
 2067 addition to the declarations required by s. 531.47, any package  
 2068 being one of a lot containing random weights of the same  
 2069 commodity must and ~~bearing the total selling price of the~~  
 2070 ~~package shall bear on the outside of the package a plain and~~  
 2071 ~~conspicuous declaration of the price per single unit of weight~~  
 2072 and the total retail price of the package, as defined by  
 2073 department rule.

2074 Section 58. Section 531.49, Florida Statutes, is amended to  
 2075 read:

2076 531.49 Advertising packages for sale.—~~Whenever~~ A packaged  
 2077 commodity ~~is advertised in any manner with the retail price~~  
 2078 ~~stated, there shall be~~ closely and conspicuously associated with  
 2079 the retail price must have a declaration of quantity as is  
 2080 required by law or rule to appear on the package.

2081 Section 59. Present subsections (44), (45), and (46) of  
 2082 section 570.07, Florida Statutes, are redesignated as  
 2083 subsections (47), (48), and (49), respectively, and new  
 2084 subsections (44), (45), and (46) are added to that section, to  
 2085 read:

2086 570.07 Department of Agriculture and Consumer Services;  
 2087 functions, powers, and duties.—The department shall have and  
 2088 exercise the following functions, powers, and duties:

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2089 (44) (a) To foster and encourage the employment and  
 2090 retention of qualified veterinary pathologists. The department  
 2091 may reimburse the educational expenses of qualified veterinary  
 2092 pathologists who enter into an agreement with the department to  
 2093 retain employment for a specified period of time.

2094 (b) The department shall adopt rules to administer this  
 2095 subsection.

2096 (45) Subject to appropriation, to extend state and national  
 2097 Future Farmers of America opportunities to any public school  
 2098 student enrolled in agricultural education, at little or no cost  
 2099 to the student or school district, and to support statewide  
 2100 Future Farmers of America programming that helps such students  
 2101 develop their potential for premier leadership, personal growth,  
 2102 and career success.

2103 (46) (a) Notwithstanding ss. 287.042 and 287.057, to use  
 2104 contracts procured by another agency.

2105 (b) As used in this subsection, the term "agency" has the  
 2106 same meaning as provided in s. 287.012.

2107 Section 60. Subsection (2) of section 570.544, Florida  
 2108 Statutes, is amended to read:

2109 570.544 Division of Consumer Services; director; powers;  
 2110 processing of complaints; records.—

2111 (2) The director shall supervise, direct, and coordinate  
 2112 the activities of the division and shall, under the direction of  
 2113 the department, enforce the provisions of ss. 366.94 and ~~ss-~~  
 2114 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526,  
 2115 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

2116 Section 61. Section 570.546, Florida Statutes, is created  
 2117 to read:

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2118 570.546 Licensing.—

2119 (1) The department is authorized to:

2120 (a) Create a process for the bulk renewal of licenses which  
 2121 will allow licensees the ability, upon request, to submit all  
 2122 license applications of the same type, notwithstanding any  
 2123 provisions of law applicable to each application process.

2124 (b) Create a process that will allow licensees, upon  
 2125 request, to align the expiration dates of licenses within a  
 2126 statutory program.

2127 (c) Change the expiration dates for current licensees for  
 2128 the purpose of reducing large numbers of license expirations  
 2129 that occur during the same month.

2130 (2) The department shall prorate any licensing fee for  
 2131 which the term of the license was reduced for the purposes of  
 2132 alignment.

2133 (3) The department shall adopt rules to implement this  
 2134 section.

2135 Section 62. Section 570.694, Florida Statutes, is created  
 2136 to read:

2137 570.694 Florida Aquaculture Foundation.—

2138 (1) The Florida Aquaculture Foundation is established as a  
 2139 direct-support organization within the Department of Agriculture  
 2140 and Consumer Services. The purpose of the foundation is to:

2141 (a) Conduct programs and activities related to the  
 2142 assistance, promotion, and furtherance of aquaculture and  
 2143 aquaculture producers in this state.

2144 (b) Identify and pursue methods to provide statewide  
 2145 resources and materials for these programs.

2146 (2) The foundation shall be governed by s. 570.691.

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2147 (3) The department is authorized to appoint an advisory  
 2148 committee adjunct to the foundation pursuant to s. 570.232.  
 2149 Section 63. Section 570.822, Florida Statutes, is amended  
 2150 to read:  
 2151 570.822 Agriculture and Aquaculture Producers Emergency  
 2152 ~~Natural Disaster~~ Recovery Loan Program.—  
 2153 (1) DEFINITIONS.—As used in this section, the term:  
 2154 (a) “Bona fide farm operation” means a farm operation  
 2155 engaged in a good faith commercial agricultural use of land on  
 2156 land classified as agricultural pursuant to s. 193.461 or on  
 2157 sovereign submerged land that is leased to the applicant by the  
 2158 department pursuant to s. 597.010 and that produces agricultural  
 2159 products within the definition of agriculture under s. 570.02.  
 2160 (b) “Declared emergency ~~natural disaster~~” means an  
 2161 emergency ~~a natural disaster~~ for which a state of emergency is  
 2162 declared pursuant to s. 252.36 or s. 570.07(21).  
 2163 (c) “Department” means the Department of Agriculture and  
 2164 Consumer Services.  
 2165 (d) “Essential physical property” means fences; equipment;  
 2166 structural production facilities, such as shade houses and  
 2167 greenhouses; or other agriculture or aquaculture facilities or  
 2168 infrastructure.  
 2169 (e) “Program” means the Agriculture and Aquaculture  
 2170 Producers Emergency ~~Natural Disaster~~ Recovery Loan Program.  
 2171 (2) USE OF LOAN FUNDS; LOAN TERMS.—  
 2172 (a) The program is established within the department to  
 2173 make loans to agriculture and aquaculture producers that have  
 2174 experienced damage or destruction from a declared emergency  
 2175 ~~natural disaster~~. Loan funds may be used to restore, repair, or

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2176 replace essential physical property or remove vegetative debris  
 2177 from essential physical property, or restock aquaculture. A  
 2178 structure or building constructed using loan proceeds must  
 2179 comply with storm-hardening standards for nonresidential farm  
 2180 buildings as defined in s. 604.50(2). The department shall adopt  
 2181 such standards by rule.  
 2182 (b) The department may make a low-interest or interest-free  
 2183 loan to an eligible applicant. The maximum amount that an  
 2184 applicant may receive during the application period for a loan  
 2185 is \$500,000. An applicant may not receive more than one loan per  
 2186 application period and no more than two loans per year or no  
 2187 more than five loans in any 3-year period. A loan term is 10  
 2188 years.  
 2189 (3) ELIGIBLE APPLICANTS.—To be eligible for the program, an  
 2190 applicant must:  
 2191 (a) Own or lease a bona fide farm operation that is located  
 2192 in a county named in a declared emergency ~~natural disaster~~ and  
 2193 that was damaged or destroyed as a result of such declared  
 2194 emergency ~~natural disaster~~.  
 2195 (b) Maintain complete and acceptable farm records, pursuant  
 2196 to criteria published by the department, and present them as  
 2197 proof of production levels and bona fide farm operations.  
 2198 (4) LOAN APPLICATION AND AGREEMENT.—  
 2199 (a) Requests for loans must be made by application to the  
 2200 department. Upon a determination that funding for loans is  
 2201 available, the department shall publicly notice an application  
 2202 period for the declared emergency ~~natural disaster~~, beginning  
 2203 within 60 days after the date of the declared emergency ~~natural~~  
 2204 ~~disaster~~ and running up to 1 year after the date of the declared

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2205 ~~emergency natural disaster~~ or until all available loan funds are  
 2206 exhausted, whichever occurs first. The application may be  
 2207 renewed upon a determination from the department and pursuant to  
 2208 an active declared emergency.

2209 (b) An applicant must demonstrate the need for financial  
 2210 assistance and an ability to repay or meet a standard credit  
 2211 rating determined by the department.

2212 (c) Loans must be made pursuant to written agreements  
 2213 specifying the terms and conditions agreed to by the approved  
 2214 applicant and the department. The loan agreement must specify  
 2215 that the loan is due upon sale if the property or other  
 2216 collateral for the loan is sold.

2217 (d) An approved applicant must agree to stay in production  
 2218 for the duration of the loan. A loan is not assumable.

2219 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured  
 2220 by a lien, subordinate only to any mortgage held by a financial  
 2221 institution as defined in s. 655.005, on property or other  
 2222 collateral as set forth in the loan agreement. The specific type  
 2223 of collateral required may vary depending upon the loan purpose,  
 2224 repayment ability, and the particular circumstances of the  
 2225 applicant. The department shall record the lien in public  
 2226 records in the county where the property is located and, in the  
 2227 case of personal property, perfect the security interest by  
 2228 filing appropriate Uniform Commercial Code forms with the  
 2229 Florida Secured Transaction Registry as required pursuant to  
 2230 chapter 679.

2231 (6) LOAN REPAYMENT.—

2232 (a) A loan is due and payable in accordance with the terms  
 2233 of the loan agreement.

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2234 (b) The department shall defer payments for the first 3  
 2235 years of the loan. After 3 years, the department shall reduce  
 2236 the principal balance annually through the end of the loan term  
 2237 such that the original principal balance is reduced by 30  
 2238 percent. If the principal balance is repaid before the end of  
 2239 the 10th year, the applicant may not be required to pay more  
 2240 than 70 percent of the original principal balance. The approved  
 2241 applicant must continue to be actively engaged in production in  
 2242 order to receive the original principal balance reductions and  
 2243 must continue to meet the loan agreement terms to the  
 2244 satisfaction of the department.

2245 (c) An approved applicant may make payments on the loan at  
 2246 any time without penalty. Early repayment is encouraged as other  
 2247 funding sources or revenues become available to the approved  
 2248 applicant.

2249 (d) All repayments of principal and interest, if  
 2250 applicable, received by the department in a fiscal year must be  
 2251 returned to the loan fund and made available for loans to other  
 2252 applicants in the next application period.

2253 (e) The department may periodically review an approved  
 2254 applicant to determine whether he or she continues to be in  
 2255 compliance with the terms of the loan agreement. If the  
 2256 department finds that an applicant is no longer in production or  
 2257 has otherwise violated the loan agreement, the department may  
 2258 seek repayment of the full original principal balance  
 2259 outstanding, including any interest or costs, as applicable, and  
 2260 excluding any applied or anticipated original principal balance  
 2261 reductions.

2262 (f) The department may defer or waive loan payments if at

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2263 any time during the repayment period of a loan, the approved  
 2264 applicant experiences a significant hardship such as crop loss  
 2265 from a weather-related event or from impacts from a natural  
 2266 disaster or declared emergency.

2267 (7) ADMINISTRATION.—

2268 (a) The department shall create and maintain a separate  
 2269 account in the General Inspection Trust Fund as a fund for the  
 2270 program. All repayments must be returned to the loan fund and  
 2271 made available as provided in this section. Notwithstanding s.  
 2272 216.301, funds appropriated for the loan program are not subject  
 2273 to reversion. The department shall manage the fund, establishing  
 2274 loan practices that must include, but are not limited to,  
 2275 procedures for establishing loan interest rates, uses of  
 2276 funding, application procedures, and application review  
 2277 procedures. The department is authorized to contract with a  
 2278 third-party administrator to administer the program and manage  
 2279 the loan fund. A contract for a third-party administrator that  
 2280 includes management of the loan fund must, at a minimum, require  
 2281 maintenance of the loan fund to ensure that the program may  
 2282 operate in a revolving manner.

2283 (b) The department shall coordinate with other state  
 2284 agencies and other entities to ensure to the greatest extent  
 2285 possible that agriculture and aquaculture producers in this  
 2286 state have access to the maximum financial assistance available  
 2287 following a declared emergency ~~natural disaster~~. The  
 2288 coordination must endeavor to ensure that there is no  
 2289 duplication of financial assistance between the loan program and  
 2290 other funding sources, such as any federal or other state  
 2291 programs, including public assistance requests to the Federal

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2292 Emergency Management Agency or financial assistance from the  
 2293 United States Department of Agriculture, which could render the  
 2294 approved applicant ineligible for other financial assistance.

2295 (8) PUBLIC RECORDS EXEMPTION.—

2296 (a) The following information held by the department  
 2297 pursuant to its administration of the program is exempt from s.  
 2298 119.07(1) and s. 24(a), Art. I of the State Constitution:

2299 1. Tax returns.  
 2300 2. Credit history information, credit reports, and credit  
 2301 scores.

2302 (b) This subsection does not prohibit the disclosure of  
 2303 information held by the department pursuant to its  
 2304 administration of the program in an aggregated and anonymized  
 2305 format.

2306 (c) This subsection is subject to the Open Government  
 2307 Sunset Review Act in accordance with s. 119.15 and shall stand  
 2308 repealed on October 2, 2029, unless reviewed and saved from  
 2309 repeal through reenactment by the Legislature.

2310 (9) RULES.—The department shall adopt rules to implement  
 2311 this section.

2312 (10) REPORTS.—By December 1, 2024, and each December 1  
 2313 thereafter, the department shall provide a report on program  
 2314 activities during the previous fiscal year to the President of  
 2315 the Senate and the Speaker of the House of Representatives. The  
 2316 report must include information on noticed application periods,  
 2317 the number and value of loans awarded under the program for each  
 2318 application period, the number and value of loans outstanding,  
 2319 the number and value of any loan repayments received, and an  
 2320 anticipated repayment schedule for all loans.

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2321 (11) SUNSET.—This section expires July 1, 2043, unless  
2322 reviewed and saved from repeal through reenactment by the  
2323 Legislature.

2324 Section 64. Section 570.823, Florida Statutes, is created  
2325 to read:

2326 570.823 Silviculture emergency recovery program.—

2327 (1) DEFINITIONS.—As used in this section, the term:

2328 (a) “Bona fide farm operation” means a farm operation  
2329 engaged in a good faith commercial agricultural use of land on  
2330 land classified as agricultural pursuant to s. 193.461 that  
2331 produces agricultural products within the definition of  
2332 agriculture under s. 570.02.

2333 (b) “Declared emergency” means an emergency for which a  
2334 state of emergency is declared pursuant to s. 252.36 or s.  
2335 570.07(21).

2336 (c) “Department” means the Department of Agriculture and  
2337 Consumer Services.

2338 (d) “Program” means the silviculture emergency recovery  
2339 program.

2340 (2) USE OF GRANT FUNDS; GRANT TERMS.—

2341 (a) The silviculture emergency recovery program is  
2342 established within the department to administer a grant program  
2343 to assist timber landowners whose timber land was damaged as a  
2344 result of a declared emergency. Grants provided to eligible  
2345 timber landowners must be used for:

2346 1. Timber stand restoration, including downed tree removal  
2347 on land which will retain the existing trees on site which are  
2348 lightly or completely undamaged;

2349 2. Site preparation, and tree replanting; or

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2350 3. Road and trail clearing on private timber lands to  
2351 provide emergency access and facilitate salvage operations.

2352 (b) Only timber land located on lands classified as  
2353 agricultural lands under s. 193.461 are eligible for the  
2354 program.

2355 (c) The department shall coordinate with state agencies and  
2356 other entities to ensure to the greatest extent possible that  
2357 timber landowners have access to the maximum financial  
2358 assistance available following a specified declared emergency.  
2359 The coordination must endeavor to ensure that there is no  
2360 duplication of financial assistance between these funds and  
2361 other funding sources, such as any federal or other state  
2362 programs, including public assistance requests to the Federal  
2363 Emergency Management Agency or financial assistance from the  
2364 United States Department of Agriculture, which would render the  
2365 approved applicant ineligible for other financial assistance.

2366 (d) The department is authorized to adopt rules to  
2367 implement this section, including emergency rules.  
2368 Notwithstanding any other provision of law, emergency rules  
2369 adopted pursuant to this subsection are effective for 6 months  
2370 after adoption and may be renewed during the pendency of  
2371 procedures to adopt permanent rules addressing the subject of  
2372 the emergency rules.

2373 Section 65. Subsections (2) and (5) of section 581.1843,  
2374 Florida Statutes, are amended to read:

2375 581.1843 Citrus nursery stock propagation and production  
2376 and the establishment of regulated areas around citrus  
2377 nurseries.—

2378 (2) Effective January 1, 2007, it is unlawful for any

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2379 person to propagate for sale or movement any citrus nursery  
 2380 stock that was not propagated or grown on a site and within a  
 2381 protective structure approved by the department and that is not  
 2382 ~~at least 1 mile away from commercial citrus groves. A citrus~~  
 2383 ~~nursery registered with the department prior to April 1, 2006,~~  
 2384 ~~shall not be required to comply with the 1-mile setback from~~  
 2385 ~~commercial citrus groves while continuously operating at the~~  
 2386 ~~same location for which it was registered.~~ However, the nursery  
 2387 shall be required to propagate citrus within a protective  
 2388 structure approved by the department. Effective January 1, 2008,  
 2389 it is shall be unlawful to distribute any citrus nursery stock  
 2390 that was not produced in a protective structure approved by the  
 2391 department.

2392 ~~(5) The department shall establish regulated areas around~~  
 2393 ~~the perimeter of commercial citrus nurseries that were~~  
 2394 ~~established on sites after April 1, 2006, not to exceed a radius~~  
 2395 ~~of 1 mile. The planting of citrus in an established regulated~~  
 2396 ~~area is prohibited. The planting of citrus within a 1-mile~~  
 2397 ~~radius of commercial citrus nurseries that were established on~~  
 2398 ~~sites prior to April 1, 2006, must be approved by the~~  
 2399 ~~department. Citrus plants planted within a regulated area prior~~  
 2400 ~~to the establishment of the regulated area may remain in the~~  
 2401 ~~regulated area unless the department determines the citrus~~  
 2402 ~~plants to be infected or infested with citrus canker or citrus~~  
 2403 ~~greening. The department shall require the removal of infected~~  
 2404 ~~or infested citrus, nonapproved planted citrus, and citrus that~~  
 2405 ~~has sprouted by natural means in regulated areas. The property~~  
 2406 ~~owner shall be responsible for the removal of citrus planted~~  
 2407 ~~without proper approval. Notice of the removal of citrus trees,~~

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2408 ~~by immediate final order of the department, shall be provided to~~  
 2409 ~~the owner of the property on which the trees are located. An~~  
 2410 ~~immediate final order issued by the department under this~~  
 2411 ~~section shall notify the property owner that the citrus trees,~~  
 2412 ~~which are the subject of the immediate final order, must be~~  
 2413 ~~removed and destroyed unless the property owner, no later than~~  
 2414 ~~10 days after delivery of the immediate final order, requests~~  
 2415 ~~and obtains a stay of the immediate final order from the~~  
 2416 ~~district court of appeal with jurisdiction to review such~~  
 2417 ~~requests. The property owner shall not be required to seek a~~  
 2418 ~~stay from the department of the immediate final order prior to~~  
 2419 ~~seeking a stay from the district court of appeal.~~

2420 Section 66. Sections 593.101, 593.102, 593.103, 593.104,  
 2421 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,  
 2422 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116,  
 2423 and 593.117, Florida Statutes, are repealed.

2424 Section 67. Subsection (11) of section 595.404, Florida  
 2425 Statutes, is amended to read:

2426 595.404 School food and other nutrition programs; powers  
 2427 and duties of the department.—The department has the following  
 2428 powers and duties:

2429 (11) To adopt and implement an appeal process by rule, as  
 2430 required by federal regulations, for applicants and participants  
 2431 under the programs implemented pursuant to this chapter,  
 2432 notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss-~~  
 2433 ~~120.569 and 120.57-120.595.~~

2434 Section 68. Section 599.002, Florida Statutes, is amended  
 2435 to read:

2436 599.002 Florida Wine Viticulture Advisory Council.—

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2437 (1) There is created within the Department of Agriculture  
 2438 and Consumer Services the Florida Wine Viticulture Advisory  
 2439 Council, to ~~be composed~~ consist of eight members as follows: the  
 2440 president of the Florida Wine and Grape Growers Association  
 2441 ~~Florida Grape Growers' Association~~ or a designee thereof; a  
 2442 representative from the Institute of Food and Agricultural  
 2443 Sciences; a representative from the viticultural science program  
 2444 at Florida Agricultural and Mechanical University; and five  
 2445 additional commercial members, to be appointed for a 2-year term  
 2446 each by the Commissioner of Agriculture, including a wine  
 2447 producer, a fresh fruit producer, a nonwine product (juice,  
 2448 jelly, pie fillings, etc.) producer, and a viticultural nursery  
 2449 operator.

2450 (2) The meetings, powers and duties, procedures, and  
 2451 recordkeeping of the Florida Wine Viticulture Advisory Council  
 2452 shall be pursuant to s. 570.232.

2453 (3) The primary responsibilities of the Florida Wine  
 2454 Viticulture Advisory Council are to submit to the Commissioner  
 2455 of Agriculture, annually, the industry's recommendations for  
 2456 wine and viticultural research, promotion, and education and, as  
 2457 necessary, the industry's recommendations for revisions to the  
 2458 State Wine Viticulture Plan.

2459 Section 69. Section 599.003, Florida Statutes, is amended  
 2460 to read:

2461 599.003 State Wine Viticulture Plan.—

2462 (1) The Commissioner of Agriculture, in consultation with  
 2463 the Florida Wine Viticulture Advisory Council, shall develop and  
 2464 coordinate the implementation of the State Wine Viticulture  
 2465 Plan, which shall identify problems and constraints of the wine

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2466 and viticulture industry, propose possible solutions to those  
 2467 problems, and develop planning mechanisms for the orderly growth  
 2468 of the industry, including:

2469 (a) Criteria for wine and viticultural research, service,  
 2470 and management priorities.

2471 (b) Additional proposed legislation that may be required.

2472 (c) Plans and goals to improve research and service  
 2473 capabilities at Florida Agricultural and Mechanical University  
 2474 and the University of Florida in their efforts to address  
 2475 current and future needs of the industry.

2476 (d) The potential for viticulture products in terms of  
 2477 market and needs for development.

2478 (e) Evaluation of wine policy alternatives, including, but  
 2479 not limited to, continued improvement in wine quality, blending  
 2480 considerations, promotion and advertising, labeling and vineyard  
 2481 designations, and development of production and marketing  
 2482 strategies.

2483 (f) Evaluation of production and fresh fruit policy  
 2484 alternatives, including, but not limited to, setting minimum  
 2485 grades and standards, promotion and advertising, development of  
 2486 production and marketing strategies, and setting minimum  
 2487 standards on types and quality of nursery plants.

2488 (g) Evaluation of policy alternatives for nonwine processed  
 2489 products, including, but not limited to, setting minimum quality  
 2490 standards and development of production and marketing  
 2491 strategies.

2492 (h) Research and service priorities for further development  
 2493 of the wine and viticulture industry.

2494 (i) The identification of state agencies and public and

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2495 private institutions concerned with research, education,  
2496 extension, services, planning, promotion, and marketing  
2497 functions related to wine and viticultural development and the  
2498 delineation of contributions and responsibilities.

2499 (j) Business planning, investment potential, financial  
2500 risks, and economics of production and utilization.

2501 (2) A revision and update of the State ~~Wine Viticulture~~  
2502 Plan ~~must shall~~ be submitted biennially to the President of the  
2503 Senate, the Speaker of the House of Representatives, and the  
2504 chairs of appropriate committees of the Senate and House of  
2505 Representatives, and a progress report and budget request must  
2506 ~~shall~~ be submitted annually.

2507 Section 70. Paragraph (a) of subsection (2) and subsection  
2508 (3) of section 599.004, Florida Statutes, are amended, and  
2509 paragraph (d) is added to subsection (2) of that section, to  
2510 read:

2511 599.004 Florida Farm Winery Program; registration; logo;  
2512 fees.—

2513 (2)(a) The department, in coordination with the Florida  
2514 Wine Viticulture Advisory Council, shall develop and designate  
2515 by rule a Florida Farm Winery logo, emblem, and directional sign  
2516 to guide the public to certified Florida Farm ~~Wineries~~ Winery  
2517 ~~tourist attractions~~. The logo and emblem of certified Florida  
2518 Farm Winery signs ~~must shall~~ be uniform.

2519 (d) Wineries that fail to recertify annually or pay the  
2520 licensing fee required in paragraph (c) are subject to having  
2521 the signs referenced in paragraph (b) removed and will be  
2522 responsible for all costs incurred by the Department of  
2523 Transportation in connection with the removal.

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2524 (3) All fees collected, except as otherwise provided by  
2525 this section, shall be deposited into the Florida Wine  
2526 ~~Viticulture~~ Trust Fund and used to develop consumer information  
2527 on the native characteristics and proper use of wines.

2528 Section 71. Section 599.012, Florida Statutes, is amended  
2529 to read:

2530 599.012 ~~Wine Viticulture~~ Trust Fund; creation.—

2531 (1) There is established the Viticulture Trust Fund within  
2532 the Department of Agriculture and Consumer Services. The  
2533 department shall use the moneys deposited in the trust fund  
2534 pursuant to subsection (2) to do all the following:

2535 (a) Develop and coordinate the implementation of the State  
2536 Viticulture Plan.

2537 (b) Promote viticulture products manufactured from products  
2538 grown in the state.

2539 (c) Provide grants for viticultural research.

2540 (2) Fifty percent of the revenues collected from the excise  
2541 taxes imposed under s. 564.06 on wine produced by manufacturers  
2542 in this state from products grown in the state will be deposited  
2543 in the Viticulture Trust Fund in accordance with that section.

2544 Section 72. Subsection (1) of section 616.12, Florida  
2545 Statutes, is amended to read:

2546 616.12 Licenses upon certain shows; distribution of fees;  
2547 exemptions.—

2548 (1) Each person who operates any traveling show,  
2549 exhibition, amusement enterprise, carnival, vaudeville, exhibit,  
2550 ~~minstrel~~, rodeo, theatrical, game or test of skill, riding  
2551 device, dramatic repertoire, other show or amusement, or  
2552 concession, including a concession operating in a tent,

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2553 enclosure, or other temporary structure, within the grounds of,  
 2554 and in connection with, any annual public fair held by a fair  
 2555 association shall pay the license taxes provided by law.  
 2556 However, if the association satisfies the requirements of this  
 2557 chapter, including securing the required fair permit from the  
 2558 department, the license taxes and local business tax authorized  
 2559 in chapter 205 are waived and the department shall issue a tax  
 2560 exemption certificate. The department shall adopt the proper  
 2561 forms and rules to administer this section, including the  
 2562 necessary tax exemption certificate, showing that the fair  
 2563 association has met all requirements and that the traveling  
 2564 show, exhibition, amusement enterprise, carnival, vaudeville,  
 2565 exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill,  
 2566 riding device, dramatic repertoire, other show or amusement, or  
 2567 concession is exempt.

2568 Section 73. Section 687.16, Florida Statutes, is created to  
 2569 read:

2570 687.16 Florida Farmer Financial Protection Act.—

2571 (1) SHORT TITLE.—This section may be cited as the “Florida  
 2572 Farmer Financial Protection Act.”

2573 (2) DEFINITIONS.—

2574 (a) “Agriculture producer” means a person or company  
 2575 authorized to do business in this state and engaged in the  
 2576 production of goods derived from plants or animals, including,  
 2577 but not limited to, the growing of crops, silviculture, animal  
 2578 husbandry, or the production of livestock or dairy products.

2579 (b) “Agritourism activity” has the same meaning as provided  
 2580 in s. 570.86.

2581 (c) “Commissioner” means the Commissioner of Agriculture.

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2582 (d) “Company” means a for-profit organization, association,  
 2583 corporation, partnership, joint venture, sole proprietorship,  
 2584 limited partnership, limited liability partnership, or limited  
 2585 liability company, including a wholly owned subsidiary,  
 2586 majority-owned subsidiary, parent company, or affiliate of those  
 2587 entities or business associations authorized to do business in  
 2588 this state.

2589 (e) “Denies or restricts” means refusing to provide  
 2590 services, terminating existing services, or restricting or  
 2591 burdening the scope or nature of services offered or provided.

2592 (f) “Discriminate in the provision of financial services”  
 2593 means to deny or restrict services and thereby decline to  
 2594 provide financial services.

2595 (g) “ESG factor” means any factor or consideration that is  
 2596 collateral to or not reasonably likely to affect or impact  
 2597 financial risk and includes the promotion, furtherance, or  
 2598 achievement of environmental, social, or political goals,  
 2599 objectives, or outcomes, which may include the agriculture  
 2600 producer’s greenhouse gas emissions, use of fossil-fuel derived  
 2601 fertilizer, or use of fossil-fuel powered machinery.

2602 (h) “Farm” means the land, buildings, support facilities,  
 2603 machinery, and other appurtenances used in the production of  
 2604 farm or aquaculture products.

2605 (i) “Financial institution” means a company authorized to  
 2606 do business in this state which has total assets of more than  
 2607 \$100 million and offers financial services. A financial  
 2608 institution includes any affiliate or subsidiary company, even  
 2609 if that affiliate or subsidiary company is also a financial  
 2610 institution.

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2611 (j) "Financial service" means any product or service that  
 2612 is of a financial nature and is offered by a financial  
 2613 institution.

2614 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

2615 (a) A financial institution may not discriminate in the  
 2616 provision of financial services to an agriculture producer  
 2617 based, in whole or in part, upon an ESG factor.

2618 (b) If a financial institution has made any ESG commitment  
 2619 related to agriculture, there is an inference that the  
 2620 institution's denial or restriction of a financial service to an  
 2621 agriculture producer violates paragraph (a).

2622 (c) A financial institution may overcome the inference in  
 2623 paragraph (b) by demonstrating that its denial or restriction of  
 2624 a financial service was based solely on documented risk  
 2625 analysis, and not on any ESG factor.

2626 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney  
 2627 General, in consultation with the Office of Financial  
 2628 Regulation, is authorized to enforce subsection (3). Any  
 2629 violation of subsection (3) constitutes an unfair trade practice  
 2630 under part II of chapter 501 and the Attorney General is  
 2631 authorized to investigate and seek remedies as provided in  
 2632 general law. Actions for damages may be sought by an aggrieved  
 2633 party.

2634 Section 74. Paragraph (a) of subsection (3) of section  
 2635 741.0305, Florida Statutes, is amended to read:

2636 741.0305 Marriage fee reduction for completion of  
 2637 premarital preparation course.—

2638 (3) (a) All individuals electing to participate in a  
 2639 premarital preparation course shall choose from the following

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2640 list of qualified instructors:

2641 1. A psychologist licensed under chapter 490.  
 2642 2. A clinical social worker licensed under chapter 491.  
 2643 3. A marriage and family therapist licensed under chapter  
 2644 491.

2645 4. A mental health counselor licensed under chapter 491.

2646 5. An official representative of a religious institution  
 2647 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the  
 2648 representative has relevant training.

2649 6. Any other provider designated by a judicial circuit,  
 2650 including, but not limited to, school counselors who are  
 2651 certified to offer such courses. Each judicial circuit may  
 2652 establish a roster of area course providers, including those who  
 2653 offer the course on a sliding fee scale or for free.

2654 Section 75. Paragraph (h) of subsection (2), subsection  
 2655 (3), paragraph (c) of subsection (6), and subsection (10) of  
 2656 section 790.06, Florida Statutes, are amended to read:

2657 790.06 License to carry concealed weapon or concealed  
 2658 firearm.—

2659 (2) The Department of Agriculture and Consumer Services  
 2660 shall issue a license if the applicant:

2661 (h) Demonstrates competence with a firearm by any one of  
 2662 the following:

2663 1. Completion of any hunter education or hunter safety  
 2664 course approved by the Fish and Wildlife Conservation Commission  
 2665 or a similar agency of another state;

2666 2. Completion of any National Rifle Association firearms  
 2667 safety or training course;

2668 3. Completion of any firearms safety or training course or

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2669 class available to the general public offered by a law  
 2670 enforcement agency, junior college, college, or private or  
 2671 public institution or organization or firearms training school,  
 2672 using instructors certified by the National Rifle Association,  
 2673 Criminal Justice Standards and Training Commission, or the  
 2674 Department of Agriculture and Consumer Services;

2675 4. Completion of any law enforcement firearms safety or  
 2676 training course or class offered for security guards,  
 2677 investigators, special deputies, or any division or subdivision  
 2678 of a law enforcement agency or security enforcement;

2679 5. Presents evidence of equivalent experience with a  
 2680 firearm through participation in organized shooting competition  
 2681 or United States military service;

2682 6. Is licensed or has been licensed to carry a concealed  
 2683 weapon or concealed firearm in this state or a county or  
 2684 municipality of this state, unless such license has been revoked  
 2685 for cause; or

2686 7. Completion of any firearms training or safety course or  
 2687 class conducted by a state-certified or National Rifle  
 2688 Association certified firearms instructor;

2689 A photocopy of a certificate of completion of any of the courses  
 2690 or classes; an affidavit from the instructor, school, club,  
 2691 organization, or group that conducted or taught such course or  
 2692 class attesting to the completion of the course or class by the  
 2693 applicant; or a copy of any document that shows completion of  
 2694 the course or class or evidences participation in firearms  
 2695 competition shall constitute evidence of qualification under  
 2696 this paragraph. A person who conducts a course pursuant to  
 2697

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2698 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as  
 2699 an instructor, attests to the completion of such courses, must  
 2700 maintain records certifying that he or she observed the student  
 2701 safely handle and discharge the firearm in his or her physical  
 2702 presence and that the discharge of the firearm included live  
 2703 fire using a firearm and ammunition as defined in s. 790.001;

2704 (3) (a) The Department of Agriculture and Consumer Services  
 2705 shall deny a license if the applicant has been found guilty of,  
 2706 had adjudication of guilt withheld for, or had imposition of  
 2707 sentence suspended for one or more crimes of violence  
 2708 constituting a misdemeanor, unless 3 years have elapsed since  
 2709 probation or any other conditions set by the court have been  
 2710 fulfilled or the record has been sealed or expunged. The  
 2711 Department of Agriculture and Consumer Services shall revoke a  
 2712 license if the licensee has been found guilty of, had  
 2713 adjudication of guilt withheld for, or had imposition of  
 2714 sentence suspended for one or more crimes of violence within the  
 2715 preceding 3 years. The department shall, upon notification by a  
 2716 law enforcement agency, a court, clerk's office, or the Florida  
 2717 Department of Law Enforcement ~~and subsequent written~~  
 2718 ~~verification~~, temporarily suspend a license or the processing of  
 2719 an application for a license if the licensee or applicant is  
 2720 arrested or formally charged with a crime that would disqualify  
 2721 such person from having a license under this section, until  
 2722 final disposition of the case. The department shall suspend a  
 2723 license or the processing of an application for a license if the  
 2724 licensee or applicant is issued an injunction that restrains the  
 2725 licensee or applicant from committing acts of domestic violence  
 2726 or acts of repeat violence. The department shall notify the

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2727 licensee or applicant suspended under this section of his or her  
 2728 right to a hearing pursuant to chapter 120. A hearing conducted  
 2729 regarding the temporary suspension must be for the limited  
 2730 purpose of determining whether the licensee has been arrested or  
 2731 charged with a disqualifying crime or issued an injunction or  
 2732 court order. If the criminal case or injunction results in a  
 2733 nondisqualifying disposition, the department must issue an order  
 2734 lifting the suspension upon the applicant or licensee's  
 2735 submission to the department of a certified copy of the final  
 2736 resolution. If the criminal case results in a disqualifying  
 2737 disposition, the suspension remains in effect and the department  
 2738 must proceed with denial or revocation proceedings pursuant to  
 2739 chapter 120.

2740 (b) This subsection may not be construed to limit,  
 2741 restrict, or inhibit the constitutional right to bear arms and  
 2742 carry a concealed weapon in this state. The Legislature finds it  
 2743 a matter of public policy and public safety that it is necessary  
 2744 to ensure that potentially disqualifying information about an  
 2745 applicant or licensee is investigated and processed in a timely  
 2746 manner by the department pursuant to this section. The  
 2747 Legislature intends to clarify that suspensions pursuant to this  
 2748 section are temporary, and the department has the duty to make  
 2749 an eligibility determination and issue a license in the time  
 2750 frame prescribed in this subsection.

2751 (6)

2752 (c) The Department of Agriculture and Consumer Services  
 2753 shall, within 90 days after the date of receipt of the items  
 2754 listed in subsection (5):

2755 1. Issue the license; or

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2756 2. Deny the application based solely on the ground that the  
 2757 applicant fails to qualify under the criteria listed in  
 2758 subsection (2) or subsection (3). If the Department of  
 2759 Agriculture and Consumer Services denies the application, it  
 2760 shall notify the applicant in writing, stating the ground for  
 2761 denial and informing the applicant of any right to a hearing  
 2762 pursuant to chapter 120.

2763 3. In the event the result of the criminal history  
 2764 screening identifies ~~department receives~~ criminal history  
 2765 information related to a crime that may disqualify the applicant  
 2766 but does not contain ~~with no~~ final disposition of the crime or  
 2767 lacks sufficient information to make an eligibility  
 2768 determination on a crime which may disqualify the applicant, the  
 2769 time limitation prescribed by this paragraph may be extended for  
 2770 up to an additional 90 days from the receipt of the information  
 2771 suspended until receipt of the final disposition or proof of  
 2772 restoration of civil and firearm rights. The department may make  
 2773 a request for information to the jurisdiction where the criminal  
 2774 history information originated but must issue a license if it  
 2775 does not obtain a disposition or sufficient information to make  
 2776 an eligibility determination during the additional 90 days if  
 2777 the applicant is otherwise eligible. The department may take any  
 2778 action authorized in this section if it receives disqualifying  
 2779 criminal history information during the additional 90-day review  
 2780 or after issuance of a license.

2781 (10) A license issued under this section ~~must shall~~ be  
 2782 temporarily suspended as provided for in subparagraph (6)(c)3.,  
 2783 or revoked pursuant to chapter 120 if the license was issued in  
 2784 error or if the licensee:

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2785 (a) Is found to be ineligible under the criteria set forth  
2786 in subsection (2);

2787 (b) Develops or sustains a physical infirmity which  
2788 prevents the safe handling of a weapon or firearm;

2789 (c) Is convicted of a felony which would make the licensee  
2790 ineligible to possess a firearm pursuant to s. 790.23;

2791 (d) Is found guilty of a crime under chapter 893, or  
2792 similar laws of any other state, relating to controlled  
2793 substances;

2794 (e) Is committed as a substance abuser under chapter 397,  
2795 or is deemed a habitual offender under s. 856.011(3), or similar  
2796 laws of any other state;

2797 (f) Is convicted of a second violation of s. 316.193, or a  
2798 similar law of another state, within 3 years after a first  
2799 conviction of such section or similar law of another state, even  
2800 though the first violation may have occurred before the date on  
2801 which the application was submitted;

2802 (g) Is adjudicated an incapacitated person under s.  
2803 744.331, or similar laws of any other state; or

2804 (h) Is committed to a mental institution under chapter 394,  
2805 or similar laws of any other state.

2806

2807 Notwithstanding s. 120.60(5), service of a notice of the  
2808 suspension or revocation of a concealed weapon or concealed  
2809 firearm license must be given by either certified mail, return  
2810 receipt requested, to the licensee at his or her last known  
2811 mailing address furnished to the Department of Agriculture and  
2812 Consumer Services, or by personal service. If a notice given by  
2813 certified mail is returned as undeliverable, a second attempt

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2814 must be made to provide notice to the licensee at that address,  
2815 by either first-class mail in an envelope, postage prepaid,  
2816 addressed to the licensee at his or her last known mailing  
2817 address furnished to the department, or, if the licensee has  
2818 provided an e-mail address to the department, by e-mail. Such  
2819 mailing by the department constitutes notice, and any failure by  
2820 the licensee to receive such notice does not stay the effective  
2821 date or term of the suspension or revocation. A request for  
2822 hearing must be filed with the department within 21 days after  
2823 notice is received by personal delivery, or within 26 days after  
2824 the date the department deposits the notice in the United States  
2825 mail (21 days plus 5 days for mailing). The department shall  
2826 document its attempts to provide notice, and such documentation  
2827 is admissible in the courts of this state and constitutes  
2828 sufficient proof that notice was given.

2829 Section 76. Subsection (2) of section 812.0151, Florida  
2830 Statutes, is amended to read:

2831 812.0151 Retail fuel theft.—

2832 (2) (a) A person commits a felony of the third degree,  
2833 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
2834 if he or she willfully, knowingly, and without authorization:

2835 1. Breaches a retail fuel dispenser or accesses any  
2836 internal portion of a retail fuel dispenser; ~~or~~

2837 2. Possesses any device constructed for the purpose of  
2838 fraudulently altering, manipulating, or interrupting the normal  
2839 functioning of a retail fuel dispenser; or

2840 3. Possesses any form of a payment instrument that can be  
2841 used, alone or in conjunction with another access device, to  
2842 authorize a fuel transaction or obtain fuel, including, but not

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2843 limited to, a plastic payment card with a magnetic stripe or a  
 2844 chip encoded with account information or both, with the intent  
 2845 to defraud the fuel retailer, the authorized payment instrument  
 2846 financial account holder, or the banking institution that issued  
 2847 the payment instrument financial account.

2848 (b) A person commits a felony of the second degree,  
 2849 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
 2850 if he or she willfully, knowingly, and without authorization:

2851 1. Physically tampers with, manipulates, removes, replaces,  
 2852 or interrupts any mechanical or electronic component located on  
 2853 ~~within~~ the internal or external portion of a retail fuel  
 2854 dispenser; or

2855 2. Uses any form of electronic communication to  
 2856 fraudulently alter, manipulate, or interrupt the normal  
 2857 functioning of a retail fuel dispenser.

2858 (c) A person commits a felony of the third degree,  
 2859 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
 2860 if he or she:

2861 1. Obtains fuel as a result of violating paragraph (a) or  
 2862 paragraph (b); ~~or~~

2863 2. Modifies a vehicle's factory installed fuel tank or  
 2864 possesses any item used to hold fuel which was not fitted to a  
 2865 vehicle or conveyance at the time of manufacture with the intent  
 2866 to use such fuel tank or item to hold or transport fuel obtained  
 2867 as a result of violating paragraph (a) or paragraph (b); or

2868 3. Uses any form of a payment instrument that can be used,  
 2869 alone or in conjunction with another access device, to authorize  
 2870 a fuel transaction or obtain fuel, including, but not limited  
 2871 to, a plastic payment card with a magnetic stripe or a chip

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2872 encoded with account information or both, with the intent to  
 2873 defraud the fuel retailer, the authorized payment instrument  
 2874 financial account holder, or the banking institution that issued  
 2875 the payment instrument financial account.

2876 Section 77. Section 812.136, Florida Statutes, is created  
 2877 to read:

2878 812.136 Mail theft.—

2879 (1) As used in this section, unless the context otherwise  
 2880 requires:

2881 (a) "Mail" means any letter, postal card, parcel, envelope,  
 2882 package, bag, or any other sealed article addressed to another,  
 2883 along with its contents.

2884 (b) "Mail depository" means a mail box, letter box, mail  
 2885 route, or mail receptacle of a postal service, an office of a  
 2886 postal service, or mail carrier of a postal service, or a  
 2887 vehicle of a postal service.

2888 (c) "Postal service" means the United States Postal Service  
 2889 or its contractors, or any commercial courier that delivers  
 2890 mail.

2891 (2) Any of the following acts constitutes mail theft:

2892 (a) Removing mail from a mail depository or taking mail  
 2893 from a mail carrier of a postal service with an intent to steal.

2894 (b) Obtaining custody of mail by fraud or deception with an  
 2895 intent to steal.

2896 (c) Selling, receiving, possessing, transferring, buying,  
 2897 or concealing mail obtained by acts described in paragraph (a)  
 2898 or paragraph (b) of this subsection, while knowing or having  
 2899 reason to know the mail was obtained illegally.

2900 (3) Any of the following constitutes theft of or

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2901 unauthorized reproduction of a mail depository key or lock:

2902 (a) Stealing or obtaining by false pretense any key or lock  
 2903 adopted by a postal service for a mail depository or other  
 2904 authorized receptacle for the deposit or delivery of mail.

2905 (b) Knowingly and unlawfully making, forging, or  
 2906 counterfeiting any such key or possessing any such key or lock  
 2907 adopted by a postal service with the intent to unlawfully or  
 2908 improperly use, sell, or otherwise dispose of the key or lock,  
 2909 or to cause the key or lock to be unlawfully or improperly used,  
 2910 sold, or otherwise disposed.

2911 (4) The first violation of this section constitutes a  
 2912 misdeemeanor of the first degree, punishable by a term of  
 2913 imprisonment not exceeding 1 year pursuant to s. 775.082(4) (a)  
 2914 or a fine not to exceed \$1,000 pursuant to s. 775.083(1) (d), or  
 2915 both. A second or subsequent violation of this section  
 2916 constitutes a felony of the third degree, punishable by a term  
 2917 of imprisonment not exceeding 5 years pursuant to s.  
 2918 775.82(3) (e) or a fine not to exceed \$5,000 pursuant to s.  
 2919 775.083(1) (c), or both.

2920 Section 78. Paragraph (i) of subsection (4) of section  
 2921 934.50, Florida Statutes, is amended to read:

2922 934.50 Searches and seizure using a drone.—

2923 (4) EXCEPTIONS.—This section does not prohibit the use of a  
 2924 drone:

2925 ~~(i) By a person or an entity engaged in a business or~~  
 2926 ~~profession licensed by the state, or by an agent, employee, or~~  
 2927 ~~contractor thereof, if the drone is used only to perform~~  
 2928 ~~reasonable tasks within the scope of practice or activities~~  
 2929 ~~permitted under such person's or entity's license. However, this~~

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2930 ~~exception does not apply to a profession in which the licensee's~~  
 2931 ~~authorized scope of practice includes obtaining information~~  
 2932 ~~about the identity, habits, conduct, movements, whereabouts,~~  
 2933 ~~affiliations, associations, transactions, reputation, or~~  
 2934 ~~character of any society, person, or group of persons.~~

2935 Section 79. Section 1013.373, Florida Statutes, is created  
 2936 to read:

2937 1013.373 Educational facilities used for agricultural  
 2938 education.—

2939 (1) Notwithstanding any other provision of law, a local  
 2940 government may not adopt any ordinance, regulation, rule, or  
 2941 policy to prohibit, restrict, regulate, or otherwise limit any  
 2942 activities of public educational facilities and auxiliary  
 2943 facilities constructed by a board for agricultural education,  
 2944 for Future Farmers of America or 4-H activities, or the storage  
 2945 of any animal or equipment therein.

2946 (2) Lands used for agricultural education or for Future  
 2947 Farmers of America or 4-H activities are considered agricultural  
 2948 lands pursuant to s. 193.461 and subject to s. 823.14.

2949 Section 80. For the purpose of incorporating the amendment  
 2950 made by this act to section 110.205, Florida Statutes, in a  
 2951 reference thereto, paragraph (a) of subsection (5) of section  
 2952 295.07, Florida Statutes, is reenacted to read:

2953 295.07 Preference in appointment and retention.—

2954 (5) The following positions are exempt from this section:

2955 (a) Those positions that are exempt from the state Career  
 2956 Service System under s. 110.205(2); however, all positions under  
 2957 the University Support Personnel System of the State University  
 2958 System as well as all Career Service System positions under the

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2959 Florida College System and the School for the Deaf and the  
 2960 Blind, or the equivalent of such positions at state  
 2961 universities, Florida College System institutions, or the School  
 2962 for the Deaf and the Blind, are not exempt.

2963 Section 81. For the purpose of incorporating the amendment  
 2964 made by this act to section 193.461, Florida Statutes, in a  
 2965 reference thereto, paragraph (r) of subsection (1) of section  
 2966 125.01, Florida Statutes, is reenacted to read:

2967 125.01 Powers and duties.—

2968 (1) The legislative and governing body of a county shall  
 2969 have the power to carry on county government. To the extent not  
 2970 inconsistent with general or special law, this power includes,  
 2971 but is not restricted to, the power to:

2972 (r) Levy and collect taxes, both for county purposes and  
 2973 for the providing of municipal services within any municipal  
 2974 service taxing unit, and special assessments; borrow and expend  
 2975 money; and issue bonds, revenue certificates, and other  
 2976 obligations of indebtedness, which power shall be exercised in  
 2977 such manner, and subject to such limitations, as may be provided  
 2978 by general law. There shall be no referendum required for the  
 2979 levy by a county of ad valorem taxes, both for county purposes  
 2980 and for the providing of municipal services within any municipal  
 2981 service taxing unit.

2982 1. Notwithstanding any other provision of law, a county may  
 2983 not levy special assessments on lands classified as agricultural  
 2984 lands under s. 193.461 unless the revenue from such assessments  
 2985 has been pledged for debt service and is necessary to meet  
 2986 obligations of bonds or certificates issued by the county which  
 2987 remain outstanding on July 1, 2023, including refundings thereof

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2988 for debt service savings where the maturity of the debt is not  
 2989 extended. For bonds or certificates issued after July 1, 2023,  
 2990 special assessments securing such bonds may not be levied on  
 2991 lands classified as agricultural under s. 193.461.

2992 2. The provisions of subparagraph 1. do not apply to  
 2993 residential structures and their curtilage.

2994 Section 82. For the purpose of incorporating the amendment  
 2995 made by this act to section 193.461, Florida Statutes, in  
 2996 references thereto, paragraphs (a) through (d) of subsection (3)  
 2997 of section 163.3162, Florida Statutes, are reenacted to read:

2998 163.3162 Agricultural lands and practices.—

2999 (3) DUPLICATION OF REGULATION.—Except as otherwise provided  
 3000 in this section and s. 487.051(2), and notwithstanding any other  
 3001 law, including any provision of chapter 125 or this chapter:

3002 (a) A governmental entity may not exercise any of its  
 3003 powers to adopt or enforce any ordinance, resolution,  
 3004 regulation, rule, or policy to prohibit, restrict, regulate, or  
 3005 otherwise limit an activity of a bona fide farm operation on  
 3006 land classified as agricultural land pursuant to s. 193.461, if  
 3007 such activity is regulated through implemented best management  
 3008 practices, interim measures, or regulations adopted as rules  
 3009 under chapter 120 by the Department of Environmental Protection,  
 3010 the Department of Agriculture and Consumer Services, or a water  
 3011 management district as part of a statewide or regional program;  
 3012 or if such activity is expressly regulated by the United States  
 3013 Department of Agriculture, the United States Army Corps of  
 3014 Engineers, or the United States Environmental Protection Agency.

3015 (b) A governmental entity may not charge a fee on a  
 3016 specific agricultural activity of a bona fide farm operation on

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3017 land classified as agricultural land pursuant to s. 193.461, if  
 3018 such agricultural activity is regulated through implemented best  
 3019 management practices, interim measures, or regulations adopted  
 3020 as rules under chapter 120 by the Department of Environmental  
 3021 Protection, the Department of Agriculture and Consumer Services,  
 3022 or a water management district as part of a statewide or  
 3023 regional program; or if such agricultural activity is expressly  
 3024 regulated by the United States Department of Agriculture, the  
 3025 United States Army Corps of Engineers, or the United States  
 3026 Environmental Protection Agency.

3027 (c) A governmental entity may not charge an assessment or  
 3028 fee for stormwater management on a bona fide farm operation on  
 3029 land classified as agricultural land pursuant to s. 193.461, if  
 3030 the farm operation has a National Pollutant Discharge  
 3031 Elimination System permit, environmental resource permit, or  
 3032 works-of-the-district permit or implements best management  
 3033 practices adopted as rules under chapter 120 by the Department  
 3034 of Environmental Protection, the Department of Agriculture and  
 3035 Consumer Services, or a water management district as part of a  
 3036 statewide or regional program.

3037 (d) For each governmental entity that, before March 1,  
 3038 2009, adopted a stormwater utility ordinance or resolution,  
 3039 adopted an ordinance or resolution establishing a municipal  
 3040 services benefit unit, or adopted a resolution stating the  
 3041 governmental entity's intent to use the uniform method of  
 3042 collection pursuant to s. 197.3632 for such stormwater  
 3043 ordinances, the governmental entity may continue to charge an  
 3044 assessment or fee for stormwater management on a bona fide farm  
 3045 operation on land classified as agricultural pursuant to s.

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3046 193.461, if the ordinance or resolution provides credits against  
 3047 the assessment or fee on a bona fide farm operation for the  
 3048 water quality or flood control benefit of:

3049 1. The implementation of best management practices adopted  
 3050 as rules under chapter 120 by the Department of Environmental  
 3051 Protection, the Department of Agriculture and Consumer Services,  
 3052 or a water management district as part of a statewide or  
 3053 regional program;

3054 2. The stormwater quality and quantity measures required as  
 3055 part of a National Pollutant Discharge Elimination System  
 3056 permit, environmental resource permit, or works-of-the-district  
 3057 permit; or

3058 3. The implementation of best management practices or  
 3059 alternative measures which the landowner demonstrates to the  
 3060 governmental entity to be of equivalent or greater stormwater  
 3061 benefit than those provided by implementation of best management  
 3062 practices adopted as rules under chapter 120 by the Department  
 3063 of Environmental Protection, the Department of Agriculture and  
 3064 Consumer Services, or a water management district as part of a  
 3065 statewide or regional program, or stormwater quality and  
 3066 quantity measures required as part of a National Pollutant  
 3067 Discharge Elimination System permit, environmental resource  
 3068 permit, or works-of-the-district permit.

3069 Section 83. For the purpose of incorporating the amendment  
 3070 made by this act to section 193.461, Florida Statutes, in a  
 3071 reference thereto, paragraph (c) of subsection (3) of section  
 3072 163.3163, Florida Statutes, is reenacted to read:

3073 163.3163 Applications for development permits; disclosure  
 3074 and acknowledgment of contiguous sustainable agricultural land.-

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3075 (3) As used in this section, the term:

3076 (c) "Sustainable agricultural land" means land classified  
3077 as agricultural land pursuant to s. 193.461 which is used for a  
3078 farm operation that uses current technology, based on science or  
3079 research and demonstrated measurable increases in productivity,  
3080 to meet future food, feed, fiber, and energy needs, while  
3081 considering the environmental impacts and the social and  
3082 economic benefits to the rural communities.

3083 Section 84. For the purpose of incorporating the amendment  
3084 made by this act to section 193.461, Florida Statutes, in a  
3085 reference thereto, subsection (4) of section 163.3164, Florida  
3086 Statutes, is reenacted to read:

3087 163.3164 Community Planning Act; definitions.—As used in  
3088 this act:

3089 (4) "Agricultural enclave" means an unincorporated,  
3090 undeveloped parcel that:

3091 (a) Is owned by a single person or entity;

3092 (b) Has been in continuous use for bona fide agricultural  
3093 purposes, as defined by s. 193.461, for a period of 5 years  
3094 prior to the date of any comprehensive plan amendment  
3095 application;

3096 (c) Is surrounded on at least 75 percent of its perimeter  
3097 by:

3098 1. Property that has existing industrial, commercial, or  
3099 residential development; or

3100 2. Property that the local government has designated, in  
3101 the local government's comprehensive plan, zoning map, and  
3102 future land use map, as land that is to be developed for  
3103 industrial, commercial, or residential purposes, and at least 75

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3104 percent of such property is existing industrial, commercial, or  
3105 residential development;

3106 (d) Has public services, including water, wastewater,  
3107 transportation, schools, and recreation facilities, available or  
3108 such public services are scheduled in the capital improvement  
3109 element to be provided by the local government or can be  
3110 provided by an alternative provider of local government  
3111 infrastructure in order to ensure consistency with applicable  
3112 concurrency provisions of s. 163.3180; and

3113 (e) Does not exceed 1,280 acres; however, if the property  
3114 is surrounded by existing or authorized residential development  
3115 that will result in a density at buildout of at least 1,000  
3116 residents per square mile, then the area shall be determined to  
3117 be urban and the parcel may not exceed 4,480 acres.

3118 Section 85. For the purpose of incorporating the amendment  
3119 made by this act to section 193.461, Florida Statutes, in a  
3120 reference thereto, subsection (5) of section 163.3194, Florida  
3121 Statutes, is reenacted to read:

3122 163.3194 Legal status of comprehensive plan.—

3123 (5) The tax-exempt status of lands classified as  
3124 agricultural under s. 193.461 shall not be affected by any  
3125 comprehensive plan adopted under this act as long as the land  
3126 meets the criteria set forth in s. 193.461.

3127 Section 86. For the purpose of incorporating the amendment  
3128 made by this act to section 193.461, Florida Statutes, in a  
3129 reference thereto, subsection (4) of section 170.01, Florida  
3130 Statutes, is reenacted to read:

3131 170.01 Authority for providing improvements and levying and  
3132 collecting special assessments against property benefited.—

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3133 (4) Notwithstanding any other provision of law, a  
 3134 municipality may not levy special assessments for the provision  
 3135 of fire protection services on lands classified as agricultural  
 3136 lands under s. 193.461 unless the land contains a residential  
 3137 dwelling or nonresidential farm building, with the exception of  
 3138 an agricultural pole barn, provided the nonresidential farm  
 3139 building exceeds a just value of \$10,000. Such special  
 3140 assessments must be based solely on the special benefit accruing  
 3141 to that portion of the land consisting of the residential  
 3142 dwelling and curtilage, and qualifying nonresidential farm  
 3143 buildings. As used in this subsection, the term "agricultural  
 3144 pole barn" means a nonresidential farm building in which 70  
 3145 percent or more of the perimeter walls are permanently open and  
 3146 allow free ingress and egress.

3147 Section 87. For the purpose of incorporating the amendment  
 3148 made by this act to section 193.461, Florida Statutes, in a  
 3149 reference thereto, subsection (2) of section 193.052, Florida  
 3150 Statutes, is reenacted to read:

3151 193.052 Preparation and serving of returns.—

3152 (2) No return shall be required for real property the  
 3153 ownership of which is reflected in instruments recorded in the  
 3154 public records of the county in which the property is located,  
 3155 unless otherwise required in this title. In order for land to be  
 3156 considered for agricultural classification under s. 193.461 or  
 3157 high-water recharge classification under s. 193.625, an  
 3158 application for classification must be filed on or before March  
 3159 1 of each year with the property appraiser of the county in  
 3160 which the land is located, except as provided in s.  
 3161 193.461(3)(a). The application must state that the lands on

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3162 January 1 of that year were used primarily for bona fide  
 3163 commercial agricultural or high-water recharge purposes.

3164 Section 88. For the purpose of incorporating the amendment  
 3165 made by this act to section 193.461, Florida Statutes, in a  
 3166 reference thereto, section 193.4615, Florida Statutes, is  
 3167 reenacted to read:

3168 193.4615 Assessment of obsolete agricultural equipment.—For  
 3169 purposes of ad valorem property taxation, agricultural equipment  
 3170 that is located on property classified as agricultural under s.  
 3171 193.461 and that is no longer usable for its intended purpose  
 3172 shall be deemed to have a market value no greater than its value  
 3173 for salvage.

3174 Section 89. For the purpose of incorporating the amendment  
 3175 made by this act to section 193.461, Florida Statutes, in  
 3176 references thereto, paragraph (a) of subsection (5) and  
 3177 paragraph (a) of subsection (19) of section 212.08, Florida  
 3178 Statutes, are reenacted to read:

3179 212.08 Sales, rental, use, consumption, distribution, and  
 3180 storage tax; specified exemptions.—The sale at retail, the  
 3181 rental, the use, the consumption, the distribution, and the  
 3182 storage to be used or consumed in this state of the following  
 3183 are hereby specifically exempt from the tax imposed by this  
 3184 chapter.

3185 (5) EXEMPTIONS; ACCOUNT OF USE.—

3186 (a) *Items in agricultural use and certain nets.*—There are  
 3187 exempt from the tax imposed by this chapter nets designed and  
 3188 used exclusively by commercial fisheries; disinfectants,  
 3189 fertilizers, insecticides, pesticides, herbicides, fungicides,  
 3190 and weed killers used for application on crops or groves,

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3191 including commercial nurseries and home vegetable gardens, used  
 3192 in dairy barns or on poultry farms for the purpose of protecting  
 3193 poultry or livestock, or used directly on poultry or livestock;  
 3194 animal health products that are administered to, applied to, or  
 3195 consumed by livestock or poultry to alleviate pain or cure or  
 3196 prevent sickness, disease, or suffering, including, but not  
 3197 limited to, antiseptics, absorbent cotton, gauze for bandages,  
 3198 lotions, vaccines, vitamins, and worm remedies; aquaculture  
 3199 health products that are used by aquaculture producers, as  
 3200 defined in s. 597.0015, to prevent or treat fungi, bacteria, and  
 3201 parasitic diseases; portable containers or movable receptacles  
 3202 in which portable containers are placed, used for processing  
 3203 farm products; field and garden seeds, including flower seeds;  
 3204 nursery stock, seedlings, cuttings, or other propagative  
 3205 material purchased for growing stock; seeds, seedlings,  
 3206 cuttings, and plants used to produce food for human consumption;  
 3207 cloth, plastic, and other similar materials used for shade,  
 3208 mulch, or protection from frost or insects on a farm; hog wire  
 3209 and barbed wire fencing, including gates and materials used to  
 3210 construct or repair such fencing, used in agricultural  
 3211 production on lands classified as agricultural lands under s.  
 3212 193.461; materials used to construct or repair permanent or  
 3213 temporary fencing used to contain, confine, or process cattle,  
 3214 including gates and energized fencing systems, used in  
 3215 agricultural operations on lands classified as agricultural  
 3216 lands under s. 193.461; stakes used by a farmer to support  
 3217 plants during agricultural production; generators used on  
 3218 poultry farms; and liquefied petroleum gas or other fuel used to  
 3219 heat a structure in which started pullets or broilers are

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3220 raised; however, such exemption is not allowed unless the  
 3221 purchaser or lessee signs a certificate stating that the item to  
 3222 be exempted is for the exclusive use designated herein. Also  
 3223 exempt are cellophane wrappers, glue for tin and glass  
 3224 (apiarists), mailing cases for honey, shipping cases, window  
 3225 cartons, and baling wire and twine used for baling hay, when  
 3226 used by a farmer to contain, produce, or process an agricultural  
 3227 commodity.

(19) FLORIDA FARM TEAM CARD.—

3229 (a) Notwithstanding any other law, a farmer whose property  
 3230 has been classified as agricultural pursuant to s. 193.461 or  
 3231 who has implemented agricultural best management practices  
 3232 adopted by the Department of Agriculture and Consumer Services  
 3233 pursuant to s. 403.067(7)(c)2. may apply to the department for a  
 3234 Florida farm tax exempt agricultural materials (TEAM) card to  
 3235 claim the applicable sales tax exemptions provided in this  
 3236 section. A farmer may present the Florida farm TEAM card to a  
 3237 selling dealer in lieu of a certificate or affidavit otherwise  
 3238 required by this chapter.

3239 Section 90. For the purpose of incorporating the amendment  
 3240 made by this act to section 193.461, Florida Statutes, in a  
 3241 reference thereto, subsection (2) of section 373.406, Florida  
 3242 Statutes, is reenacted to read:

373.406 Exemptions.—The following exemptions shall apply:

3244 (2) Notwithstanding s. 403.927, nothing herein, or in any  
 3245 rule, regulation, or order adopted pursuant hereto, shall be  
 3246 construed to affect the right of any person engaged in the  
 3247 occupation of agriculture, silviculture, floriculture, or  
 3248 horticulture to alter the topography of any tract of land,

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3249 including, but not limited to, activities that may impede or  
 3250 divert the flow of surface waters or adversely impact wetlands,  
 3251 for purposes consistent with the normal and customary practice  
 3252 of such occupation in the area. However, such alteration or  
 3253 activity may not be for the sole or predominant purpose of  
 3254 impeding or diverting the flow of surface waters or adversely  
 3255 impacting wetlands. This exemption applies to lands classified  
 3256 as agricultural pursuant to s. 193.461 and to activities  
 3257 requiring an environmental resource permit pursuant to this  
 3258 part. This exemption does not apply to any activities previously  
 3259 authorized by an environmental resource permit or a management  
 3260 and storage of surface water permit issued pursuant to this part  
 3261 or a dredge and fill permit issued pursuant to chapter 403. This  
 3262 exemption has retroactive application to July 1, 1984.

3263 Section 91. For the purpose of incorporating the amendment  
 3264 made by this act to section 193.461, Florida Statutes, in a  
 3265 reference thereto, paragraph (a) of subsection (11) of section  
 3266 403.182, Florida Statutes, is reenacted to read:

3267 403.182 Local pollution control programs.—

3268 (11)(a) Notwithstanding this section or any existing local  
 3269 pollution control programs, the Secretary of Environmental  
 3270 Protection has exclusive jurisdiction in setting standards or  
 3271 procedures for evaluating environmental conditions and assessing  
 3272 potential liability for the presence of contaminants on land  
 3273 that is classified as agricultural land pursuant to s. 193.461  
 3274 and being converted to a nonagricultural use. The exclusive  
 3275 jurisdiction includes defining what constitutes all appropriate  
 3276 inquiry consistent with 40 C.F.R. part 312 and guidance  
 3277 thereunder.

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3278 Section 92. For the purpose of incorporating the amendment  
 3279 made by this act to section 193.461, Florida Statutes, in a  
 3280 reference thereto, subsection (4) of section 403.9337, Florida  
 3281 Statutes, is reenacted to read:

3282 403.9337 Model Ordinance for Florida-Friendly Fertilizer  
 3283 Use on Urban Landscapes.—

3284 (4) This section does not apply to the use of fertilizer on  
 3285 farm operations as defined in s. 823.14 or on lands classified  
 3286 as agricultural lands pursuant to s. 193.461.

3287 Section 93. For the purpose of incorporating the amendment  
 3288 made by this act to section 193.461, Florida Statutes, in a  
 3289 reference thereto, paragraph (d) of subsection (2) of section  
 3290 472.029, Florida Statutes, is reenacted to read:

3291 472.029 Authorization to enter lands of third parties;  
 3292 conditions.—

3293 (2) LIABILITY AND DUTY OF CARE ON AGRICULTURAL LAND.—

3294 (d) This subsection applies only to land classified as  
 3295 agricultural pursuant to s. 193.461.

3296 Section 94. For the purpose of incorporating the amendment  
 3297 made by this act to section 193.461, Florida Statutes, in a  
 3298 reference thereto, subsection (5) of section 474.2021, Florida  
 3299 Statutes, is reenacted to read:

3300 474.2021 Veterinary telehealth.—

3301 (5) A veterinarian personally acquainted with the caring  
 3302 and keeping of an animal or group of animals on food-producing  
 3303 animal operations on land classified as agricultural pursuant to  
 3304 s. 193.461 who has recently seen the animal or group of animals  
 3305 or has made medically appropriate and timely visits to the  
 3306 premises where the animal or group of animals is kept may

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3307 practice veterinary telehealth for animals on such operations.

3308 Section 95. For the purpose of incorporating the amendment  
3309 made by this act to section 193.461, Florida Statutes, in a  
3310 reference thereto, paragraph (d) of subsection (4) of section  
3311 474.2165, Florida Statutes, is reenacted to read:

3312 474.2165 Ownership and control of veterinary medical  
3313 patient records; report or copies of records to be furnished.—

3314 (4) Except as otherwise provided in this section, such  
3315 records may not be furnished to, and the medical condition of a  
3316 patient may not be discussed with, any person other than the  
3317 client or the client's legal representative or other  
3318 veterinarians involved in the care or treatment of the patient,  
3319 except upon written authorization of the client. However, such  
3320 records may be furnished without written authorization under the  
3321 following circumstances:

3322 (d) In any criminal action or situation where a  
3323 veterinarian suspects a criminal violation. If a criminal  
3324 violation is suspected, a veterinarian may, without notice to or  
3325 authorization from the client, report the violation to a law  
3326 enforcement officer, an animal control officer who is certified  
3327 pursuant to s. 828.27(4)(a), or an agent appointed under s.  
3328 828.03. However, if a suspected violation occurs at a commercial  
3329 food-producing animal operation on land classified as  
3330 agricultural under s. 193.461, the veterinarian must provide  
3331 notice to the client or the client's legal representative before  
3332 reporting the suspected violation to an officer or agent under  
3333 this paragraph. The report may not include written medical  
3334 records except upon the issuance of an order from a court of  
3335 competent jurisdiction.

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3336 Section 96. For the purpose of incorporating the amendment  
3337 made by this act to section 193.461, Florida Statutes, in a  
3338 reference thereto, subsection (6) of section 487.081, Florida  
3339 Statutes, is reenacted to read:

3340 487.081 Exemptions.—

3341 (6) The Department of Environmental Protection is not  
3342 authorized to institute proceedings against any property owner  
3343 or leaseholder of property under the provisions of s. 376.307(5)  
3344 to recover any costs or damages associated with pesticide  
3345 contamination of soil or water, or the evaluation, assessment,  
3346 or remediation of pesticide contamination of soil or water,  
3347 including sampling, analysis, and restoration of soil or potable  
3348 water supplies, subject to the following conditions:

3349 (a) The pesticide contamination of soil or water is  
3350 determined to be the result of the use of pesticides by the  
3351 property owner or leaseholder, in accordance with state and  
3352 federal law, applicable registered labels, and rules on property  
3353 classified as agricultural land pursuant to s. 193.461;

3354 (b) The property owner or leaseholder maintains records of  
3355 such pesticide applications and such records are provided to the  
3356 department upon request;

3357 (c) In the event of pesticide contamination of soil or  
3358 water, the department, upon request, shall make such records  
3359 available to the Department of Environmental Protection;

3360 (d) This subsection does not limit regulatory authority  
3361 under a federally delegated or approved program; and

3362 (e) This subsection is remedial in nature and shall apply  
3363 retroactively.

3364

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3365 The department, in consultation with the secretary of the  
 3366 Department of Environmental Protection, may adopt rules  
 3367 prescribing the format, content, and retention time for records  
 3368 to be maintained under this subsection.

3369 Section 97. For the purpose of incorporating the amendment  
 3370 made by this act to section 193.461, Florida Statutes, in a  
 3371 reference thereto, subsection (1) of section 570.85, Florida  
 3372 Statutes, is reenacted to read:

3373 570.85 Agritourism.—

3374 (1) It is the intent of the Legislature to promote  
 3375 agritourism as a way to support bona fide agricultural  
 3376 production by providing a stream of revenue and by educating the  
 3377 general public about the agricultural industry. It is also the  
 3378 intent of the Legislature to eliminate duplication of regulatory  
 3379 authority over agritourism as expressed in this section. Except  
 3380 as otherwise provided for in this section, and notwithstanding  
 3381 any other law, a local government may not adopt or enforce a  
 3382 local ordinance, regulation, rule, or policy that prohibits,  
 3383 restricts, regulates, or otherwise limits an agritourism  
 3384 activity on land classified as agricultural land under s.  
 3385 193.461. This subsection does not limit the powers and duties of  
 3386 a local government to address substantial offsite impacts of  
 3387 agritourism activities or an emergency as provided in chapter  
 3388 252.

3389 Section 98. For the purpose of incorporating the amendment  
 3390 made by this act to section 193.461, Florida Statutes, in a  
 3391 reference thereto, subsection (1) of section 570.87, Florida  
 3392 Statutes, is reenacted to read:

3393 570.87 Agritourism participation impact on land

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3394 classification.—

3395 (1) In order to promote and perpetuate agriculture  
 3396 throughout this state, farm operations are encouraged to engage  
 3397 in agritourism. An agricultural classification pursuant to s.  
 3398 193.461 may not be denied or revoked solely due to the conduct  
 3399 of agritourism activity on a bona fide farm or the construction,  
 3400 alteration, or maintenance of a nonresidential farm building,  
 3401 structure, or facility on a bona fide farm which is used to  
 3402 conduct agritourism activities. So long as the building,  
 3403 structure, or facility is an integral part of the agricultural  
 3404 operation, the land it occupies shall be considered agricultural  
 3405 in nature. However, such buildings, structures, and facilities,  
 3406 and other improvements on the land, must be assessed under s.  
 3407 193.011 at their just value and added to the agriculturally  
 3408 assessed value of the land.

3409 Section 99. For the purpose of incorporating the amendment  
 3410 made by this act to section 193.461, Florida Statutes, in a  
 3411 reference thereto, subsection (3) of section 570.94, Florida  
 3412 Statutes, is reenacted to read:

3413 570.94 Best management practices for wildlife.—The  
 3414 department and the Fish and Wildlife Conservation Commission  
 3415 recognize that agriculture provides a valuable benefit to the  
 3416 conservation and management of fish and wildlife in the state  
 3417 and agree to enter into a memorandum of agreement to develop and  
 3418 adopt by rule voluntary best management practices for the  
 3419 state's agriculture industry which reflect the industry's  
 3420 existing contribution to the conservation and management of  
 3421 freshwater aquatic life and wild animal life in the state.

3422 (3) Notwithstanding any other provision of law, including

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3423 s. 163.3162, the implementation of the best management practices  
 3424 pursuant to this section is voluntary and except as specifically  
 3425 provided under this section and s. 9, Art. IV of the State  
 3426 Constitution, an agency, department, district, or unit of local  
 3427 government may not adopt or enforce any ordinance, resolution,  
 3428 regulation, rule, or policy regarding the best management  
 3429 practices on land classified as agricultural land pursuant to s.  
 3430 193.461.

3431 Section 100. For the purpose of incorporating the amendment  
 3432 made by this act to section 193.461, Florida Statutes, in a  
 3433 reference thereto, paragraph (a) of subsection (1) of section  
 3434 582.19, Florida Statutes, is reenacted to read:

3435 582.19 Qualifications and tenure of supervisors.—

3436 (1) The governing body of the district shall consist of  
 3437 five supervisors, elected as provided in s. 582.18.

3438 (a) To qualify to serve on the governing body of a  
 3439 district, a supervisor must be an eligible voter who resides in  
 3440 the district and who:

3441 1. Is actively engaged in, or retired after 10 years of  
 3442 being engaged in, agriculture as defined in s. 570.02;

3443 2. Is employed by an agricultural producer; or

3444 3. Owns, leases, or is actively employed on land classified  
 3445 as agricultural under s. 193.461.

3446 Section 101. For the purpose of incorporating the amendment  
 3447 made by this act to section 193.461, Florida Statutes, in a  
 3448 reference thereto, section 586.055, Florida Statutes, is  
 3449 reenacted to read:

3450 586.055 Location of apiaries.—An apiary may be located on  
 3451 land classified as agricultural under s. 193.461 or on land that

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3452 is integral to a beekeeping operation.

3453 Section 102. For the purpose of incorporating the amendment  
 3454 made by this act to section 193.461, Florida Statutes, in  
 3455 references thereto, paragraphs (a) and (d) of subsection (2) of  
 3456 section 604.50, Florida Statutes, are reenacted to read:

3457 604.50 Nonresidential farm buildings; farm fences; farm  
 3458 signs.—

3459 (2) As used in this section, the term:

3460 (a) "Bona fide agricultural purposes" has the same meaning  
 3461 as provided in s. 193.461(3)(b).

3462 (d) "Nonresidential farm building" means any temporary or  
 3463 permanent building or support structure that is classified as a  
 3464 nonresidential farm building on a farm under s. 553.73(10)(c) or  
 3465 that is used primarily for agricultural purposes, is located on  
 3466 land that is an integral part of a farm operation or is  
 3467 classified as agricultural land under s. 193.461, and is not  
 3468 intended to be used as a residential dwelling. The term may  
 3469 include, but is not limited to, a barn, greenhouse, shade house,  
 3470 farm office, storage building, or poultry house.

3471 Section 103. For the purpose of incorporating the amendment  
 3472 made by this act to section 193.461, Florida Statutes, in a  
 3473 reference thereto, paragraph (b) of subsection (3) of section  
 3474 604.73, Florida Statutes, is reenacted to read:

3475 604.73 Urban agriculture pilot projects; local regulation  
 3476 of urban agriculture.—

3477 (3) DEFINITIONS.—As used in this section, the term:

3478 (b) "Urban agriculture" means any new or existing  
 3479 noncommercial agricultural uses on land that is:

3480 1. Within a dense urban land area, as described in s.

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3481 380.0651(3)(a);

3482 2. Not classified as agricultural pursuant to s. 193.461;

3483 3. Not zoned as agricultural as its principal use; and

3484 4. Designated by a municipality for inclusion in an urban  
3485 agricultural pilot project that has been approved by the  
3486 department.

3487

3488 The term does not include vegetable gardens, as defined in s.  
3489 604.71(4), for personal consumption on residential properties.3490 Section 104. For the purpose of incorporating the amendment  
3491 made by this act to section 193.461, Florida Statutes, in a  
3492 reference thereto, subsection (1) of section 692.201, Florida  
3493 Statutes, is reenacted to read:

3494 692.201 Definitions.—As used in this part, the term:

3495 (1) "Agricultural land" means land classified as  
3496 agricultural under s. 193.461.3497 Section 105. For the purpose of incorporating the amendment  
3498 made by this act to section 193.461, Florida Statutes, in  
3499 references thereto, paragraph (a) of subsection (5) and  
3500 paragraph (a) of subsection (6) of section 741.30, Florida  
3501 Statutes, are reenacted to read:3502 741.30 Domestic violence; injunction; powers and duties of  
3503 court and clerk; petition; notice and hearing; temporary  
3504 injunction; issuance of injunction; statewide verification  
3505 system; enforcement; public records exemption.—3506 (5)(a) If it appears to the court that an immediate and  
3507 present danger of domestic violence exists, the court may grant  
3508 a temporary injunction ex parte, pending a full hearing, and may  
3509 grant such relief as the court deems proper, including an

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3510 injunction:

3511 1. Restraining the respondent from committing any acts of  
3512 domestic violence.3513 2. Awarding to the petitioner the temporary exclusive use  
3514 and possession of the dwelling that the parties share or  
3515 excluding the respondent from the residence of the petitioner.3516 3. On the same basis as provided in s. 61.13, providing the  
3517 petitioner a temporary parenting plan, including a time-sharing  
3518 schedule, which may award the petitioner up to 100 percent of  
3519 the time-sharing. If temporary time-sharing is awarded to the  
3520 respondent, the exchange of the child must occur at a neutral  
3521 safe exchange location as provided in s. 125.01(8) or a location  
3522 authorized by a supervised visitation program as defined in s.  
3523 753.01 if the court determines it is in the best interests of  
3524 the child after consideration of all of the factors specified in  
3525 s. 61.13(3). The temporary parenting plan remains in effect  
3526 until the order expires or an order is entered by a court of  
3527 competent jurisdiction in a pending or subsequent civil action  
3528 or proceeding affecting the placement of, access to, parental  
3529 time with, adoption of, or parental rights and responsibilities  
3530 for the minor child.3531 4. If the petitioner and respondent have an existing  
3532 parenting plan or time-sharing schedule under another court  
3533 order, designating that the exchange of the minor child or  
3534 children of the parties must occur at a neutral safe exchange  
3535 location as provided in s. 125.01(8) or a location authorized by  
3536 a supervised visitation program as defined in s. 753.01 if the  
3537 court determines it is in the best interests of the child after  
3538 consideration of all of the factors specified in s. 61.13(3).

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3539 5. Awarding to the petitioner the temporary exclusive care,  
 3540 possession, or control of an animal that is owned, possessed,  
 3541 harbored, kept, or held by the petitioner, the respondent, or a  
 3542 minor child residing in the residence or household of the  
 3543 petitioner or respondent. The court may order the respondent to  
 3544 temporarily have no contact with the animal and prohibit the  
 3545 respondent from taking, transferring, encumbering, concealing,  
 3546 harming, or otherwise disposing of the animal. This subparagraph  
 3547 does not apply to an animal owned primarily for a bona fide  
 3548 agricultural purpose, as defined under s. 193.461, or to a  
 3549 service animal, as defined under s. 413.08, if the respondent is  
 3550 the service animal's handler.

3551 (6) (a) Upon notice and hearing, when it appears to the  
 3552 court that the petitioner is either the victim of domestic  
 3553 violence as defined by s. 741.28 or has reasonable cause to  
 3554 believe he or she is in imminent danger of becoming a victim of  
 3555 domestic violence, the court may grant such relief as the court  
 3556 deems proper, including an injunction:

3557 1. Restraining the respondent from committing any acts of  
 3558 domestic violence.

3559 2. Awarding to the petitioner the exclusive use and  
 3560 possession of the dwelling that the parties share or excluding  
 3561 the respondent from the residence of the petitioner.

3562 3. On the same basis as provided in chapter 61, providing  
 3563 the petitioner with 100 percent of the time-sharing in a  
 3564 temporary parenting plan that remains in effect until the order  
 3565 expires or an order is entered by a court of competent  
 3566 jurisdiction in a pending or subsequent civil action or  
 3567 proceeding affecting the placement of, access to, parental time

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3568 with, adoption of, or parental rights and responsibilities for  
 3569 the minor child.

3570 4. If the petitioner and respondent have an existing  
 3571 parenting plan or time-sharing schedule under another court  
 3572 order, designating that the exchange of the minor child or  
 3573 children of the parties must occur at a neutral safe exchange  
 3574 location as provided in s. 125.01(8) or a location authorized by  
 3575 a supervised visitation program as defined in s. 753.01 if the  
 3576 court determines it is in the best interests of the child after  
 3577 consideration of all of the factors specified in s. 61.13(3).

3578 5. On the same basis as provided in chapter 61,  
 3579 establishing temporary support for a minor child or children or  
 3580 the petitioner. An order of temporary support remains in effect  
 3581 until the order expires or an order is entered by a court of  
 3582 competent jurisdiction in a pending or subsequent civil action  
 3583 or proceeding affecting child support.

3584 6. Ordering the respondent to participate in treatment,  
 3585 intervention, or counseling services to be paid for by the  
 3586 respondent. When the court orders the respondent to participate  
 3587 in a batterers' intervention program, the court, or any entity  
 3588 designated by the court, must provide the respondent with a list  
 3589 of batterers' intervention programs from which the respondent  
 3590 must choose a program in which to participate.

3591 7. Referring a petitioner to a certified domestic violence  
 3592 center. The court must provide the petitioner with a list of  
 3593 certified domestic violence centers in the circuit which the  
 3594 petitioner may contact.

3595 8. Awarding to the petitioner the exclusive care,  
 3596 possession, or control of an animal that is owned, possessed,

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3597 harbored, kept, or held by the petitioner, the respondent, or a  
 3598 minor child residing in the residence or household of the  
 3599 petitioner or respondent. The court may order the respondent to  
 3600 have no contact with the animal and prohibit the respondent from  
 3601 taking, transferring, encumbering, concealing, harming, or  
 3602 otherwise disposing of the animal. This subparagraph does not  
 3603 apply to an animal owned primarily for a bona fide agricultural  
 3604 purpose, as defined under s. 193.461, or to a service animal, as  
 3605 defined under s. 413.08, if the respondent is the service  
 3606 animal's handler.

3607 9. Ordering such other relief as the court deems necessary  
 3608 for the protection of a victim of domestic violence, including  
 3609 injunctions or directives to law enforcement agencies, as  
 3610 provided in this section.

3611 Section 106. For the purpose of incorporating the amendment  
 3612 made by this act to section 193.461, Florida Statutes, in a  
 3613 reference thereto, paragraph (a) of subsection (5) of section  
 3614 810.011, Florida Statutes, is reenacted to read:

3615 810.011 Definitions.—As used in this chapter:

3616 (5) (a) "Posted land" is land upon which any of the  
 3617 following are placed:

3618 1. Signs placed not more than 500 feet apart along and at  
 3619 each corner of the boundaries of the land or, for land owned by  
 3620 a water control district that exists pursuant to chapter 298 or  
 3621 was created by special act of the Legislature, signs placed at  
 3622 or near the intersection of any district canal right-of-way and  
 3623 a road right-of-way or, for land classified as agricultural  
 3624 pursuant to s. 193.461, signs placed at each point of ingress  
 3625 and at each corner of the boundaries of the agricultural land,

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3626 which prominently display in letters of not less than 2 inches  
 3627 in height the words "no trespassing" and the name of the owner,  
 3628 lessee, or occupant of the land. The signs must be placed along  
 3629 the boundary line of posted land in a manner and in such  
 3630 position as to be clearly noticeable from outside the boundary  
 3631 line; or

3632 2.a. A conspicuous no trespassing notice is painted on  
 3633 trees or posts on the property, provided that the notice is:

3634 (I) Painted in an international orange color and displaying  
 3635 the stenciled words "No Trespassing" in letters no less than 2  
 3636 inches high and 1 inch wide either vertically or horizontally;

3637 (II) Placed so that the bottom of the painted notice is not  
 3638 less than 3 feet from the ground or more than 5 feet from the  
 3639 ground; and

3640 (III) Placed at locations that are readily visible to any  
 3641 person approaching the property and no more than 500 feet apart  
 3642 on agricultural land.

3643 b. When a landowner uses the painted no trespassing posting  
 3644 to identify a no trespassing area, those painted notices must be  
 3645 accompanied by signs complying with subparagraph 1. and must be  
 3646 placed conspicuously at all places where entry to the property  
 3647 is normally expected or known to occur.

3648 Section 107. For the purpose of incorporating the amendment  
 3649 made by this act to section 193.461, Florida Statutes, in a  
 3650 reference thereto, subsection (6) of section 823.14, Florida  
 3651 Statutes, is reenacted to read:

3652 823.14 Florida Right to Farm Act.—

3653 (6) LIMITATION ON DUPLICATION OF GOVERNMENT REGULATION.—It  
 3654 is the intent of the Legislature to eliminate duplication of

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3655 regulatory authority over farm operations as expressed in this  
 3656 subsection. Except as otherwise provided for in this section and  
 3657 s. 487.051(2), and notwithstanding any other provision of law, a  
 3658 local government may not adopt any ordinance, regulation, rule,  
 3659 or policy to prohibit, restrict, regulate, or otherwise limit an  
 3660 activity of a bona fide farm operation on land classified as  
 3661 agricultural land pursuant to s. 193.461, where such activity is  
 3662 regulated through implemented best management practices or  
 3663 interim measures developed by the Department of Environmental  
 3664 Protection, the Department of Agriculture and Consumer Services,  
 3665 or water management districts and adopted under chapter 120 as  
 3666 part of a statewide or regional program. When an activity of a  
 3667 farm operation takes place within a wellfield protection area as  
 3668 defined in any wellfield protection ordinance adopted by a local  
 3669 government, and the adopted best management practice or interim  
 3670 measure does not specifically address wellfield protection, a  
 3671 local government may regulate that activity pursuant to such  
 3672 ordinance. This subsection does not limit the powers and duties  
 3673 provided for in s. 373.4592 or limit the powers and duties of  
 3674 any local government to address an emergency as provided for in  
 3675 chapter 252.

3676 Section 108. For the purpose of incorporating the amendment  
 3677 made by this act to section 388.271, Florida Statutes, in a  
 3678 reference thereto, paragraph (a) of subsection (1) of section  
 3679 189.062, Florida Statutes, is reenacted to read:

3680 189.062 Special procedures for inactive districts.—

3681 (1) The department shall declare inactive any special  
 3682 district in this state by documenting that:

3683 (a) The special district meets one of the following

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3684 criteria:

3685 1. The registered agent of the district, the chair of the  
 3686 governing body of the district, or the governing body of the  
 3687 appropriate local general-purpose government notifies the  
 3688 department in writing that the district has taken no action for  
 3689 2 or more years;

3690 2. The registered agent of the district, the chair of the  
 3691 governing body of the district, or the governing body of the  
 3692 appropriate local general-purpose government notifies the  
 3693 department in writing that the district has not had a governing  
 3694 body or a sufficient number of governing body members to  
 3695 constitute a quorum for 2 or more years;

3696 3. The registered agent of the district, the chair of the  
 3697 governing body of the district, or the governing body of the  
 3698 appropriate local general-purpose government fails to respond to  
 3699 an inquiry by the department within 21 days;

3700 4. The department determines, pursuant to s. 189.067, that  
 3701 the district has failed to file any of the reports listed in s.  
 3702 189.066;

3703 5. The district has not had a registered office and agent  
 3704 on file with the department for 1 or more years;

3705 6. The governing body of a special district provides  
 3706 documentation to the department that it has unanimously adopted  
 3707 a resolution declaring the special district inactive. The  
 3708 special district is responsible for payment of any expenses  
 3709 associated with its dissolution;

3710 7. The district is an independent special district or a  
 3711 community redevelopment district created under part III of  
 3712 chapter 163 that has reported no revenue, no expenditures, and

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3713 no debt under s. 189.016(9) or s. 218.32 for at least 5  
 3714 consecutive fiscal years beginning no earlier than October 1,  
 3715 2018. This subparagraph does not apply to a community  
 3716 development district established under chapter 190 or to any  
 3717 independent special district operating pursuant to a special act  
 3718 that provides that any amendment to chapter 190 to grant  
 3719 additional powers constitutes a power of that district; or

3720 8. For a mosquito control district created pursuant to  
 3721 chapter 388, the department has received notice from the  
 3722 Department of Agriculture and Consumer Services that the  
 3723 district has failed to file a tentative work plan and tentative  
 3724 detailed work plan budget as required by s. 388.271.

3725 Section 109. For the purpose of incorporating the amendment  
 3726 made by this act to section 388.271, Florida Statutes, in a  
 3727 reference thereto, subsection (7) of section 388.261, Florida  
 3728 Statutes, is reenacted to read:

3729 388.261 State aid to counties and districts for arthropod  
 3730 control; distribution priorities and limitations.—

3731 (7) The department may use state funds appropriated for a  
 3732 county or district under subsection (1) or subsection (2) to  
 3733 provide state mosquito or other arthropod control equipment,  
 3734 supplies, or services when requested by a county or district  
 3735 eligible to receive state funds under s. 388.271.

3736 Section 110. For the purpose of incorporating the amendment  
 3737 made by this act to section 482.161, Florida Statutes, in a  
 3738 reference thereto, paragraph (b) of subsection (3) of section  
 3739 482.072, Florida Statutes, is reenacted to read:

3740 482.072 Pest control customer contact centers.—

3741 (3)

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3742 (b) Notwithstanding any other provision of this section:

3743 1. A customer contact center licensee is subject to  
 3744 disciplinary action under s. 482.161 for a violation of this  
 3745 section or a rule adopted under this section committed by a  
 3746 person who solicits pest control services or provides customer  
 3747 service in a customer contact center.

3748 2. A pest control business licensee may be subject to  
 3749 disciplinary action under s. 482.161 for a violation of this  
 3750 section or a rule adopted under this section committed by a  
 3751 person who solicits pest control services or provides customer  
 3752 service in a customer contact center operated by a licensee if  
 3753 the licensee participates in the violation.

3754 Section 111. For the purpose of incorporating the amendment  
 3755 made by this act to section 482.161, Florida Statutes, in a  
 3756 reference thereto, section 482.163, Florida Statutes, is  
 3757 reenacted to read:

3758 482.163 Responsibility for pest control activities of  
 3759 employee.—Proper performance of pest control activities by a  
 3760 pest control business employee is the responsibility not only of  
 3761 the employee but also of the certified operator in charge, and  
 3762 the certified operator in charge may be disciplined pursuant to  
 3763 the provisions of s. 482.161 for the pest control activities of  
 3764 an employee. A licensee may not automatically be considered  
 3765 responsible for violations made by an employee. However, the  
 3766 licensee may not knowingly encourage, aid, or abet violations of  
 3767 this chapter.

3768 Section 112. For the purpose of incorporating the amendment  
 3769 made by this act to section 487.044, Florida Statutes, in a  
 3770 reference thereto, section 487.156, Florida Statutes, is



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3771 reenacted to read:

3772 487.156 Governmental agencies.—All governmental agencies  
3773 shall be subject to the provisions of this part and rules  
3774 adopted under this part. Public applicators using or supervising  
3775 the use of restricted-use pesticides shall be subject to  
3776 examination as provided in s. 487.044.

3777 Section 113. For the purpose of incorporating the amendment  
3778 made by this act to section 496.405, Florida Statutes, in a  
3779 reference thereto, subsection (2) of section 496.4055, Florida  
3780 Statutes, is reenacted to read:

3781 496.4055 Charitable organization or sponsor board duties.—

3782 (2) The board of directors, or an authorized committee  
3783 thereof, of a charitable organization or sponsor required to  
3784 register with the department under s. 496.405 shall adopt a  
3785 policy regarding conflict of interest transactions. The policy  
3786 shall require annual certification of compliance with the policy  
3787 by all directors, officers, and trustees of the charitable  
3788 organization. A copy of the annual certification shall be  
3789 submitted to the department with the annual registration  
3790 statement required by s. 496.405.

3791 Section 114. For the purpose of incorporating the amendment  
3792 made by this act to section 496.405, Florida Statutes, in  
3793 references thereto, subsections (2) and (4) of section 496.406,  
3794 Florida Statutes, are reenacted to read:

3795 496.406 Exemption from registration.—

3796 (2) Before soliciting contributions, a charitable  
3797 organization or sponsor claiming to be exempt from the  
3798 registration requirements of s. 496.405 under paragraph (1)(d)  
3799 must submit annually to the department, on forms prescribed by

Page 131 of 134

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

575-02298-25

2025700c1

3800 the department:

3801 (a) The name, street address, and telephone number of the  
3802 charitable organization or sponsor, the name under which it  
3803 intends to solicit contributions, the purpose for which it is  
3804 organized, and the purpose or purposes for which the  
3805 contributions to be solicited will be used.

3806 (b) The tax exempt status of the organization.

3807 (c) The date on which the organization's fiscal year ends.

3808 (d) The names, street addresses, and telephone numbers of  
3809 the individuals or officers who have final responsibility for  
3810 the custody of the contributions and who will be responsible for  
3811 the final distribution of the contributions.

3812 (e) A financial statement of support, revenue, and expenses  
3813 and a statement of functional expenses that must include, but  
3814 not be limited to, expenses in the following categories:  
3815 program, management and general, and fundraising. In lieu of the  
3816 financial statement, a charitable organization or sponsor may  
3817 submit a copy of its Internal Revenue Service Form 990 and all  
3818 attached schedules or Internal Revenue Service Form 990-EZ and  
3819 Schedule O.

3820 (4) Exemption from the registration requirements of s.  
3821 496.405 does not limit the applicability of other provisions of  
3822 this section to a charitable organization or sponsor.

3823 Section 115. For the purpose of incorporating the amendment  
3824 made by this act to section 500.12, Florida Statutes, in a  
3825 reference thereto, paragraph (a) of subsection (1) of section  
3826 500.80, Florida Statutes, is reenacted to read:

3827 500.80 Cottage food operations.—

3828 (1)(a) A cottage food operation must comply with the

Page 132 of 134

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

575-02298-25

2025700c1

3829 applicable requirements of this chapter but is exempt from the  
 3830 permitting requirements of s. 500.12 if the cottage food  
 3831 operation complies with this section and has annual gross sales  
 3832 of cottage food products that do not exceed \$250,000.

3833 Section 116. For the purpose of incorporating the amendment  
 3834 made by this act to section 500.172, Florida Statutes, in a  
 3835 reference thereto, subsection (6) of section 500.121, Florida  
 3836 Statutes, is reenacted to read:

3837 500.121 Disciplinary procedures.—

3838 (6) If the department determines that a food offered in a  
 3839 food establishment is labeled with nutrient claims that are in  
 3840 violation of this chapter, the department shall retest or  
 3841 reexamine the product within 90 days after notification to the  
 3842 manufacturer and to the firm at which the product was collected.  
 3843 If the product is again found in violation, the department shall  
 3844 test or examine the product for a third time within 60 days  
 3845 after the second notification. The product manufacturer shall  
 3846 reimburse the department for the cost of the third test or  
 3847 examination. If the product is found in violation for a third  
 3848 time, the department shall exercise its authority under s.  
 3849 500.172 and issue a stop-sale or stop-use order. The department  
 3850 may impose additional sanctions for violations of this  
 3851 subsection.

3852 Section 117. For the purpose of incorporating the amendment  
 3853 made by this act to section 790.06, Florida Statutes, in a  
 3854 reference thereto, section 790.061, Florida Statutes, is  
 3855 reenacted to read:

3856 790.061 Judges and justices; exceptions from licensure  
 3857 provisions.—A county court judge, circuit court judge, district

Page 133 of 134

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

575-02298-25

2025700c1

3858 court of appeal judge, justice of the supreme court, federal  
 3859 district court judge, or federal court of appeals judge serving  
 3860 in this state is not required to comply with the provisions of  
 3861 s. 790.06 in order to receive a license to carry a concealed  
 3862 weapon or firearm, except that any such justice or judge must  
 3863 comply with the provisions of s. 790.06(2) (h). The Department of  
 3864 Agriculture and Consumer Services shall issue a license to carry  
 3865 a concealed weapon or firearm to any such justice or judge upon  
 3866 demonstration of competence of the justice or judge pursuant to  
 3867 s. 790.06(2) (h).

3868 Section 118. This act shall take effect July 1, 2025.

Page 134 of 134

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

3/26/25

Meeting Date

700

Bill Number or Topic

ADD ON AG 21

Committee

Amendment Barcode (if applicable)

Name BAILEY KUYKENDOLL

Phone 310-663-8902

Address ~~2312~~ 2312 WIZNER BLVD AVE  
Street

Email bailey@standforthe1st  
FREEDOM.COM

BRADENTON  
City

FL  
State

34208  
Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without  
compensation or sponsorship.

I am a registered lobbyist,  
representing:

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1, [2020-2022 Joint Rules.pdf](#) [flsenate.gov](#)

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The Florida Senate

APPEARANCE RECORD

03/26/2025

Meeting Date

SB700, Section 51

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Agriculture, Environment & Govt. Efficiency  
Committee

Amendment Barcode (if applicable)

Name Daniel Freeman

Phone (706) 386-8240

Address 3500 SE 24th Ave.  
Street

Email freemandanielw@gmail.com

Deala  
City

FL  
State

34471  
Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules. pdf. flsenate.gov

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The Florida Senate

APPEARANCE RECORD

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03/26/2025

Meeting Date

Approp. Committee on Ag, Environment and General Govt.

CS/SB 700

Bill Number or Topic

Amendment Barcode (if applicable)

Name Mary Winn

Phone (850) 766-2612

Address 2370 Carefree Cove Street

Email kathywinn980@gmail.com

Tallahassee FL 32308 City State Zip

Sections 31 and 32

Speaking: [ ] For [x] Against [ ] Information OR Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[x] I am appearing without compensation or sponsorship. volunteer representing League of Women Voters of Florida

[ ] I am a registered lobbyist, representing:

[ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf flsenate.gov

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03/26/25

Meeting Date

The Florida Senate

APPEARANCE RECORD

SB 780

Bill Number or Topic

Senate AELT

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Brendan Edmonston

Phone

850-681-3629

Address

545 John Knox Rd #200

Email

bedmonston@floridadental.org

Street

Tallahassee

FL

32303

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Dental Association

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules of the Florida Senate.

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3/26/25

Meeting Date

# The Florida Senate APPEARANCE RECORD

SB 700

Bill Number or Topic

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Approp. in Agriculture

Committee

Amendment Barcode (if applicable)

Name

Russell Walther

Phone

(352) 284-0232

Address

2648 Centurial Place

Email

Russell@RHOFS.com

Street

Tallahassee

FL

32312

City

State

Zip

Speaking:

For

Against

Information

**OR**

Waive Speaking:

In Support

Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without  
compensation or sponsorship.

I am a registered lobbyist,  
representing:

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 700

3-26-25

Meeting Date

Deliver both copies of this form to Senate professional staff conducting the meeting

Bill Number or Topic

Approp. Agriculture

Committee

Amendment Barcode (if applicable)

Name Richard Mufson, DDS

Phone

Address 310 Atlantic Isle

Email mufsyrich@aol.com

Street

Sunny Isles Bch FL 33160

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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The Florida Senate

# APPEARANCE RECORD

SB 700

Bill Number or Topic

3/26/25

Meeting Date

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Senate

Committee

poosito

Amendment Barcode (if applicable)

Name

Aleschel Schmeier

Phone

850-417-0042

Address

414 N Guillemard St

Email

greatchange01@yahoo.com

Street

Pensacola

FL

32501

City

State

Zip

Speaking:

For

Against

Information

**OR**

Waive Speaking:

In Support

Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) [flsenate.gov](#)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

26 March 2025

Meeting Date

700

Bill Number or Topic

Appropriations

Committee

~~700~~

Amendment Barcode (if applicable)

Name Susan Clarke

Phone 321 250 3282

Address 1080 Cypress Parkway

Street

Email s.1234567@yahoo.com

Kissimmee

City

FL

State

34759

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) [flsenate.gov](#)

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The Florida Senate

APPEARANCE RECORD

03-26-2025

700

Meeting Date

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Agriculture, Environment

Committee

Amendment Barcode (if applicable)

Name K. Searcy Dannheim

Phone 904-652-9073

Address 2118 St. Johns Ave

Email peabodymccoy@gmail.com

Street

Jacksonville

City

State

Zip

Speaking: [X] For [ ] Against [ ] Information OR Waive Speaking: [X] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[X] I am appearing without compensation or sponsorship.

[ ] I am a registered lobbyist, representing:

[ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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# APPEARANCE RECORD

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Senate professional staff conducting the meeting

3/26/25

Meeting Date

700

Bill Number or Topic

HGR 1 / ENVIRON.

Committee

Amendment Barcode (if applicable)

Name Cammie Percock

Phone 610-348-3302

Address 835 LAUNTON DR.

Email \_\_\_\_\_

Street

ST. JOHNS, FL

City

State

32259

Zip

Speaking:  For  Against  Information

**OR**

Waive Speaking:  In Support  Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

*While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules. df.flsenate.gov](https://www.flsenate.gov)*

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3/26/25

Meeting Date

# The Florida Senate APPEARANCE RECORD

SB700

Bill Number or Topic

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Committee

Amendment Barcode (if applicable)

Name

Tripp Hunter

Phone

850-567-4092

Address

Street

Email

City

State

Zip

Speaking:

For

Against

Information

**OR**

Waive Speaking:

In Support

Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without  
compensation or sponsorship.

I am a registered lobbyist,  
representing:

Farm Bureau

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

03/26/2025

Meeting Date

Approps. CMTE on Agriculture, Environment, and General Government

# The Florida Senate APPEARANCE RECORD

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Senate professional staff conducting the meeting

700

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Alex Haley

Phone (850) 617-7700

Address 400 S. Monroe St

Email N/A

Street

Tallahassee

Florida

32399

City

State

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Department of Agriculture and Consumer Services

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

03/26/2025  
Meeting Date

# The Florida Senate APPEARANCE RECORD

SB 700  
Bill Number or Topic

APP. COMMITTEE ON AG, ENV.

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name <sup>Committee</sup> \* GENERAL COUN. "GENE" ADAMS  
HOWARD F. "GENE" ADAMS

Phone 850-933-6222

Address 215 SOUTH MONROE ST.  
Street

Email GENE@PENNINGTON  
LAW.COM

TALLAHASSEE FL 32301  
City State Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:  
FLORIDA FEED ASSOCIATION

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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3/26/25

The Florida Senate

APPEARANCE RECORD

700

Meeting Date  
APPROPRIATIONS COMMITTEE  
ON AGRICULTURE, ENVIRONMENT  
AND GENERAL GOVERNMENT  
Committee

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name LENA JUAREZ

Phone 850 212 8330

Address P.O. Box 10390

Email lenacj@assoc.com

Street

Tallahassee FL 32302

City

State

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

FLORIDA AGRITOURISM ASSOCIATION

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) [flsenate.gov](#)

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3/26/25

Meeting Date

The Florida Senate

# APPEARANCE RECORD

CS/SB 700

Bill Number or Topic

Appropriations on Agriculture, Environment, & General Government  
Committee

Deliver both copies of this form to  
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Amendment Barcode (if applicable)

Name KELBY SEANOR

Phone 703-254-7439

Address 11250 Waples Mill Rd.  
Street

Email Kseanor@nrahq.org

Fairfax  
City

VA  
State

22030  
Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

NATIONAL RIFLE ASSOCIATION (NRA)

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. 511.045 and Joint Rule 1. [2020-2022 Joint Rules](https://www.flsenate.gov/legistics/2022/joint-rules), [pdf flsenate.gov](https://www.flsenate.gov/legistics/2022/joint-rules)

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The Florida Senate

**APPEARANCE RECORD**

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3/26/25

Meeting Date

SB 700

Bill Number or Topic

Appropriations on Ag

Committee

Amendment Barcode (if applicable)

Name Aimee Villella McBride

Phone (516) 662-6562

Address 4577 Charingcross Rd

Street

Email Aimee@globalwellnessforum.org

Sarasota

City

FL

State

34241

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules. pdf flsenate.gov](https://www.flsenate.gov/legistics/2020/2020-2022-Joint-Rules.pdf)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 700

3-26-25

Meeting Date

Deliver both copies of this form to Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Warren Edwards DDS

Phone

321-243-1459

Address

798 Thrasher Dr

Email

chrisedwardsdds@gmail.com

Street

Viera

FL

32955

City

State

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) [flsenate.gov](#)

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The Florida Senate

# APPEARANCE RECORD

Deliver both copies of this form to  
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3/26/25

Meeting Date

SB 700

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Erica Craven

Phone 208 908 3128

Address PO Box 358946

Email erica@healthyfla.org

Street

GVL

City

FL

State

32635

Zip

Speaking:  For  Against  Information

**OR**

Waive Speaking:  In Support  Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

*While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) ([flsenate.gov](#))*

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S-001 (08/10/2021)

3-26-25

Meeting Date

# The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

SB 700

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name CAROLINA LUQUE Phone 561-420-7377

Address PO Box 358946 Email coordinator@nealhy  
Street

GUL FL 32635  
City State Zip

fla.org

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

*While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf flsenate.gov](#)*

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/26/2025 Meeting Date

SB700 Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name TIFFANY MCCRAY

Phone 407 749 2973

Address 10816 SENATORIAL DR Street

Email TIFFANY2510@OUTLOOK.COM

TAMPA FL 33647 City State Zip

Speaking: [ ] For [ ] Against [ ] Information OR Waive Speaking: [ ] In Support [X] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[ ] I am appearing without compensation or sponsorship.

[ ] I am a registered lobbyist, representing:

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This form is part of the public record for this meeting.

3/26/25

Meeting Date

The Florida Senate

# APPEARANCE RECORD

SB 700

Bill Number or Topic

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Committee

Florida Voices  
for Health

Amendment Barcode (if applicable)

Name

Acadia Jacob

Phone

754 999 0807

Address

PO Box 358946

Email

acadia@healthy

afa.org

Street

GVL

City

FL

State

32635

Zip

Speaking:  For  Against  Information

**OR**

Waive Speaking:  In Support  Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)



# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

## COMMITTEES:

Agriculture, *Chair*  
Appropriations Committee on Agriculture, Environment,  
and General Government  
Appropriations Committee on Transportation,  
Tourism, and Economic Development  
Banking and Insurance  
Fiscal Policy  
Military and Veterans Affairs, Space, and  
Domestic Security  
Transportation

## SENATOR KEITH TRUENOW

13th District

March 12, 2025

The Honorable Senator Jason Brodeur  
President Pro Tempore'  
416 Senate Office Building  
Tallahassee, FL 32399

Dear Chair, Brodeur,

I would like to request SB 700 Department of Agriculture and Consumer Services be placed on the next available Appropriations Committee on Agriculture, Environment, and General Government agenda.

This good bill provides that certain positions in the department are exempt from the Career Service System, requires an electric utility to submit 10-year site plan for a proposed power plant on certain lands to the county commission where such proposed power plant is located, and requires a county commission receiving such site plans to fulfill certain requirements. It also, revises requirements for land to be classified as agricultural and prohibits a person from knowingly or willfully performing certain actions on lands classified as agricultural, it provides criminal penalties, prohibiting a person from knowingly or willfully performing certain actions on private property, state wildlife management lands, or a sport shooting and training range.

I appreciate your favorable consideration.

Sincerely,

A handwritten signature in blue ink that reads "Keith Truenow".

Senator Keith Truenow  
Senate District 13

KT/dd

cc: Giovanni Betta, Staff Director  
Julie Brass, Administrative Assistant

### REPLY TO:

- Lake County Agricultural Center, 1951 Woodlea Road, Tavares, Florida 32778 (352) 750-3133
- 16207 State Road 50, Suite 401, Clermont, Florida 34711
- 304 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5013

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore



**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

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BILL: CS/CS/SB 736

INTRODUCER: Appropriations Committee on Agriculture, Environment, and General Government; Environment and Natural Resources Committee and Senator Truenow and others

SUBJECT: Brownfields

DATE: March 28, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Barriero</u>	<u>Rogers</u>	<u>EN</u>	<u>Fav/CS</u>
2.	<u>Reagan</u>	<u>Betta</u>	<u>AEG</u>	<u>Fav/CS</u>
3.	_____	_____	<u>RC</u>	_____

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/CS/SB 736 provides that if the person responsible for a brownfield site rehabilitation demonstrates the applicable contamination cleanup criteria has been met, and the brownfield site is part of a larger contaminated site, the Department of Environmental Protection (DEP) or any delegated local pollution control program may not deny a “no further action” status or refuse to issue a site rehabilitation completion order for the brownfield site, regardless of whether it has engineering and institutional controls. The bill deletes provisions related to local governments’ role in mapping institutional controls.

The bill removes a provision that prohibited unpermitted sites that were operated for monetary compensation (i.e., sites that charged fees or levied assessments for the disposal of solid waste at a landfill, dump, or other area where solid waste has been disposed) from claiming tax credits for the costs of solid waste removal under the brownfield program.

The bill also allows persons organized or united with a local governmental entity for a business purpose to participate in the program, provided they did not cause or contribute to the brownfield site.

The bill also provides that, for sites subject to certain federal enforcement actions or permits that would otherwise be ineligible to participate in the brownfield program, the DEP must allow participation if the U.S. Environmental Protection Agency (EPA) issues a letter stating it has no

objection to a site's participation in a brownfield program, and the person seeking to participate in the brownfield program can reasonably demonstrate that he or she will conduct site rehabilitation pursuant to the rules governing contamination cleanup criteria. The bill provides that the DEP may not require as a condition of such letter that the EPA forego enforcement of federal corrective action authority at brownfield sites that have received a site rehabilitation completion order.

The bill has no impact on state revenues or expenditures. See Section V. Fiscal Impact Statement.

The bill takes effect on July 1, 2025.

## II. Present Situation:

### Brownfields Program Overview

Many areas in Florida contain sites with actual or perceived environmental contamination that may present a significant barrier to redevelopment.<sup>1</sup> The Florida Brownfields Redevelopment Act was adopted by the Florida Legislature in 1997, to provide incentives for local governments and individuals to voluntarily clean up and redevelop brownfield sites.<sup>2</sup> Participation in the program results in environmental cleanup, protection of public health, reuse of infrastructure, economic redevelopment and job creation.<sup>3</sup> Since inception of the program in 1997, 235 contaminated sites have been cleaned up; approximately 89,976 confirmed and projected direct and indirect jobs have been created; and \$3.188 billion in capital investment is projected in designated brownfield areas.<sup>4</sup>

Local governments support the use of the tools and incentives provided by the program by designating brownfield areas for cleanup and revitalization.<sup>5</sup> A brownfield area designation can also be proposed by other persons, including, but not limited to, individuals, corporations, partnerships, limited liability companies, community-based organizations, and not-for-profit corporations.<sup>6</sup> In such cases, the local government with jurisdiction over the proposed brownfield area must adopt a resolution to designate the brownfield area if, at a public hearing, the person proposing the designation establishes the following:

- A person who owns or controls a potential brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the brownfield site.
- The rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area, along with the creation of at least five new permanent jobs at the

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<sup>1</sup> Florida Dep't of Environmental Protection (DEP), *Florida Brownfields Redevelopment Program Annual Report: FY 2023-24*, 4 (2024), available at <https://floridadep.gov/sites/default/files/2024%20Brownfields%20Program%20Legislative%20Report%208.1.2024.pdf>. (last visited Mar. 22, 2025).

<sup>2</sup> Chapter 97-277, s. 1, Laws of Fla.; ss. 376.77-376.86, F.S.

<sup>3</sup> The DEP, *Florida Brownfields Redevelopment Program Annual Report: FY 2023-24* at 4.

<sup>4</sup> *Id.* at 2.

<sup>5</sup> The DEP, *Florida Brownfields Redevelopment Program Annual Report: FY 2023-24* at 5, available at <https://floridadep.gov/sites/default/files/2024%20Brownfields%20Program%20Legislative%20Report%208.1.2024.pdf>. (last visited Mar. 22, 2025).

<sup>6</sup> Section 376.80(1)(b)2. and (2)(c), F.S.

brownfield site that are full-time equivalent positions not associated with the implementation of the brownfield site rehabilitation agreement and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed brownfield site or area. However, the job creation requirement does not apply to the rehabilitation and redevelopment of a brownfield site that will provide affordable housing<sup>7</sup> or the creation of recreational areas, conservation areas, or parks.

- The redevelopment of the proposed brownfield site is consistent with the local comprehensive plan and is a permissible use under the applicable local land development regulations.
- Notice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed area to be designated, and the person proposing the area for designation has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation.
- The person proposing the area for designation has provided reasonable assurance that he or she has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the brownfield site.<sup>8</sup>

If the local government proposes the designation, the local government must consider:

- Whether the brownfield area warrants economic development and has a reasonable potential for such activities;
- Whether the proposed area to be designated represents a reasonably focused approach and is not overly large in geographic coverage;
- Whether the area has potential to interest the private sector in participating in rehabilitation; and
- Whether the area contains sites or parts of sites suitable for limited recreational open space, cultural, or historical preservation purposes.<sup>9</sup>

Upon designation, properties within a brownfield area have met the first requirement for participation in the program.<sup>10</sup> These properties may participate in economic incentives that are linked to a brownfield site rehabilitation agreement (BSRA), including the job bonus tax refund or refunds on sales and use tax paid on the purchase of building materials used in a mixed-use project or housing project. If contamination is known or suspected, the local government may designate an area and identify the person responsible for brownfield site rehabilitation. This entitles the identified person to negotiate a BSRA with the Department of Environmental Protection (DEP).<sup>11</sup>

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<sup>7</sup> “Affordable” means that monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households of extremely-low-income persons, very-low-income persons, low-income persons, or moderate-income persons. Section 420.0004(3), F.S.

<sup>8</sup> Section 376.80(2)(c), F.S. “Brownfield area” means a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government by resolution. Section 376.79(5), F.S. “Brownfield sites” means real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination. Section 376.79(4), F.S.

<sup>9</sup> Section 376.80(2)(a), F.S.

<sup>10</sup> The DEP, *Florida Brownfields Redevelopment Program Annual Report: FY 2023-24* at 5, available at <https://floridadep.gov/sites/default/files/2024%20Brownfields%20Program%20Legislative%20Report%208.1.2024.pdf>. (last visited Mar. 22, 2025).

<sup>11</sup> *Id.*

Site rehabilitation completion orders are issued for sites that have completed cleanup of property to standards protective of human health and the environment, as established by ch. 62-780 of the Florida Administrative Code., and for which “no further action” is required at that time.<sup>12</sup>

### ***Program Eligibility***

Any person who has not caused or contributed to the contamination of a brownfield site on or after July 1, 1997, is eligible to participate in the brownfield program.<sup>13</sup> However, certain sites are not eligible for participation unless a specific exemption is secured by a memorandum of agreement (MOA) with the U.S. Environmental Protection Agency (EPA).<sup>14</sup> This applies to sites that (1) are subject to ongoing federal enforcement or corrective actions pursuant to the Comprehensive Environmental Response Compensation and Liability Act, the Safe Drinking Water Act, or the Clean Water Act; (2) under an order from the EPA pursuant to s. 3008(h) of the Resource Conservation and Recovery Act; or (3) have obtained or are required to obtain a permit for the operation of a hazardous waste treatment, storage, or disposal facility; a postclosure permit; or a permit pursuant to the federal Hazardous and Solid Waste Amendments of 1984.<sup>15</sup> Likewise, if a brownfield site within an eligible brownfield area later becomes subject to formal federal enforcement or corrective actions, its eligibility will be revoked unless specific exemptions are secured through an EPA memorandum of agreement.<sup>16</sup>

In addition, otherwise eligible persons who, prior to the DEP’s approval of a BSRA, are subject to ongoing corrective action or enforcement under state authority, including those persons subject to a pending consent order with the state, are eligible for participation in a BSRA if:

- The proposed brownfield site is currently idle or underutilized as a result of the contamination, and participation in the brownfield program will immediately result in increased economic productivity at the site, including at a minimum the creation of 10 new permanent jobs, whether full-time or part-time, which are not associated with implementation of the BSRA; and
- The person is complying in good faith with the terms of an existing consent order or a DEP-approved corrective action plan, or responding in good faith to an enforcement action, as evidenced by a determination issued by the DEP or an approved local pollution control program.<sup>17</sup>

### ***Liability Protection***

Any person who executes and implements a BSRA to successful completion is relieved of:

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<sup>12</sup> *Id.* “No further action” is a term of art for a determination by DEP that no further action is necessary to address the environmental issues at the property. See generally DEP, *Brownfields Program*, <https://floridadep.gov/waste/waste-cleanup/content/brownfields-program> (last visited Mar. 12, 2025); Fla. Admin. Code R. 62-780.680.

<sup>13</sup> Section 376.82(1), F.S.

<sup>14</sup> See section 376.82(1)(a), F.S. See EPA and DEP, *Memorandum of Agreement between the Florida Department of Environmental Protection and the United States Environmental Protection Agency Region 4* (2005), available at [https://floridadep.gov/sites/default/files/Brownfields%20MOA%20with%20EPA%2011-28-05\\_0.pdf](https://floridadep.gov/sites/default/files/Brownfields%20MOA%20with%20EPA%2011-28-05_0.pdf). (last visited Mar. 22, 2025).

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> Section 376.82(1)(b), F.S.

- Further liability for remediation of the contaminated site or sites to the state and to third parties.
- Liability in contribution to any other party who has or may incur cleanup liability for the contaminated site or sites.
- Liability for claims of property damages, (e.g., diminished value of real property, lost or delayed rent, sale, or use of real property or improvements, or stigma to real property or improvements caused by contamination addressed by a brownfield site rehabilitation agreement).<sup>18</sup>

This does not limit the right of a third party other than the state to pursue an action for personal injury damages; however, such an action may not compel site rehabilitation in excess of that required in the approved brownfield site rehabilitation agreement or otherwise required by the DEP or approved local pollution control program.<sup>19</sup>

Liability protection becomes effective upon execution of a BSRA.<sup>20</sup> Completion of the performance of the remediation obligations at the brownfield site must be evidenced by a site rehabilitation completion letter or a “no further action” letter issued by the DEP or the approved local pollution control program.<sup>21</sup>

In an effort to secure federal liability protection for persons willing to undertake remediation responsibility at a brownfield site, the DEP negotiated an MOA with the EPA, whereby the EPA agreed to forego enforcement of federal corrective action authority at brownfield sites that have received a site rehabilitation completion or “no further action” determination from the DEP or the approved local pollution control program or that are in the process of implementing a BSRA.<sup>22</sup> Through the MOA, certain sites subject to corrective action under federal Comprehensive Environmental Response Compensation and Liability Act and Resource Conservation and Recovery Act authority are eligible for state brownfields incentives.<sup>23</sup>

### ***Voluntary Cleanup Tax Credits (VCTC)***

In 1998, the Florida Legislature established the VCTC program to provide an incentive for the voluntary cleanup of drycleaning solvent-contaminated sites and brownfield sites in designated brownfield areas.<sup>24</sup> Only those brownfield sites with an executed BSRA are eligible to apply for

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<sup>18</sup> Section 376.82(2)(a), F.S. This liability protection does not apply to a person who discharges contaminants on property subject to a brownfield site rehabilitation agreement, who commits fraud in demonstrating site conditions or completing site rehabilitation of a property subject to a brownfield site rehabilitation agreement, or who exacerbates contamination of a property subject to a brownfield site rehabilitation agreement in violation of applicable laws which causes property damages. *Id.*

<sup>19</sup> Section 376.82(2)(b), F.S.

<sup>20</sup> Section 376.82(2)(d), F.S.

<sup>21</sup> Section 376.82(2)(e), F.S.

<sup>22</sup> Section 376.82(2)(g), F.S. See EPA and DEP, *Memorandum of Agreement between the Florida Department of Environmental Protection and the United States Environmental Protection Agency Region 4*, 4 (2005), available at [https://floridadep.gov/sites/default/files/Brownfields%20MOA%20with%20EPA%2011-28-05\\_0.pdf](https://floridadep.gov/sites/default/files/Brownfields%20MOA%20with%20EPA%2011-28-05_0.pdf). (last visited Mar. 22, 2025).

<sup>23</sup> Section 376.81(1)(a), F.S.; DEP, *Florida Brownfields Redevelopment Program Annual Report: FY 2023-24* at 9, available at <https://floridadep.gov/sites/default/files/2024%20Brownfields%20Program%20Legislative%20Report%208.1.2024.pdf>. (last visited Mar. 22, 2025).

<sup>24</sup> *Id.* at 7.

a VCTC incentive.<sup>25</sup> For these eligible sites, a tax credit of 50 percent is allowed for the cost of voluntary cleanup activity that is integral to site rehabilitation, with a maximum of \$500,000 allowed per site per year.<sup>26</sup> An additional 25 percent of the total site rehabilitation costs, not to exceed \$500,000, may also be claimed in the final year of cleanup as evidenced by the DEP issuing a “no further action” order for that site.<sup>27</sup>

Additionally, a one-time 50 percent tax credit may be claimed for costs related to solid waste removal at a brownfield site, with a maximum of \$500,000 allowed per site.<sup>28</sup> To claim the tax credit, the applicant must submit an affidavit stating that, after consultation with appropriate local government officials and the DEP, to the best of the applicant’s knowledge based upon such consultation and available historical records, the brownfield site was never operated as a permitted solid waste disposal area or was never operated for monetary compensation.<sup>29</sup>

For site rehabilitation tax credits, a tax credit application must be received by the DEP’s Division of Waste Management by January 31 of the year after the calendar year for which site rehabilitation costs are being claimed.<sup>30</sup> On or before May 1, the DEP must inform each tax credit applicant that is subject to the January 31 annual application deadline of the applicant’s eligibility status and the amount of any tax credit due.<sup>31</sup> If the DEP determines that an application is incomplete, it must notify the applicant in writing and the applicant will have 30 days after receiving such notification to correct any deficiency.<sup>32</sup> The May 1 deadline for annual site rehabilitation tax credit certificate awards does not apply to any tax credit application for which the DEP has issued a notice of deficiency.<sup>33</sup> The DEP must respond within 90 days after receiving a response from the tax credit applicant to such a notice of deficiency.<sup>34</sup>

Tax credits are applied against the state corporate income tax and are eligible for a one-time transfer within a five-year period.<sup>35</sup> Tax credit certificates are awarded by the DEP from an annual \$35 million authorization.<sup>36</sup> Tax credit awards in excess of \$35 million for any given fiscal year are issued from the next available tax credit authorization.<sup>37</sup> The VCTC program has approved approximately \$201.2 million in tax credits since it began more than 20 years ago.<sup>38</sup>

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<sup>25</sup> *Id.*

<sup>26</sup> *Id.*; section 376.30781(3)(a) and (b), F.S.

<sup>27</sup> Section 376.30781(3)(c), F.S.

<sup>28</sup> The DEP, *Florida Brownfields Redevelopment Program Annual Report: FY 2023-24* at 7; section 376.30781(3)(e), F.S.

<sup>29</sup> Section 376.30781(3)(e), F.S.

<sup>30</sup> Section 376.30781(5)(a), F.S.

<sup>31</sup> Section 376.30781(9), F.S. Tax credit applications claiming costs for solid waste removal are not subject to the calendar-year limitation and January 31 annual application deadline. Section 376.30781(3)(e), F.S.

<sup>32</sup> Section 376.30781(8)(a), F.S.

<sup>33</sup> Section 376.30781(9), F.S.

<sup>34</sup> *Id.*

<sup>35</sup> The DEP, *Florida Brownfields Redevelopment Program Annual Report: FY 2023-24* at 7, available at <https://floridadep.gov/sites/default/files/2024%20Brownfields%20Program%20Legislative%20Report%208.1.2024.pdf>.

<sup>36</sup> The DEP, *Voluntary Cleanup Tax Credit*, <https://floridadep.gov/waste/waste-cleanup/content/voluntary-cleanup-tax-credit> (last visited on Mar. 12, 2025).

<sup>37</sup> *Id.*

<sup>38</sup> The DEP, *Florida Brownfields Redevelopment Program Annual Report: FY 2023-24* at 7. This also includes incentives for the voluntary cleanup of drycleaning solvent-contaminated sites. *See id.*

## Local Pollution Control Programs

Counties and municipalities may establish and administer a local pollution control program provided it complies with all other provisions of the Florida Air and Water Pollution Control Act (FAWPCA).<sup>39</sup> All local pollution control programs must:<sup>40</sup>

- Be approved by the DEP as adequate to meet the requirements of the FAWPCA and any applicable rules and regulations pursuant thereto;
- Provide by ordinance, regulation, or local law for requirements compatible with, or stricter or more extensive than those imposed by the FAWPCA and regulations issued thereunder;
- Provide for the enforcement of such requirements by appropriate administrative and judicial process; and
- Provide for administrative organization, staff, financial and other resources necessary to effectively and efficiently carry out its program.

If the DEP determines that a local pollution control program is inadequate to prevent and control pollution, or is being administered in a manner inconsistent with the requirements of the FAWPCA, it may require necessary corrective measures.<sup>41</sup> If these corrective measures are not implemented, the DEP may reassume implementation of the FAWPCA within the jurisdiction.<sup>42</sup> Each local pollution control program must cooperate with and assist the DEP in carrying out its powers, duties, and functions.<sup>43</sup>

### III. Effect of Proposed Changes:

**Section 1** amends s. 376.303, F.S., regarding the powers and duties of the Department of Environmental Protection (DEP). The bill eliminates the requirement for brownfield property owners to provide local governments with institutional control information for mapping purposes when a contaminated site in a designated brownfield area has such controls in place. It also removes the obligation for local governments to: (1) note the existence of institutional controls on land use and zoning maps; and (2) remove such notations when the local government is provided with evidence that the DEP has issued a “no further action” order without institutional controls for a site currently noted on such maps.

Under current law, the DEP must maintain a registry of all contaminated sites located in a brownfield area which are subject to institutional and engineering controls. Sites for which the DEP has issued a “no further action” order must be removed from this registry. The bill amends this to require that sites be removed from the registry when the DEP has issued a “site rehabilitation completion order,” rather than a “no further action order.”

**Section 2** amends s. 376.30781, F.S., regarding tax credits for rehabilitation of brownfield sites in designated brownfield areas. The bill removes the provision that the additional 25 percent tax credit for site rehabilitation costs can be claimed in the final year of cleanup as evidenced by a “no further action” order issued by the DEP. Instead, the bill provides that the credit may be

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<sup>39</sup> Section 403.182, F.S.; *see also* ch. 67-436, s. 2, Laws of Fla. (identifying the short title of the act).

<sup>40</sup> Section 403.182(1), F.S.

<sup>41</sup> *See* section 403.182(4), F.S.

<sup>42</sup> *See id.*

<sup>43</sup> Section 403.182(10), F.S.

claimed if the DEP approves the applicant's annual site rehabilitation application and issues a site rehabilitation completion order. The bill provides that the tax credit applicant must submit the claim for the additional 25 percent within two years after receipt of the site rehabilitation completion order for that site.

Under current law, costs related to solid waste removal are eligible for a tax credit if the applicant submits an affidavit stating that, to the best of the applicant's knowledge based upon a consultation with appropriate local government officials and available historical records, the brownfield site was never operated as a permitted solid waste disposal area or was never operated for monetary compensation, and the applicant submits all other required documentation and certifications required by law.<sup>44</sup> The bill limits the restriction to sites that were never operated as a permitted solid waste disposal area regulated by modern DEP rules but eliminates both the affidavit requirement and the requirement that the brownfield site was never operated for monetary compensation.<sup>45</sup>

The bill also extends the deadline for the DEP to notify tax credit applicants of their eligibility status and credit amount from May 1 to June 1. It also gives the DEP an additional 30 days (for a total of 120 days instead of the current 90 days) to respond after receiving a tax credit applicant's response to a notice of deficiency.

**Section 3** amends s. 376.78, F.S., regarding the legislative intent for the Pollutant Discharge Prevention and Control Act. Currently, this statute provides that the reduction of public health and environmental hazards on "existing commercial and industrial" sites is vital to their use and reuse as sources of employment, housing, recreation, and open space areas. The bill changes "existing commercial and industrial sites" to "sites proposed to be rehabilitated and redeveloped."

**Section 4** amends s. 376.79, F.S., which provides definitions for the Brownfields Redevelopment Act. Currently, this statute defines "brownfield sites" as real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination. The bill changes the term "brownfield sites" to "brownfield" and adds that the term only includes real property which has not yet been entered into a brownfield site rehabilitation agreement.

The bill adds the following new definition for "brownfield site": the real property identified in a brownfield site rehabilitation agreement executed by the person responsible for brownfield site rehabilitation of the property and the DEP or a delegated local pollution control program, as applicable.

**Section 5** amends s. 376.81, F.S., regarding brownfield site and brownfield areas contamination cleanup criteria. The bill includes the following legislative findings:

- Rehabilitation and redevelopment of a potential brownfield site that is a portion of a larger contaminated site is significantly complicated when multiple parties may own, lease, or operate different portions of the contaminated site.

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<sup>44</sup> See section 376.30781(3)(e), F.S.

<sup>45</sup> The bill also removes the definition for "monetary compensation." The term is not used elsewhere in this section of law.



- Delaying a person’s ability to achieve a “No Further Action” status for a potential brownfield site until such time as the owners, lessees, or operators of all other portions of the larger historical contaminated site have completed site rehabilitation on their respective portions is not in the public’s interest, as such delay disincentivizes rehabilitation and redevelopment of the potential brownfield site by imposing unnecessary legal burdens, technical obstacles, and financial costs.
- It is in the public interest to remove any such barriers to the rehabilitation and redevelopment of property by providing a clear path to obtaining a “No Further Action” status in cases where a potential brownfield site is only a portion of a larger contaminated site.

The bill provides that if the person responsible for a brownfield site rehabilitation demonstrates compliance with the applicable contamination cleanup criteria, and the brownfield site is only a portion of a larger contaminated site, the DEP or any delegated local pollution control program may not:

- Deny a “No Further Action” status for the brownfield site; or
- Refuse to issue a site rehabilitation completion order for the brownfield site, regardless of whether it has engineering and institutional controls. This applies even where similar contamination exists elsewhere on the contaminated site which was the result of similar or related activities or operations that occurred both on the contaminated site and the brownfield site, provided that all soil and groundwater contamination emanating from the brownfield site is adequately addressed pursuant to ch. 62-780 of the Florida Administrative Code.

This applies to all brownfield sites, irrespective of the effective date of the brownfield site rehabilitation agreement.

The bill also provides that the cleanup criteria described in s. 376.81, F.S., applies only to site rehabilitation activities occurring at a “brownfield site,” rather than a “contaminated site,” as the law currently provides.<sup>46</sup>

**Section 6** amends s. 376.82, F.S., regarding eligibility criteria and liability protection for the brownfield program. Currently, any person who has not caused or contributed to the contamination of a brownfield site on or after July 1, 1997, is eligible to participate in the brownfield program, subject to certain conditions. The bill provides that a local governmental entity may also participate in the program, including any other person who may be organized or united with the local governmental entity for a business purpose, if such entity or person did not cause or contribute to the contamination of a brownfield site on or after July 1, 2025.

Under current law, certain sites are not eligible for participation in the brownfield program unless specific exemptions are secured by a memorandum of agreement (MOA) with the U.S. Environmental Protection Agency (EPA).<sup>47</sup> The bill amends this process by providing that, instead of securing an exemption through the MOA, these sites may participate in the

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<sup>46</sup> “Contaminated site” means any contiguous land, sediment, surface water, or groundwater areas that contain contaminants that may be harmful to human health or the environment. Section 376.79(7), F.S. The bill defines “brownfield site” as the real property identified in a brownfield site rehabilitation agreement executed by the person responsible for brownfield site rehabilitation of the property and the DEP or a delegated local pollution control program, as applicable.

<sup>47</sup> See section 376.82(1)(a), F.S.

brownfields program if the EPA issues a letter stating it has no objection to the site's participation, and the DEP issues a letter of concurrence.

Currently, people who did not cause or contribute to contamination at a brownfield site after July 1, 1997 (i.e., people who are currently eligible to participate in the program) but who are subject to ongoing corrective action or enforcement under state authority may still be eligible for participation in a brownfield site rehabilitation agreement if certain conditions are met, including, among other things, that program participation will create at least 10 new permanent jobs. The bill provides that the job creation requirement does not apply to the rehabilitation and redevelopment of a brownfield site that will:

- Provide housing that is affordable;<sup>48</sup>
- Create recreational areas, conservation areas, or parks; or
- Be maintained for cultural or historical preservation purposes.

Current law required the DEP to attempt to negotiate an MOA or similar document with the EPA whereby the EPA agrees to forego enforcement of federal corrective action authority at brownfield sites that have received a site rehabilitation completion or "no further action" determination from the DEP or the approved local pollution control program, or that are in the process of implementing a brownfield site rehabilitation agreement. Such a MOA was entered into in November 2005.<sup>49</sup> The bill removes this provision and instead provides that, if the EPA issues a letter stating it has no objection to a site's participation and the person seeking to participate in the brownfield program can reasonably demonstrate he or she will conduct site rehabilitation pursuant to the state contamination cleanup criteria, the DEP may issue a letter of no objection that states the person may participate in the brownfield program.

The bill provides that the DEP may *not* require as a condition of such letter of concurrence that the EPA forego enforcement of federal corrective action authority at brownfield sites that have received a site rehabilitation completion order. The bill requires the letters of no objection from the EPA and concurrence from the DEP to be added as attachments to the brownfield site rehabilitation agreement.

The bill provides that proposed brownfield sites that are subject to ongoing formal judicial or administrative enforcement action or corrective action pursuant to an EPA order under s. 3008(h) of the Resource Conservation and Recovery Act, or that have obtained or are required to obtain a permit for the operation of a hazardous waste treatment, storage, or disposal facility, a post-closure permit, or a permit pursuant to the federal Hazardous and Solid Waste Amendments of 1984 are eligible for participation in the brownfield program provided that the sites:

- Obtain the necessary letters of no objection and concurrence; or

---

<sup>48</sup> "Affordable" means that monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households of extremely-low-income persons, very-low-income persons, low-income persons, or moderate-income persons. Section 420.0004(3), F.S.

<sup>49</sup> See EPA and DEP, *Memorandum of Agreement between the Florida Department of Environmental Protection and the United States Environmental Protection Agency Region 4*, 4 (2005), available at [https://floridadep.gov/sites/default/files/Brownfields%20MOA%20with%20EPA%2011-28-05\\_0.pdf](https://floridadep.gov/sites/default/files/Brownfields%20MOA%20with%20EPA%2011-28-05_0.pdf). (last visited Mar. 22, 2025).

- Comply with the provisions of Section V<sup>50</sup> of the Memorandum of Agreement between the DEP and the EPA Region 4 covering Florida's Brownfield Program, dated November 28, 2005, as may be amended.

**Sections 7 and 8** amend ss. 196.1995 and 288.1175, F.S., respectively, to make conforming changes.

**Section 9** reenacts s. 1004.53, F.S., to incorporate the amendments made by the bill to s. 376.79, F.S.

**Section 10** provides an effective date of July 1, 2025.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

---

<sup>50</sup> Section V provides the following: "Region 4's relationship with FDEP regarding RCRA facilities eligible for the [state brownfields program] will be conducted in accordance with the RCRA MOA, under 40 C.F.R. § 271.8, and other provisions governing the authorized program under RCRA Subtitle C. Region 4 recognizes that FDEP can determine whether to take State action at RCRA facilities under its State law and consistent with the provisions governing the State's authorized program. Region 4 also recognizes that those RCRA sites which participate in the BP may qualify for the economic and regulatory benefits specific to the Act." DEP and EPA, *Memorandum of Agreement between the Florida Department of Environmental Protection and the United States Environmental Protection Agency Region 4*, 4-5 (2005), available at [https://floridadep.gov/sites/default/files/Brownfields%20MOA%20with%20EPA%2011-28-05\\_0.pdf](https://floridadep.gov/sites/default/files/Brownfields%20MOA%20with%20EPA%2011-28-05_0.pdf).

**B. Private Sector Impact:**

The expanded eligibility for the voluntary cleanup tax credit will provide eligible corporate taxpayers with tax savings.

**C. Government Sector Impact:**

The Revenue Estimating Conference determined that HB 733 on Brownfields (which is similar to this bill) would have no fiscal impact because the \$35 million authorization cap remains unchanged under the bill.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 376.303, 376.30781, 376.78, 376.79, 376.81, 376.82, 196.1995, 288.1175, and 1004.53.

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS/CS by Appropriations Committee on Agriculture, Environment, and General Government on March 26, 2025:**

The committee substitute clarifies that a letter of no objection is required from the United States Environmental Protection Agency rather than a letter of concurrence as attachments to the brownfield site rehabilitation agreement.

**CS by Environment and Natural Resources on March 11, 2025:**

- Clarifies that solid waste disposal areas are *regulated* pursuant to s. 403.704, F.S., rather than *defined by* rules adopted pursuant to s. 403.704., F.S.
- Clarifies that a person responsible for a brownfield site rehabilitation must demonstrate compliance with the applicable contamination cleanup criteria.
- Removes the provision that added trusts as an example of the type of “person” that may propose a brownfield area designation.
- Restores language providing that the identification of a person responsible for brownfield site rehabilitation simply entitles the identified person to negotiate a brownfield site rehabilitation agreement with the Department of Environmental Protection (DEP) or approved local pollution control program.

- Restores the requirement that the *procedures* for public hearings, rather than just the *notices*, must follow governing county and municipality resolution adoption processes.
- Permits (rather than requires) DEP to allow certain otherwise ineligible sites to participate in the brownfield program if the U.S. Environmental Protection Agency issues a no-objection letter and other criteria are met.
- Modifies eligibility for brownfield sites subject to federal orders or hazardous waste permits, allowing them to either obtain letters of concurrence *or* comply with the memorandum of agreement, instead of requiring both.
- Corrects the date of the memorandum of agreement from 2025 to 2005.

B. Amendments:

None.



264904

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/26/2025	.	
	.	
	.	
	.	

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The Appropriations Committee on Agriculture, Environment, and General Government (Truenow) recommended the following:

**Senate Amendment**

Delete lines 408 - 424  
and insert:  
letter of no objection from the United States Environmental Protection Agency and the letter of concurrence from the department must be added as attachments to the brownfield site rehabilitation agreement.

2. Proposed brownfield sites that are subject to ongoing formal judicial or administrative enforcement action or



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11 corrective action pursuant to an order from the United States  
12 Environmental Protection Agency pursuant to s. 3008(h) of the  
13 Resource Conservation and Recovery Act, as amended by 42 U.S.C.  
14 s. 6928(h), or that have obtained or are required to obtain a  
15 permit for the operation of a hazardous waste treatment,  
16 storage, or disposal facility, a post-closure permit, or a  
17 permit pursuant to the federal Hazardous and Solid Waste  
18 Amendments of 1984 are eligible for participation in the  
19 brownfield program established in ss. 376.77-376.85, provided  
20 that the sites:

21 a. Obtain the necessary letters of no objection and  
22 concurrence pursuant to subparagraph 1. and subparagraph  
23 (1) (b) 1.; or  
24

By the Committee on Environment and Natural Resources; and  
Senators Truenow and Brodeur

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1 A bill to be entitled  
2 An act relating to brownfields; amending s. 376.303,  
3 F.S.; deleting a provision requiring certain property  
4 owners to provide information regarding institutional  
5 controls to the local government for mapping purposes;  
6 deleting local government requirements for such  
7 mapping; requiring that sites issued a site  
8 rehabilitation completion order without institutional  
9 controls be removed from the registry of all  
10 contaminated sites located in a brownfield area;  
11 amending s. 376.30781, F.S.; revising the conditions  
12 under which an applicant who has rehabilitated a  
13 contaminated site may submit and claim certain tax  
14 credits; specifying a timeframe within which such tax  
15 credit application must be submitted; revising the  
16 criteria for determining applicants who are  
17 redeveloping brownfield sites who may be eligible for  
18 certain tax credits; deleting the definition of the  
19 term "monetary compensation"; revising the date by  
20 which the Department of Environmental Protection must  
21 issue annual site rehabilitation tax credit  
22 certificate awards; revising the amount of time the  
23 department has to respond to a tax credit applicant  
24 regarding a certain notice; amending s. 376.78, F.S.;  
25 conforming provisions to changes made by the act;  
26 amending s. 376.79, F.S.; revising definitions,  
27 defining the terms "brownfield" and "brownfield site";  
28 amending s. 376.81, F.S.; providing legislative  
29 findings; prohibiting the department or a delegated

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30 local pollution control program from denying a  
31 specified status or refusing to issue a specified  
32 order for certain brownfield sites that are only a  
33 portion of larger contaminated sites; providing  
34 applicability; amending s. 376.82, F.S.; revising the  
35 persons and sites eligible for participation in the  
36 brownfield program; revising requirements for such  
37 participation; requiring that completion of the  
38 performance of remediation obligations at the  
39 brownfield site be evidenced by a site rehabilitation  
40 completion order; revising the information necessary  
41 from the United States Environmental Protection Agency  
42 and the department for a person's participation in the  
43 program; specifying that certain brownfield sites are  
44 eligible to participate in the brownfield program  
45 under certain circumstances; amending ss. 196.1995 and  
46 288.1175, F.S.; conforming cross-references;  
47 reenacting s. 1004.53(1), F.S., relating to the Center  
48 for Brownfield Rehabilitation Assistance, to  
49 incorporate the amendment made to s. 376.79, F.S., in  
50 a reference thereto; providing an effective date.

51  
52 Be It Enacted by the Legislature of the State of Florida:

53  
54 Section 1. Subsections (5) and (6) of section 376.303,  
55 Florida Statutes, are amended to read:

56 376.303 Powers and duties of the Department of  
57 Environmental Protection.—

58 (5) ~~MAPPING. If an institutional control is implemented at~~

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59 any contaminated site in a brownfield area designated pursuant  
 60 to s. 376.80, the property owner must provide information  
 61 regarding the institutional control to the local government for  
 62 mapping purposes. The local government must then note the  
 63 existence of the institutional control on any relevant local  
 64 land use and zoning maps with a cross-reference to the  
 65 department's site registry developed pursuant to subsection (6).  
 66 If the type of institutional control used requires recording  
 67 with the local government, then the map notation shall also  
 68 provide a cross-reference to the book and page number where  
 69 recorded. When a local government is provided with evidence that  
 70 the department has subsequently issued a no further action order  
 71 without institutional controls for a site currently noted on  
 72 such maps, the local government shall remove the notation.

73 (6) REGISTRY.—The department shall prepare and maintain a  
 74 registry of all contaminated sites located in a brownfield area  
 75 designated pursuant to s. 376.80, which are subject to  
 76 institutional and engineering controls, in order to provide a  
 77 mechanism for the public and local governments to monitor the  
 78 status of these controls, monitor the department's short-term  
 79 and long-term protection of human health and the environment in  
 80 relation to these sites, and evaluate economic revitalization  
 81 efforts in these areas. At a minimum, the registry must shall  
 82 include the type of institutional or engineering controls  
 83 employed at a particular site, types of contaminants and  
 84 affected media, land use limitations, and the county in which  
 85 the site is located. Sites listed on the registry at which the  
 86 department has subsequently issued a site rehabilitation  
 87 completion no further action order without institutional

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88 controls must shall be removed from the registry. The department  
 89 shall make the registry available to the public and local  
 90 governments within 1 year after the effective date of this act.  
 91 The department shall provide local governments with actual  
 92 notice when the registry becomes available. Local zoning and  
 93 planning offices shall post information on how to access the  
 94 registry in public view.

95 Section 2. Paragraphs (c), (d), and (e) of subsection (3)  
 96 and subsection (9) of section 376.30781, Florida Statutes, are  
 97 amended to read:

98 376.30781 Tax credits for rehabilitation of drycleaning-  
 99 solvent-contaminated sites and brownfield sites in designated  
 100 brownfield areas; application process; rulemaking authority;  
 101 revocation authority.—

102 (3)

103 (c) In order to encourage completion of site rehabilitation  
 104 at contaminated sites that are being voluntarily cleaned up and  
 105 that are eligible for a tax credit under this section, the tax  
 106 credit applicant may claim an additional 25 percent of the total  
 107 site rehabilitation costs, not to exceed \$500,000, if the  
 108 Department of Environmental Protection has approved the  
 109 applicant's annual site rehabilitation application and has  
 110 issued a site rehabilitation completion in the final year of  
 111 cleanup as evidenced by the Department of Environmental  
 112 Protection issuing a "No Further Action" order for that site.  
 113 The tax credit applicant must submit the claim for the  
 114 additional 25 percent within 2 years after receipt of the site  
 115 rehabilitation completion order for that site.

116 (d) In order to encourage the construction of housing that

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117 meets the definition of affordable provided in s. 420.0004, an  
 118 applicant for the tax credit may claim an additional 25 percent  
 119 of the total site rehabilitation costs that are eligible for tax  
 120 credits under this section, not to exceed \$500,000. To receive  
 121 this additional tax credit, the applicant must provide a  
 122 certification letter from the Florida Housing Finance  
 123 Corporation, the local housing authority, or other governmental  
 124 agency that is a party to the use agreement indicating that the  
 125 construction on the brownfield site has received a certificate  
 126 of occupancy and the brownfield site has a properly recorded  
 127 instrument that limits the use of the property to housing.  
 128 Notwithstanding that only one application may be submitted each  
 129 year for each site, an application for the additional credit  
 130 provided for in this paragraph must ~~shall~~ be submitted after all  
 131 requirements to obtain the additional tax credit have been met.

132 (e) In order to encourage the redevelopment of a brownfield  
 133 site, as defined in the brownfield site rehabilitation  
 134 agreement, that is hindered by the presence of solid waste, as  
 135 defined in s. 403.703, costs related to solid waste removal may  
 136 also be claimed under this section. A tax credit applicant, or  
 137 multiple tax credit applicants working jointly to clean up a  
 138 single brownfield site, may also claim costs to address the  
 139 solid waste removal as defined in this paragraph in accordance  
 140 with department rules. Multiple tax credit applicants shall be  
 141 granted tax credits in the same proportion as each applicant's  
 142 contribution to payment of solid waste removal costs. These  
 143 costs are eligible for a tax credit provided that the applicant  
 144 meets the eligibility requirements of s. 376.82(1) and that  
 145 submits an affidavit stating that, after consultation with

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146 ~~appropriate local government officials and the department, to~~  
 147 ~~the best of the applicant's knowledge based upon such~~  
 148 ~~consultation and available historical records,~~ the brownfield  
 149 site was never operated as a permitted solid waste disposal area  
 150 as regulated pursuant to s. 403.704 ~~or was never operated for~~  
 151 ~~monetary compensation, and the applicant submits all other~~  
 152 ~~documentation and certifications required by this section.~~ In  
 153 this section, where reference is made to "site rehabilitation,"  
 154 the department shall instead consider whether the costs claimed  
 155 are for solid waste removal. Tax credit applications claiming  
 156 costs pursuant to this paragraph are ~~shall not be~~ subject to the  
 157 calendar-year limitation and January 31 annual application  
 158 deadline, and the department shall accept a one-time application  
 159 filed subsequent to the completion by the tax credit applicant  
 160 of the applicable requirements listed in this subsection. A tax  
 161 credit applicant may claim 50 percent of the costs for solid  
 162 waste removal, not to exceed \$500,000, after the applicant has  
 163 determined solid waste removal is completed for the brownfield  
 164 site. A solid waste removal tax credit application may be filed  
 165 only once per brownfield site. For the purposes of this section,  
 166 the term:

- 167 1. "Solid waste disposal area" means a landfill, dump, or  
 168 other area where solid waste has been disposed.
- 169 2. ~~"Monetary compensation" means the fees that were charged~~  
 170 ~~or the assessments that were levied for the disposal of solid~~  
 171 ~~waste at a solid waste disposal area.~~
- 172 3. "Solid waste removal" means removal of solid waste from  
 173 the land surface or excavation of solid waste from below the  
 174 land surface and removal of the solid waste from the brownfield

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175 site. The term also includes:

- 176 a. Transportation of solid waste to a licensed or exempt  
177 solid waste management facility or to a temporary storage area.  
178 b. Sorting or screening of solid waste prior to removal  
179 from the site.  
180 c. Deposition of solid waste at a permitted or exempt solid  
181 waste management facility, whether the solid waste is disposed  
182 of or recycled.

183 (9) On or before June ~~May~~ 1, the Department of  
184 Environmental Protection shall inform each tax credit applicant  
185 ~~that is~~ subject to the January 31 annual application deadline of  
186 the applicant's eligibility status and the amount of any tax  
187 credit due. The department shall provide each eligible tax  
188 credit applicant with a tax credit certificate that must be  
189 submitted with its tax return to the Department of Revenue to  
190 claim the tax credit or be transferred pursuant to s.  
191 220.1845(2)(g). The June ~~May~~ 1 deadline for annual site  
192 rehabilitation tax credit certificate awards does ~~shall~~ not  
193 apply to any tax credit application for which the department has  
194 issued a notice of deficiency pursuant to subsection (8). The  
195 department shall respond within 120 ~~90~~ days after receiving a  
196 response from the tax credit applicant to such a notice of  
197 deficiency. Credits may not result in the payment of refunds if  
198 total credits exceed the amount of tax owed.

199 Section 3. Subsection (1) of section 376.78, Florida  
200 Statutes, is amended to read:

201 376.78 Legislative intent.—The Legislature finds and  
202 declares the following:

- 203 (1) The reduction of public health and environmental

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204 hazards on ~~existing commercial and industrial sites~~ proposed to  
205 be rehabilitated and redeveloped is vital to their use and reuse  
206 as sources of employment, housing, recreation, and open space  
207 areas. The reuse of such sites ~~industrial land~~ is an important  
208 component of sound land use policy for productive urban purposes  
209 which will help prevent the premature development of farmland,  
210 open space areas, and natural areas, and reduce public costs for  
211 installing new water, sewer, and highway infrastructure.

212 Section 4. Present subsections (6) through (21) of section  
213 376.79, Florida Statutes, are redesignated as subsections (7)  
214 through (22), respectively, a new subsection (6) is added to  
215 that section, and subsections (4) and (5) of that section are  
216 amended, to read:

217 376.79 Definitions relating to Brownfields Redevelopment  
218 Act.—As used in ss. 376.77-376.85, the term:

219 (4) "Brownfield ~~sites~~" means any real property, the  
220 expansion, redevelopment, or reuse of which may be complicated  
221 by actual or perceived environmental contamination and which has  
222 not yet been entered into a brownfield site rehabilitation  
223 agreement pursuant to s. 376.80(5).

224 (5) "Brownfield area" means a contiguous area of one or  
225 more brownfields ~~brownfield sites~~, some of which may not be  
226 contaminated, and which has been designated by a local  
227 government by resolution. Such areas may include all or portions  
228 of community redevelopment areas, enterprise zones, empowerment  
229 zones, other such designated economically deprived communities  
230 and areas, and United States Environmental Protection Agency-  
231 designated brownfield pilot projects.

232 (6) "Brownfield site" means the real property identified in

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233 a brownfield site rehabilitation agreement executed by the  
 234 person responsible for brownfield site rehabilitation of the  
 235 property and the department or a delegated local pollution  
 236 control program, as applicable.

237 Section 5. Present subsection (3) of section 376.81,  
 238 Florida Statutes, is redesignated as subsection (4), a new  
 239 subsection (3) is added to that section, and present subsection  
 240 (3) of that section is amended, to read:

241 376.81 Brownfield site and brownfield areas contamination  
 242 cleanup criteria.—

243 (3) (a) The Legislature finds that rehabilitation and  
 244 redevelopment of a potential brownfield site that is a portion  
 245 of a larger contaminated site are significantly complicated when  
 246 multiple parties may own, lease, or operate different portions  
 247 of the contaminated site. The Legislature further finds that  
 248 delaying a person's ability to achieve a "No Further Action"  
 249 status for a potential brownfield site until such time as the  
 250 owners, lessees, or operators of all other portions of the  
 251 larger historical contaminated site have completed site  
 252 rehabilitation on their respective portions is not in the public  
 253 interest, as such delay disincentivizes rehabilitation and  
 254 redevelopment of the potential brownfield site by imposing  
 255 unnecessary legal burdens, technical obstacles, and financial  
 256 costs.

257 (b) Therefore, the Legislature finds that it is in the  
 258 public interest to remove any such barriers to the  
 259 rehabilitation and redevelopment of property by providing a  
 260 clear path to obtaining a "No Further Action" status in cases  
 261 where a potential brownfield site is only a portion of a larger

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262 contaminated site.

263 (c) If the person responsible for a brownfield site  
 264 rehabilitation demonstrates compliance with the applicable  
 265 contamination cleanup criteria described in subsection (1), and  
 266 the brownfield site is only a portion of a larger contaminated  
 267 site, the department or any delegated local pollution control  
 268 program under s. 376.80(9) may not:

269 1. Deny a "No Further Action" status for the brownfield  
 270 site; or

271 2. Refuse to issue a site rehabilitation completion order  
 272 for the brownfield site, regardless of whether it has  
 273 engineering and institutional controls. This subparagraph  
 274 applies even where similar contamination exists elsewhere on the  
 275 contaminated site which was the result of similar or related  
 276 activities or operations that occurred both on the contaminated  
 277 site and the brownfield site, provided that all soil and  
 278 groundwater contamination emanating from the brownfield site is  
 279 adequately addressed pursuant to chapter 62-780, Florida  
 280 Administrative Code.

281 (d) This subsection applies to all brownfield sites,  
 282 irrespective of the effective date of the brownfield site  
 283 rehabilitation agreement.

284 (4)(3) The cleanup criteria described in this section  
 285 govern only site rehabilitation activities occurring at the  
 286 brownfield ~~contaminated~~ site. Removal of contaminated media from  
 287 a site for offsite relocation or treatment must be in accordance  
 288 with all applicable federal, state, and local laws and  
 289 regulations.

290 Section 6. Paragraphs (a) and (b) of subsection (1) and

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291 paragraphs (e) and (g) of subsection (2) of section 376.82,  
292 Florida Statutes, are amended to read:

293 376.82 Eligibility criteria and liability protection.—

294 (1) ELIGIBILITY.—

295 (a) All of the following persons are eligible to  
296 participate in the brownfield program established in ss. 376.77-  
297 376.85:

298 1. Notwithstanding subparagraph 2., a ~~any~~ person who has  
299 not caused or contributed to the contamination of a brownfield  
300 site on or after July 1, 1997.

301 2. A local governmental entity, including any other person  
302 who may be organized or united with the local governmental  
303 entity for a business purpose, if such entity or person did not  
304 cause or contribute to the contamination of a brownfield site on  
305 or after July 1, 2025.

306 (b) A person eligible to participate in the brownfield  
307 program pursuant to paragraph (a) is, ~~is eligible to participate~~  
308 in the brownfield program established in ss. 376.77-376.85,  
309 subject to the following:

310 1. ~~(a)~~ Potential brownfield sites that are subject to an  
311 ongoing formal judicial or administrative enforcement action or  
312 corrective action pursuant to federal authority, including, but  
313 not limited to, the Comprehensive Environmental Response  
314 Compensation and Liability Act, 42 U.S.C. ss. 9601 et seq., as  
315 amended; the Safe Drinking Water Act, 42 U.S.C. ss. 300f-300i,  
316 as amended; the Clean Water Act, 33 U.S.C. ss. 1251-1387, as  
317 amended; or under an order from the United States Environmental  
318 Protection Agency pursuant to s. 3008(h) of the Resource  
319 Conservation and Recovery Act, as amended (42 U.S.C.A. s.

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320 6928(h)); or that have obtained or are required to obtain a  
321 permit for the operation of a hazardous waste treatment,  
322 storage, or disposal facility; a ~~post-closure~~ ~~postclosure~~  
323 permit; or a permit pursuant to the federal Hazardous and Solid  
324 Waste Amendments of 1984, are not eligible for participation in  
325 the brownfield program established in ss. 376.77-376.85 unless,  
326 pursuant to paragraph (2) (g), ~~specific exemptions are secured by~~  
327 a ~~memorandum of agreement with~~ the United States Environmental  
328 Protection Agency issues a letter stating it has no objection to  
329 such participation and the department issues a letter of  
330 concurrence ~~pursuant to paragraph (2) (g).~~ A brownfield site  
331 within an eligible brownfield area that subsequently becomes  
332 subject to formal judicial or administrative enforcement action  
333 or corrective action under such federal authority shall have its  
334 eligibility revoked unless, ~~specific exemptions are secured by a~~  
335 memorandum of agreement with the United States Environmental  
336 Protection Agency pursuant to paragraph (2) (g), the United  
337 States Environmental Protection Agency issues a letter stating  
338 it has no objection to such participation and the department  
339 issues a letter of concurrence.

340 2. ~~(b)~~ A person who is eligible to participate in the  
341 brownfield program pursuant to paragraph (a) ~~Persons who have~~  
342 not caused or contributed to the contamination of a brownfield  
343 site on or after July 1, 1997, and who, ~~before~~ ~~prior~~ to the  
344 department's approval of a brownfield site rehabilitation  
345 agreement, is ~~are~~ subject to ongoing corrective action or  
346 enforcement under state authority established in this chapter or  
347 chapter 403, including those persons subject to a pending  
348 consent order with the state, is ~~are~~ eligible for participation

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349 in a brownfield site rehabilitation agreement if:

350 ~~a.1-~~ The proposed brownfield site is currently idle or  
 351 underutilized as a result of the contamination, and  
 352 participation in the brownfield program will immediately, after  
 353 cleanup or sooner, result in increased economic productivity at  
 354 the site, including at a minimum the creation of 10 new  
 355 permanent jobs, whether full-time or part-time, which are not  
 356 associated with implementation of the brownfield site  
 357 rehabilitation agreement. However, the job creation requirement  
 358 does not apply to the rehabilitation and redevelopment of a  
 359 brownfield site that will provide housing that is affordable as  
 360 defined in s. 420.0004; create recreational areas, conservation  
 361 areas, or parks; or be maintained for cultural or historical  
 362 preservation purposes; and

363 ~~b.2-~~ The person is complying in good faith with the terms  
 364 of an existing consent order or department-approved corrective  
 365 action plan, or responding in good faith to an enforcement  
 366 action, as evidenced by a determination issued by the department  
 367 or an approved local pollution control program.

368 (2) LIABILITY PROTECTION.—

369 (e) Completion of the performance of the remediation  
 370 obligations at the brownfield site shall be evidenced by a site  
 371 rehabilitation completion ~~order letter or a "no further action"~~  
 372 ~~letter~~ issued by the department or the approved local pollution  
 373 control program, which letter shall include the following  
 374 statement: "Based upon the information provided by (property  
 375 owner) concerning property located at (address), it is the  
 376 opinion of (the Florida Department of Environmental Protection  
 377 or approved local pollution control program) that (party) has

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378 successfully and satisfactorily implemented the approved  
 379 brownfield site rehabilitation agreement schedule and,  
 380 accordingly, no further action is required to assure that any  
 381 land use identified in the brownfield site rehabilitation  
 382 agreement is consistent with existing and proposed uses."

383 (g)1. The Legislature recognizes the benefits of promoting  
 384 the reuse of brownfield sites, even when subject to its  
 385 ~~limitations in addressing cleanup liability under federal~~  
 386 ~~pollution control programs, including those enumerated in~~  
 387 subparagraph (1)(b)1. In an effort to encourage such reuse  
 388 ~~secure federal liability protection~~ for persons willing to  
 389 undertake ~~remediation~~ responsibility for site rehabilitation at  
 390 a brownfield site, the department may, upon receipt of a letter  
 391 ~~from shall attempt to negotiate a memorandum of agreement or~~  
 392 ~~similar document with the United States Environmental Protection~~  
 393 Agency stating it has no objection to a site's participation  
 394 pursuant to subparagraph (1)(b)1. and upon a reasonable  
 395 demonstration by the person seeking to participate in the  
 396 brownfield program that he or she will conduct site  
 397 rehabilitation pursuant to s. 376.81, issue a letter of no  
 398 objection that states the person may participate in the  
 399 brownfield program. The department may not require, as a  
 400 condition of such letter of concurrence, that, whereby the  
 401 United States Environmental Protection Agency ~~agree~~ agrees to  
 402 forego enforcement of federal corrective action authority at  
 403 brownfield sites that have received a site rehabilitation  
 404 completion ~~order or "No Further Action" determination~~ from the  
 405 department or the approved local pollution control program or  
 406 that are in the process of implementing a brownfield site

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407 rehabilitation agreement in accordance with this act. The  
 408 letters of concurrence from the United States Environmental  
 409 Protection Agency and the department must be added as  
 410 attachments to the brownfield site rehabilitation agreement.

411 2. Proposed brownfield sites that are subject to ongoing  
 412 formal judicial or administrative enforcement action or  
 413 corrective action pursuant to an order from the United States  
 414 Environmental Protection Agency pursuant to s. 3008(h) of the  
 415 Resource Conservation and Recovery Act, as amended by 42 U.S.C.  
 416 s. 6928(h), or that have obtained or are required to obtain a  
 417 permit for the operation of a hazardous waste treatment,  
 418 storage, or disposal facility, a post-closure permit, or a  
 419 permit pursuant to the federal Hazardous and Solid Waste  
 420 Amendments of 1984 are eligible for participation in the  
 421 brownfield program established in ss. 376.77-376.85, provided  
 422 that the sites:

423 a. Obtain the necessary letters of concurrence pursuant to  
 424 paragraph (1) (b) and subparagraph 1.; or

425 b. Comply with the provisions of Section V of the  
 426 Memorandum of Agreement between the department and the United  
 427 States Environmental Protection Agency Region 4 covering  
 428 Florida's Brownfield Program, dated November 28, 2005, as may be  
 429 amended.

430 Section 7. Subsection (3) of section 196.1995, Florida  
 431 Statutes, is amended to read:

432 196.1995 Economic development ad valorem tax exemption.—

433 (3) The board of county commissioners or the governing  
 434 authority of the municipality that calls a referendum within its  
 435 total jurisdiction to determine whether its respective

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436 jurisdiction may grant economic development ad valorem tax  
 437 exemptions may vote to limit the effect of the referendum to  
 438 authority to grant economic development tax exemptions for new  
 439 businesses and expansions of existing businesses located in an  
 440 enterprise zone or a brownfield area, as defined in s. 376.79 ~~or~~  
 441 ~~376.79(5)~~. If an area nominated to be an enterprise zone  
 442 pursuant to s. 290.0055 has not yet been designated pursuant to  
 443 s. 290.0065, the board of county commissioners or the governing  
 444 authority of the municipality may call such referendum prior to  
 445 such designation; however, the authority to grant economic  
 446 development ad valorem tax exemptions does not apply until such  
 447 area is designated pursuant to s. 290.0065. The ballot question  
 448 in such referendum shall be in substantially the following form  
 449 and shall be used in lieu of the ballot question prescribed in  
 450 subsection (2):

451  
 452 Shall the board of county commissioners of this county  
 453 (or the governing authority of this municipality, or  
 454 both) be authorized to grant, pursuant to s. 3, Art.  
 455 VII of the State Constitution, property tax exemptions  
 456 for new businesses and expansions of existing  
 457 businesses that are located in an enterprise zone or a  
 458 brownfield area and that are expected to create new,  
 459 full-time jobs in the county (or municipality, or  
 460 both)?

461  
 462 ...Yes—For authority to grant exemptions.

463 ...No—Against authority to grant exemptions.  
 464

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465 Section 8. Paragraph (c) of subsection (5) of section  
 466 288.1175, Florida Statutes, is amended to read:  
 467 288.1175 Agriculture education and promotion facility.—  
 468 (5) The Department of Agriculture and Consumer Services  
 469 shall competitively evaluate applications for funding of an  
 470 agriculture education and promotion facility. If the number of  
 471 applicants exceeds three, the Department of Agriculture and  
 472 Consumer Services shall rank the applications based upon  
 473 criteria developed by the Department of Agriculture and Consumer  
 474 Services, with priority given in descending order to the  
 475 following items:  
 476 (c) The location of the facility in a brownfield site as  
 477 defined in s. 376.79 ~~s. 376.79(4)~~, a rural enterprise zone as  
 478 defined in s. 290.004, an agriculturally depressed area as  
 479 defined in s. 570.74, or a county that has lost its agricultural  
 480 land to environmental restoration projects.  
 481 Section 9. For the purpose of incorporating the amendment  
 482 made by this act to section 376.79, Florida Statutes, in a  
 483 reference thereto, subsection (1) of section 1004.53, Florida  
 484 Statutes, is reenacted to read:  
 485 1004.53 Interdisciplinary Center for Brownfield  
 486 Rehabilitation Assistance.—The Center for Brownfield  
 487 Rehabilitation Assistance in the Environmental Sciences and  
 488 Policy Program is established in the College of Arts and  
 489 Sciences at the University of South Florida with the  
 490 collaboration of other related disciplines such as business  
 491 administration, environmental science, and medicine. The center  
 492 shall work in conjunction with other state universities. The  
 493 Center for Brownfield Rehabilitation Assistance shall:

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494 (1) Conduct research relating to problems and solutions  
 495 associated with rehabilitation and restoration of brownfield  
 496 areas as defined in s. 376.79. The research must include  
 497 identifying innovative solutions to removing contamination from  
 498 brownfield sites to reduce the threats to drinking water  
 499 supplies and other potential public health threats from  
 500 contaminated sites.  
 501 Section 10. This act shall take effect July 1, 2025.

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The Florida Senate

APPEARANCE RECORD

3/26/2025

Meeting Date

736

Bill Number or Topic

Approps - Ag, Environment & CC

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Colton Madill

Phone

(850) 766-7983

Address

136 S. Bronough St.

Street

Email

cmadill@flchamber.com

Tallahassee, FL

City

State

32301

Zip

Speaking:  For  Against  Information

OR

Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Chamber of Commerce

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf flsenate.gov](#)

This form is part of the public record for this meeting.

March 26, 2025

Meeting Date

Ag, Env. GenGov Appropriations

Committee

The Florida Senate

# APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

CS/SB 736 (as amended)

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Jessica Love**

Phone **850-577-9090**

Address **301 S. Bronough St., Ste. 600**

Email **jessica.love@gray-robinson.com**

Street

**Tallahassee**

**FL**

**32301**

City

State

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

### PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

**Goldstein Brownfields Group, LLC**

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

*While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)*

This form is part of the public record for this meeting.

S-001 (08/10/2021)



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Agriculture, *Chair*  
Appropriations Committee on Agriculture, Environment,  
and General Government  
Appropriations Committee on Transportation,  
Tourism, and Economic Development  
Banking and Insurance  
Fiscal Policy  
Military and Veterans Affairs, Space, and  
Domestic Security  
Transportation

### SENATOR KEITH TRUENOW

13th District

March 12, 2025

The Honorable Senator Jason Brodeur  
President Pro Tempore'  
416 Senate Office Building  
Tallahassee, FL 32399

Dear Chair, Brodeur,

I would like to request SB 736 Brownfields be placed on your next available Environment and Natural Resources Committee agenda.

This good bill provides that if the person responsible for a brownfield site rehabilitation demonstrates the applicable contamination cleanup criteria have been met, and the brownfield site is part of a larger contaminated site, the Department of Environmental Protection (DEP) or any delegated local pollution control program may not deny a "no further action" status or refuse to issue a site rehabilitation completion order for the brownfield site, regardless of whether it has engineering and institutional controls. The bill deletes provisions related to local governments' role in mapping institutional controls.

I appreciate your favorable consideration.

Sincerely,

A handwritten signature in blue ink that reads "Keith Truenow".

Senator Keith Truenow  
Senate District 13

KT/dd

cc: Giovanni Betta, Staff Director  
Julie Brass, Administrative Assistant

#### REPLY TO:

- Lake County Agricultural Center, 1951 Woodlea Road, Tavares, Florida 32778 (352) 750-3133
- 16207 State Road 50, Suite 401, Clermont, Florida 34711
- 304 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5013

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

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BILL: SB 796

INTRODUCER: Senator Bradley

SUBJECT: General Permits for Distributed Wastewater Treatment Systems

DATE: March 25, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Barriero</u>	<u>Rogers</u>	<u>EN</u>	<u>Favorable</u>
2.	<u>Reagan</u>	<u>Betta</u>	<u>AEG</u>	<u>Favorable</u>
3.	_____	_____	<u>FP</u>	_____

---

**I. Summary:**

SB 796 grants a general permit for the replacement of existing onsite sewage treatment and disposal systems with distributed wastewater treatment systems (DWTs), provided that the permittee conducts monthly reporting, annual inspections, recordkeeping, and biosolids management in accordance with applicable rules. The installation of a distributed wastewater treatment unit (DWTU) may proceed without further action by the Department of Environmental Protection (DEP) if the permittee notifies the DEP at least 30 days before the installation. The notification must certify that a Florida registered professional designed the DWTU in compliance with applicable rules and that the proposed DWTU meets specific design and operational requirements. To be eligible for the general permit, the DWTU and the DWTs must be commonly owned and operated by the permittee.

The bill has no fiscal impact on state revenues or expenditures.

The bill takes effect July 1, 2025.

**II. Present Situation:**

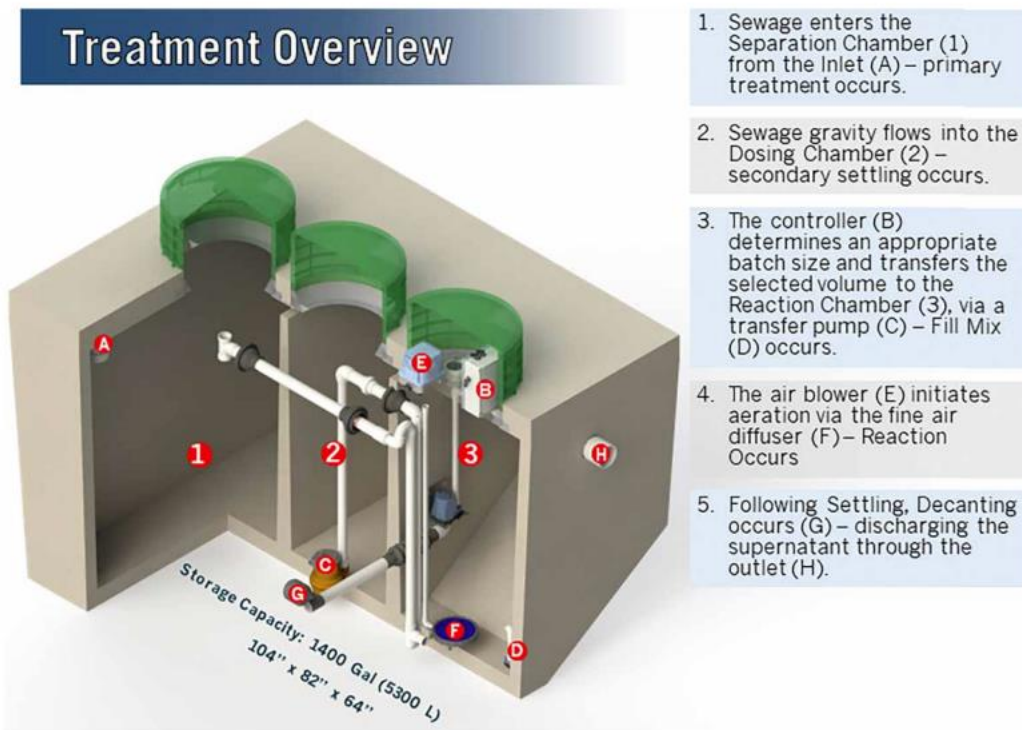
**Distributed Wastewater Treatment Systems**

Distributed wastewater treatment systems consist of separate distributed wastewater treatment units (DWTUs) that are in different geographical locations but are linked to a central system either physically or by management.<sup>1</sup> The design of DWTUs varies based on manufacturer and setting (residential, commercial, or industrial).

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<sup>1</sup> See EPA, Water Environment Foundation, and The Water Research Foundation, *Distributed Systems Overview*, 1 (2019), available at [https://www.wef.org/globalassets/assets-wef/2-resources/topics/a-n/distributed-systems/technical-resources/wsec-2019-fs-012-wef\\_wrf\\_distributed\\_sytems\\_overview.pdf](https://www.wef.org/globalassets/assets-wef/2-resources/topics/a-n/distributed-systems/technical-resources/wsec-2019-fs-012-wef_wrf_distributed_sytems_overview.pdf). (last visited March 22, 2025).

For residential use, one type of DWTU consists of three separate chambers.<sup>2</sup> The first chamber is used for primary sedimentation (settling) and digestion of biosolids. The wastewater flows via gravity from the first chamber into a flow equalization and dosing chamber. An onboard computer continuously monitors the liquid level in the dosing chamber and determines an appropriate treatment batch volume based on incoming flows (calculated based on the rate of change in liquid level). The computer then pumps a batch of wastewater from the dosing chamber into a reaction chamber, where biological treatment is provided in a sequential, computer-controlled aeration, mixing, and clarification process.<sup>3</sup>



*Example of a residential DWTU<sup>4</sup>*

After each batch is completed, the onboard computer selects a variable fraction of the treated batch for additional treatment via internal recycling.<sup>5</sup> This fraction of fully treated effluent is pumped back to the first (settling) chamber, diluting the incoming wastewater and receiving additional treatment. The remaining fraction of each treated batch of effluent is discharged to the drainfield. Finally, the DWTU utilizes a return activated sludge process to optimize sludge volume in the reaction chamber and minimize accumulation of biosolids in the settling chamber. Activated sludge is periodically returned to the settling chamber where biosolids are broken down via anaerobic digestion. The biosolids residuals must be removed from the DWTU

<sup>2</sup> Brian E. Lapointe et al., *Distributed wastewater treatment offers an environmentally preferable alternative to conventional septic systems in Central Florida*, *Water Science & Technology*, vol. 86, 433 (2022), available at <https://iwaponline.com/wst/article/86/3/432/89867/Distributed-wastewater-treatment-offers-an>. (last visited March 22, 2025).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.* at 434 (showing the graphic of the DWTU).

<sup>5</sup> *Id.*

periodically (approximately every 7-10 years) by a licensed contractor for treatment and disposal.<sup>6</sup>

DWTU treatment processes are performed by an onboard computer and remotely monitored.<sup>7</sup> The remote monitoring system communicates with each DWTU over a wireless data network to:

- Record wastewater treatment volume and flow, component run time and power consumption, and equipment deficiencies;
- Perform diagnostics; and
- Enable remote supervisory control by a licensed wastewater operator.<sup>8</sup>

DWTUs are currently permitted and regulated as domestic wastewater treatment facilities under ch. 403, F.S., and chs. 62-600 and 62-620, Florida Administrative Code.<sup>9</sup>

### **Domestic Wastewater Treatment Facilities**

The majority of the state's wastewater is controlled and treated by centralized treatment facilities regulated by the Department of Environmental Protection (DEP).<sup>10</sup> Florida has approximately 2,000 permitted domestic wastewater treatment facilities.<sup>11</sup>

Wastewater treatment facilities are required to provide secondary treatment prior to reuse or disposal.<sup>12</sup> Such treatment requires that carbonaceous biochemical oxygen demand (CBOD5) and total suspended solids not exceed specific levels based on the method of disposal (i.e., surface water disposal, reuse, land application, or groundwater discharge).<sup>13</sup> For example, for land application or groundwater discharge, the annual average of CBOD5 and total suspended solids (TSS) may not exceed 20.0 milligrams per liter (mg/L), and the maximum-permissible concentration in any single sample may not exceed 60.0 mg/L.<sup>14</sup>

Advanced waste treatment (AWT) is required before discharging into certain impaired waterbodies.<sup>15</sup> The DEP may also order AWT if deemed necessary.<sup>16</sup> AWT provides a reclaimed water product containing no more than the following concentrations of pollutants:

- 5 mg/L of Biochemical Oxygen Demand;
- 5 mg/L of Suspended Solids;
- 3 mg/L of total nitrogen; and

---

<sup>6</sup> *Id.* at 433-435.

<sup>7</sup> *Id.* at 434.

<sup>8</sup> *Id.* at 434-435.

<sup>9</sup> See Email from the Department of Environmental Protection (DEP) to Senate Committee on Environment and Natural Resources on Oct. 4, 2024 (on file with the Senate Committee on Environment and Natural Resources).

<sup>10</sup> DEP, *Domestic Wastewater Program*, <https://floridadep.gov/water/domestic-wastewater> (last visited Mar. 22, 2025).

<sup>11</sup> DEP, *General Facts and Statistics about Wastewater in Florida*, <https://floridadep.gov/water/domestic-wastewater/content/general-facts-and-statistics-about-wastewater-florida> (last visited Mar. 22, 2025).

<sup>12</sup> Sections 403.086(1)(a) and (2), F.S.; Fla. Admin. Code R. 62-600.420.

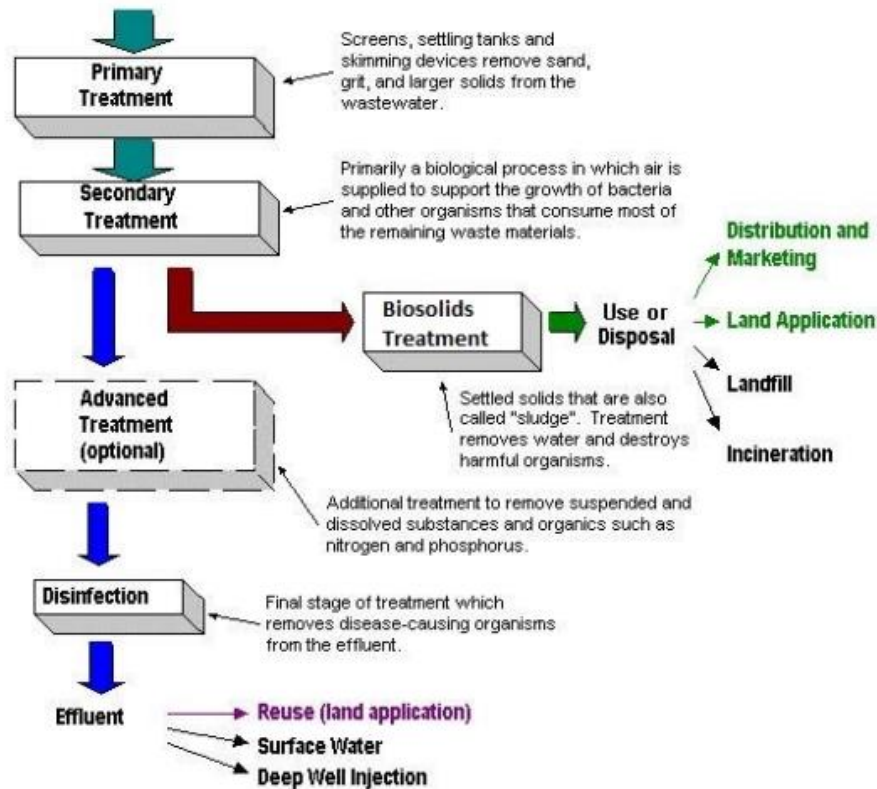
<sup>13</sup> CBOD5 is the quantity of oxygen utilized in the carbonaceous biochemical oxidation of organic matter present in water or wastewater, reported as a five-day value determined using approved methods. Fla. Admin. Code R. 62-600.200(8).

<sup>14</sup> Fla. Admin. Code R. 62-600.420(3).

<sup>15</sup> Section 403.086(1)(c), F.S.

<sup>16</sup> Section 403.086(1)(a), F.S.

- 1 mg/L of total phosphorous.<sup>17</sup>



Facilities may be required to provide additional treatment to satisfy water quality standards for receiving surface and ground waters.<sup>18</sup> Systems within Monroe County are subject to different treatment requirements.<sup>19</sup>

Wastewater treatment facilities must monitor the flow, the influent for CBOD5 and TSS, and the effluent for all effluent parameters as required by the permit.<sup>20</sup> The minimum schedule for sampling is based on the facility’s permitted capacity. For example, for facilities with a permitted capacity of 2,000-24,999 gallons per day, sampling must be conducted according to the following parameters:<sup>21</sup>

- Daily<sup>22</sup> testing for flow, pH, and chlorine residual;<sup>23</sup>
- Weekly testing for e. coli or enterococci; and
- Monthly testing for TSS, CBOD5, nutrients, chlorine residual, and fecal coliform.

<sup>17</sup> Section 403.086(4)(a), F.S.

<sup>18</sup> Fla. Admin. Code R. 62-600.430. DEP, *Domestic Wastewater Treatment Process*, available at

<https://floridadep.gov/water/domestic-wastewater/documents/domestic-wastewater-treatment-process> (showing flowchart of wastewater treatment process). (last visited Mar. 20, 2025).

<sup>19</sup> Section 403.086(11), F.S.

<sup>20</sup> Fla. Admin. Code R. 62-600.660(1).

<sup>21</sup> *Id.* at Figure 1.

<sup>22</sup> The “daily” frequency is either 2, 3, or 5 days per week consistent with the required operator attendance specified in paragraph 62-699.310(2)(a), F.A.C. *Id.* at n. 8.

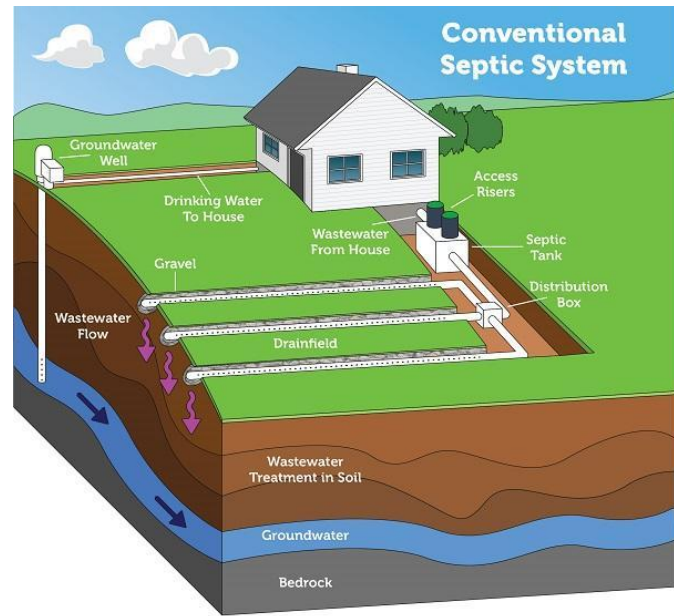
<sup>23</sup> Total chlorine residual measured for disinfection effectiveness. *Id.* at n. 2.

Wastewater treatment facilities which are designed so that some or all the effluent may enter groundwaters must also conduct groundwater monitoring.<sup>24</sup>

Permits other than general and generic permits require the permittee to allow the DEP and the U.S. Environmental Protection (EPA) to sample or monitor any substances or parameters at any location necessary to assure compliance.<sup>25</sup> Such permittees must also allow the DEP and the EPA to inspect the facilities, equipment, practices, or operations regulated under the permit.<sup>26</sup>

### Onsite Sewage Treatment and Disposal Systems (OSTDSs)

OSTDSs, commonly referred to as “septic systems,” generally consist of two basic parts: the septic tank and the drainfield.<sup>27</sup> Waste from toilets, sinks, washing machines, and showers flows through a pipe into the septic tank, where anaerobic bacteria break the solids into a liquid form. The liquid portion of the wastewater flows into the drainfield, which is generally a series of perforated pipes or panels surrounded by lightweight materials such as gravel or Styrofoam. The drainfield provides a secondary treatment where aerobic bacteria continue deactivating the germs. The drainfield also provides filtration of the wastewater, as gravity draws the water down through the soil layers.<sup>28</sup> In Florida, the bottom of the drainfield must be at least 24 inches above the water table during the wettest season of the year.<sup>29</sup>



Please note: Septic systems vary. Diagram is not to scale.

There are an estimated 2.6 million OSTDSs in Florida, providing wastewater disposal for 30 percent of the state’s population.<sup>30</sup> Development in some areas is dependent on OSTDSs due to

<sup>24</sup> Fla. Admin. Code R. 62-600.670(1).

<sup>25</sup> Fla. Admin. Code R. 62-620.610(9)(d).

<sup>26</sup> Fla. Admin. Code R. 62-620.610(9)(c).

<sup>27</sup> Florida Dep’t of Health (DOH), *Septic System Information and Care*, <http://columbia.floridahealth.gov/programs-and-services/environmental-health/onsite-sewage-disposal/septic-information-and-care.html> (last visited Mar. 12, 2025); EPA, *Types of Septic Systems*, <https://www.epa.gov/septic/types-septic-systems> (last visited Mar. 12, 2025) (showing the graphic provided in the analysis).

<sup>28</sup> *Id.*

<sup>29</sup> Fla. Admin. Code R. 62-6.006(2). For system repairs and alterations to add sewage flow, where the existing elevation of the bottom surface of the drainfield is less than 24 inches above the wet season high water table, the bottom of the drainfield must be maintained at the existing separation or a minimum of 12 inches above the wet season high water table, whichever is greater. Where the bottom of the drainfield is less than 12 inches above the wet season high water table, the drainfield must be brought into full compliance with all new system standards. Fla. Admin. Code R. and 62-6.001(4)(e)2. and 3. *See also* Fla. Admin. Code R. 62-6.015(6)(a).

<sup>30</sup> DEP, *Onsite Sewage Program*, <https://floridadep.gov/water/onsite-sewage#:~:text=Onsite%20sewage%20treatment%20and%20disposal%20systems%20%28OSTDS%29%2C%20commonly,represents%2012%25%20of%20the%20United%20States%20E2%80%99%20septic%20systems> (last visited Mar 22, 2025).



the cost and time it takes to install central sewer systems.<sup>31</sup> For example, in rural areas and low-density developments, central sewer systems are not cost-effective.<sup>32</sup>

Conventional OSTDSs do not reduce nitrogen from raw sewage. In Florida, approximately 30-40 percent of the nitrogen levels are reduced in the drainfield of a system that is installed 24 inches or more from groundwater.<sup>33</sup> This still leaves a significant amount of nitrogen to percolate into the groundwater, which makes nitrogen from OSTDSs a potential contaminant in groundwater.<sup>34</sup>

Different types of advanced OSTDSs can remove greater amounts of nitrogen than a typical septic system (often referred to as “advanced” or “nutrient-reducing” septic systems),<sup>35</sup> and may be required in certain areas. For example, enhanced nutrient-reducing OSTDSs<sup>36</sup> are required for new systems within the Indian River Lagoon<sup>37</sup> and on lots of one acre or less within a basin management action plan, reasonable assurance plan, or pollution reduction plan where a sewerage system is not available.<sup>38</sup> There are also special treatment requirements for the Florida Keys.<sup>39</sup> In addition, performance-based treatment systems<sup>40</sup> must meet specific treatment standards.<sup>41</sup>

The DEP must inspect OSTDSs before placing a system into service<sup>42</sup> and approve the final OSTDS installation before a building or structure may be occupied.<sup>43</sup> If certain alterations<sup>44</sup> are

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<sup>31</sup> DOH, *Report on Range of Costs to Implement a Mandatory Statewide 5-Year Septic Tank Inspection Program*, Executive Summary (2008), available at [http://www.floridahealth.gov/environmental-health/onsite-sewage/documents/costs-  
implement-mandatory-statewide-inspection.pdf](http://www.floridahealth.gov/environmental-health/onsite-sewage/documents/costs-implement-mandatory-statewide-inspection.pdf). (last visited Mar. 20, 2025).

<sup>32</sup> *Id.*

<sup>33</sup> DOH, *Florida Onsite Sewage Nitrogen Reduction Strategies Study, Final Report 2008-2015*, 21 (Dec. 2015), available at <http://www.floridahealth.gov/environmental-health/onsite-sewage/research/draftlegreportsm.pdf>; See Fla. Admin. Code R. 64E-6.006(2).

<sup>34</sup> University of Florida Institute of Food and Agricultural Sciences, *Onsite Sewage Treatment and Disposal Systems: Nitrogen*, 3 (2020), available at <http://edis.ifas.ufl.edu/pdffiles/SS/SS55000.pdf>. (last visited Mar. 20, 2025).

<sup>35</sup> DOH, *Nitrogen-Reducing Systems for Areas Affected by the Florida Springs and Aquifer Protection Act* (updated May 2021), available at [http://www.floridahealth.gov/environmental-health/onsite-sewage/products/  
documents/bmap-n-reducing-tech-18-10-29.pdf](http://www.floridahealth.gov/environmental-health/onsite-sewage/products/documents/bmap-n-reducing-tech-18-10-29.pdf).

<sup>36</sup> “Enhanced nutrient-reducing OSTDS” means an OSTDS approved by DEP as capable of meeting or exceeding a 50 percent total nitrogen reduction before disposal of wastewater in the drainfield, or at least 65 percent total nitrogen reduction combined from onsite sewage tank or tanks and drainfield. Section 373.469(2)(b), F.S.

<sup>37</sup> See section 373.469(3)(d), F.S.

<sup>38</sup> Sections 373.811(2) and 403.067(7)(a)10., F.S.

<sup>39</sup> Section 381.0065(4)(l), F.S.

<sup>40</sup> “Performance-based treatment system” means a specialized OSTDS designed by a professional engineer with a background in wastewater engineering, licensed in the state of Florida, using appropriate application of sound engineering principles to achieve specified levels of CBOD5 (carbonaceous biochemical oxygen demand after five days), TSS (total suspended solids), TN (total nitrogen), TP (total phosphorus), or fecal coliform found in domestic or commercial sewage waste, to a specific and measurable established performance standard. Fla. Admin. Code R. 62-6.025(7). If a site restricts home construction because of setbacks or authorized sewage flow, a system can be designed by an engineer to meet strict levels of effluent pollutant reductions. The three levels of performance-based treatment systems are secondary treatment, advanced secondary treatment, and advanced wastewater treatment.

<sup>41</sup> See Fla. Admin. Code R. 62-6.025(11).

<sup>42</sup> Fla. Admin. Code R. 62-6.003(2).

<sup>43</sup> Section 381.0065(4), F.S.

<sup>44</sup> This includes alterations that change the conditions under which the system was permitted, sewage characteristics, or increase sewage flow. The DEP approval is required prior to such alterations. Fla. Admin. Code R. 62-6.001(4), F.S.

made, system tanks must be pumped and visually inspected.<sup>45</sup> If an existing system was approved within the preceding five years, a new inspection is not required unless there is a record of failure of the system.<sup>46</sup> System repairs must be inspected by the DEP or a master septic tank contractor.<sup>47</sup>

Buildings or establishments that use an aerobic treatment unit or generate commercial waste must be inspected by the DEP at least annually.<sup>48</sup>

## Biosolids

When domestic wastewater is treated, a solid, semisolid, or liquid byproduct known as biosolids<sup>49</sup> accumulates in the wastewater treatment plant and must be removed periodically to keep the plant operating properly.<sup>50</sup> The collected residue is high in organic content and contains moderate amounts of nutrients.<sup>51</sup> Properly treated biosolids may be used as a fertilizer supplement or soil amendment, subject to regulatory requirements that have been established to protect public health and the environment.<sup>52</sup>

According to the DEP's estimates in 2019, wastewater treatment facilities produce about 340,000 dry tons of biosolids each year.<sup>53</sup> Biosolids can be disposed of in several ways: transfer to another facility, placement in a landfill, distribution and marketing as fertilizer, incineration, bioenergy, and land application to pasture or agricultural lands.<sup>54</sup> In 2019, about two-thirds of the total amount of biosolids produced was beneficially used and one-third was landfilled.<sup>55</sup>

## General Permits

A general permit is a permit issued by rule of the DEP under s. 403.814, F.S., which authorizes a person to undertake certain activities, which when performed in accordance with the specific requirements and practices set forth in the general permit have a minimal adverse environmental

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<sup>45</sup> Fla. Admin. Code R. 62-6.001(4)(b).

<sup>46</sup> Fla. Admin. Code R. 62-6.001(4)(c).

<sup>47</sup> Fla. Admin. Code R. 62-6.003(3).

<sup>48</sup> Section 381.0065(4), F.S.

<sup>49</sup> Biosolids are the solid, semisolid, or liquid residue generated during the treatment of domestic wastewater in a domestic wastewater treatment facility and include products and treated material from biosolids treatment facilities and septage management facilities. The term does not include the treated effluent or reclaimed water from a domestic wastewater treatment facility, solids removed from pump stations and lift stations, screenings and grit removed from the preliminary treatment components of domestic wastewater treatment facilities, or ash generated during the incineration of biosolids. Section 373.4595, F.S.

<sup>50</sup> DEP, *Domestic Wastewater Biosolids*, <https://floridadep.gov/water/domestic-wastewater/content/domestic-wastewater-biosolids> (last visited Mar. 12, 2025).

<sup>51</sup> DEP, *Domestic Wastewater Biosolids*.

<sup>52</sup> *Id.*

<sup>53</sup> DEP, *Biosolids in Florida*, 5 (2019), available at <https://www.florida-stormwater.org/assets/MemberServices/Conference/AC19/02%20-%20Frick%20Tom.pdf#:~:text=Biosolids%20and%20Management%20in%20Florida%20Estimated%20Total%20Production,two-thirds%20are%20beneficially%20used%20and%20onethird%20is%20landfilled>. (last visited Mar. 20, 2025).

<sup>54</sup> *Id.* at 4.

<sup>55</sup> *Id.* at 5.

effect. A person may proceed under a general permit 30 days after notifying the DEP, without any further action by the DEP.<sup>56</sup>

### III. Effect of Proposed Changes:

**Section 1** amend s. 403.814, F.S., regarding general permits. The bill grants a general permit for the replacement of an existing onsite sewage treatment and disposal system with a distributed wastewater treatment system (DWTS)<sup>57</sup> if the distributed wastewater treatment unit (DWTU)<sup>58</sup> and DWTS are commonly owned and operated by the permittee. The installation of each DWTU may proceed without further action by the Department of Environmental Protection (DEP) if the permittee submits a notification to the DEP at least 30 days before installation. Such notification must certify that a Florida registered professional designed the DWTU in accordance with applicable rules and that the proposed DWTU meets all the following requirements:

- The design capacity of the DWTU does not exceed 10,000 gallons per day of domestic wastewater or 5,000 gallons per day of commercial wastewater.
- The DWTU may discharge without disinfection into a slow-rate subsurface application system designed and operated to protect public health and safety and maintain the current separation, and in no case has less than 12 inches of separation, between the bottom surface of the drainfield and the water table elevation at the wettest season of the year.
- The horizontal setback distance from the DWTU and subsurface application system to property lines, surface waterbodies, potable water wells, and utilities is consistent with rules adopted under this ch. 403, F.S., which regulates domestic wastewater treatment facilities, and s. 381.0065, F.S., which regulates onsite sewage treatment and disposal systems.
- The permittee has legal access to maintain and operate the DWTU and remove the DWTU in case of termination of service.
- The permittee has submitted a plan for conducting monthly effluent compliance sampling of a representative number of deployed DWTUs, the results of which may be aggregated to determine compliance with performance standards consistent with this subsection and the rules adopted under this chapter.
- The operation of the DWTU does not:
  - Create saturated conditions on the ground surface;
  - Adversely impact wetlands or other surface waters; or
  - Cause or contribute to a violation of state water quality standards.

The bill requires the permittee to conduct monthly reporting, annual inspections, recordkeeping, and biosolids management for the DWTU consistent with the applicable rules adopted under ch. 403, F.S., which regulates wastewater treatment facilities. Permittees are also required to schedule staffing and visitation by licensed operators for the DWTU in a manner that is consistent with the rules adopted under ch. 403, F.S., except that visitation may be accomplished using an electronic control system.

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<sup>56</sup> Section 403.814(1), F.S.

<sup>57</sup> The bill defines DWTS as an integrated system approach to treating wastewater consisting of one or more distributed wastewater treatment units.

<sup>58</sup> The bill defines DWTU as an advanced onsite closed-tank wastewater treatment system that is remotely operated and controlled by the permittee using an electronic control system and designed to achieve secondary treatment standards and a minimum of 80 percent total nitrogen removal before discharge to a subsurface application system.

**Section 2** provides an effective date of July 1, 2025.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 403.814 of the Florida Statutes.

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Bradley

6-01334-25

2025796\_\_

A bill to be entitled

An act relating to general permits for distributed wastewater treatment systems; amending s. 403.814, F.S.; defining terms; authorizing the Secretary of Environmental Protection to grant a general permit for the replacement of an existing onsite sewage treatment and disposal system with a distributed wastewater treatment system under certain circumstances; providing for the installation of distributed wastewater treatment units to proceed without any further action by the Department of Environmental Protection if a permittee submits a notification to the department at least a specified number of days before installation; providing requirements for such notification; requiring such a permittee to take specified actions for distributed wastewater treatment units they install; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (13) is added to section 403.814, Florida Statutes, to read:

403.814 General permits; delegation.—

(13) (a) For the purposes of this subsection, the term:

1. "Distributed wastewater treatment system" or "DWTS" means an integrated system approach to treating wastewater consisting of one or more distributed wastewater treatment units.
2. "Distributed wastewater treatment unit" or "DWTU" means

Page 1 of 3

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

6-01334-25

2025796\_\_

an advanced onsite closed-tank wastewater treatment system that is remotely operated and controlled by the permittee using an electronic control system and designed to achieve secondary treatment standards and a minimum of 80 percent total nitrogen removal before discharge to a subsurface application system.

(b) A general permit is granted for the replacement of an existing onsite sewage treatment and disposal system, otherwise subject to s. 381.0065, with a DWTS if the DWTU and DWTS are commonly owned and operated by the permittee. Pursuant to obtaining this permit, the installation of each DWTU may proceed without further action by the department if the permittee submits a notification to the department at least 30 days before installation. Such notification must certify that a Florida registered professional designed the DWTU in accordance with applicable rules adopted pursuant to this chapter and that the proposed DWTU meets all of the following requirements:

1. The design capacity of the DWTU does not exceed 10,000 gallons per day of domestic wastewater or 5,000 gallons per day of commercial wastewater.
2. The DWTU may discharge without disinfection into a slow-rate subsurface application system designed and operated to protect public health and safety and maintain the current separation, and in no case has less than 12 inches of separation, between the bottom surface of the drainfield and the water table elevation at the wettest season of the year.
3. The horizontal setback distance from the DWTU and subsurface application system to property lines, surface waterbodies, potable water wells, and utilities is consistent with rules adopted under this chapter and s. 381.0065.

Page 2 of 3

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

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2025796

59 4. The permittee has legal access to maintain and operate  
60 the DWTU and remove the DWTU in case of termination of service.

61 5. The permittee has submitted a plan for conducting  
62 monthly effluent compliance sampling of a representative number  
63 of deployed DWTUs, the results of which may be aggregated to  
64 determine compliance with performance standards consistent with  
65 this subsection and the rules adopted under this chapter.

66 6. The operation of the DWTU does not:

67 a. Create saturated conditions on the ground surface;  
68 b. Adversely impact wetlands or other surface waters; or  
69 c. Cause or contribute to a violation of state water  
70 quality standards.

71 (c) The permittee shall:

72 1. Conduct monthly reporting, annual inspections,  
73 recordkeeping, and biosolids management for the DWTU consistent  
74 with the rules adopted under this chapter.

75 2. Schedule staffing and visitation by licensed operators  
76 for the DWTU in a manner that is consistent with the rules  
77 adopted under this chapter, except that visitation may be  
78 accomplished using an electronic control system.

79 Section 2. This act shall take effect July 1, 2025.

The Florida Senate

APPEARANCE RECORD

3/26/25

Meeting Date

SB 796

Bill Number or Topic

ANR Budget Subcommi, Hee.

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Brett Cyphers

Phone 850-566-4142

Address 4442 Maylor Road

Email brettjcyphers@gmail.com

Tallahassee

City

FL

State

32308

Zip

Speaking:  For  Against  Information OR Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

On Site Performance

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) ([flsenate.gov](#))

This form is part of the public record for this meeting.





## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Regulated Industries, *Chair*  
Appropriations Committee on Higher  
Education, *Vice Chair*  
Appropriations Committee on Pre-K - 12 Education  
Criminal Justice  
Ethics and Elections  
Fiscal Policy  
Rules

### JOINT COMMITTEES:

Joint Committee on Public Counsel Oversight,  
*Alternating Chair*

**SENATOR JENNIFER BRADLEY**

6th District

March 12, 2025

Senator Jason Brodeur, Chair  
Senate Appropriations Committee on Agriculture, Environment, and General Government  
416 Senate Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear Chair Brodeur:

I respectfully request that SB 796 be placed on the committee's agenda at your earliest convenience. This bill relates to general permits for distributed wastewater treatment systems.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Bradley".

Jennifer Bradley

cc: Giovanni Betta, Staff Director  
Julie Brass, Committee Administrative Assistant

REPLY TO:

- 1845 East West Parkway, Suite 5, Fleming Island, Florida 32003 (904) 278-2085
- 406 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5006

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

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BILL: SB 1162

INTRODUCER: Senators Leek and Brodeur

SUBJECT: Water Access Facilities

DATE: March 25, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Carroll</u>	<u>Rogers</u>	<u>EN</u>	<b>Favorable</b>
2.	<u>Reagan</u>	<u>Betta</u>	<u>AEG</u>	<b>Favorable</b>
3.	_____	_____	<u>FP</u>	_____

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**I. Summary:**

SB 1162 provides that facilities designated as Clean Marine Manufacturers will be eligible for a discount on sovereignty submerged land leases and a waiver of extended-term lease surcharges.

The bill also authorizes the use of funds from the Florida Fish and Wildlife Conservation Commission's (FWC) grant programs that are funded by the Fuel Tax Collection Trust Fund to be awarded for the construction and maintenance of parking for boat-hauling vehicles and trailers.

The bill has no impact on state resources or expenditures.

The bill has an effective date of July 1, 2025.

**II. Present Situation:**

**Lease of Sovereignty Submerged Lands by Boating Facilities**

Sovereignty submerged lands are owned by the state and include, but are not limited to, tidal lands, islands, sand bars, shallow banks, and lands waterward of the ordinary or mean high water line<sup>1</sup> that lay beneath navigable fresh water or tidally influenced waters.<sup>2</sup> Title to sovereignty submerged lands is vested in the Board of Trustees of the Internal Improvement Trust Fund,<sup>3</sup>

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<sup>1</sup> The mean high water line is the intersection of the local elevation of mean high water with the shore. Mean high water is calculated by taking the average height of high tides over a 19-year period. The mean high water line along the shore of land immediately bordering navigable waters is the boundary between the foreshore owned by the State of Florida and the uplands, which may be privately owned. Chapter 18-21.003(38)-(39), Fla. Admin. Code.

<sup>2</sup> Chapter 18-21.003(67), Fla. Admin. Code.

<sup>3</sup> The Board of Trustees of the Internal Improvement Trust Fund is comprised of the Governor, the Attorney General, the Chief Financial Officer, and the Commissioner of Agriculture. Section 352.02(1), F.S.

which is authorized to administer all state-owned lands, including by leasing sovereignty submerged lands.<sup>4</sup>

The Board of Trustees is authorized in statute to lease sovereignty submerged lands for marinas, boatyards, mooring fields, and marine retailers.<sup>5</sup> A marina, boatyard, or marine retailer designated by the Department of Environmental Protection (DEP) as a Clean Marina, Clean Boatyard, or Clean Marine Retailer under the Clean Marina Program may be eligible for a ten percent discount on its annual fee for a sovereign submerged lands lease if the facility:

- Actively maintains designation under the program,
- Complies with the terms of the lease, and
- Does not change use during the terms of the lease.<sup>6</sup>

The facility may also be eligible for a waiver of its extended-term lease surcharges if the facility:

- Actively maintains designation under the program,
- Complies with the terms of the lease,
- Does not change use during the terms of the lease, and
- Is available to the public on a first-come, first-served basis.<sup>7</sup>

If the facility is in arrears on lease fees or does not comply with the eligibility requirements for a waiver of the extended-term lease surcharges, the facility will not be eligible for the discount or waiver until arrears have been paid and compliance with the program has been met.<sup>8</sup>

An extended-term lease is available for up to 25-year terms.<sup>9</sup> A one-time surcharge will be added to the extended-term lease fee for most extended-term leases.<sup>10</sup>

### **Clean Marina Program**

The Clean Marina Program is a voluntary designation program that incentivizes marinas,<sup>11</sup> boatyards,<sup>12</sup> and marine retailers<sup>13</sup> to incorporate best management practices in their operations.<sup>14</sup>

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<sup>4</sup> Section 253.03(1), (6), and (7), F.S. The Florida Constitution allows for the private use of portions of sovereignty submerged lands, but only when not contrary to the public interest. FLA. CONST. art. X, s. 11.

<sup>5</sup> Section 253.0346, F.S.

<sup>6</sup> Section 253.0346(3), F.S.

<sup>7</sup> *Id.* “First-come, first served” means that the facility operates on state-owned submerged land for which there is no club membership, stock ownership, equity interest, or other qualifying requirement and rental terms do not exceed 12 months and do not include automatic renewal rights or conditions. Section 253.0346(1), F.S.

<sup>8</sup> Section 253.0346(3)(c), F.S.

<sup>9</sup> Chapter 18-21.008(2), Fla. Admin. Code.

<sup>10</sup> Chapter 18-21.011(1)(b), Fla. Admin. Code.

<sup>11</sup> A marina is a docking facility with ten or more boat slips or a docking facility that provides marine supplies or services required for boating, including but not limited to: dry storage, boat repair, gas, oil, boat sales, boat testing, shellfish or finfish harvesting or distribution, or facilities associated with certain other boating-related commercial establishments. DEP, *Clean Marina Program*, <https://floridadep.gov/rcp/clean-marina/content/clean-marina-program> (last visited March 4, 2025).

<sup>12</sup> A boatyard is a facility that provides a repair or refinishing site for hull, mechanical, or electrical work on vessels. *Id.*

<sup>13</sup> A marine retailer sells new or used boats and provides services like onsite or offsite repairs or refinishing for hull, mechanical, or electrical work. *Id.*

<sup>14</sup> DEP, *Florida Clean Marina Best Management Practices*, 2 (2020), available at [https://floridadep.gov/sites/default/files/2020\\_Florida\\_Clean\\_Marina\\_Best\\_Management\\_Practices.pdf](https://floridadep.gov/sites/default/files/2020_Florida_Clean_Marina_Best_Management_Practices.pdf). (last visited March 21, 2025).

These best management practices address issues like sensitive habitats, invasive species, waste management, stormwater control, water and air pollution, spill prevention, and emergency preparedness.<sup>15</sup>

The program also provides compliance assistance and education on storm readiness through the Clean and Resilience Program.<sup>16</sup> In order to obtain the designation of Clean Marina, Clean Boatyard, and Clean Marine Retailer, facilities must meet all DEP regulatory requirements and implement at least 60 percent of the best management practices.<sup>17</sup>

### **Fuel Tax Collection Trust Fund**

The FWC is authorized to develop and administer competitive grant programs funded with money transferred pursuant to the Fuel Tax Collection Trust Fund requirements.<sup>18</sup> These grants may be awarded for:

- The construction and maintenance of publicly owned boat ramps, piers, and docks;
- Boater education;
- Deployment of manatee technical avoidance technology; and
- Economic development initiatives that promote boating in the state.<sup>19</sup>

The Fuel Tax Collection Trust Fund requires an annual disbursement of \$2.5 million to the FWC's State Game Trust Fund for recreational boating activities and freshwater fisheries management and research.<sup>20</sup> Of those funds, a minimum of \$1.25 million must be used to fund local projects to provide recreational channel marking and other uniform waterway markers, public boat ramps, lifts and hoists, marine railways, and other public launching facilities, derelict vessel removal, and other local boating-related activities.<sup>21</sup> The remaining \$1.25 million may be used for recreational boating activities and freshwater fisheries management and research.<sup>22</sup>

### **III. Effect of Proposed Changes:**

**Section 1** amends s. 253.0346, F.S., concerning the lease of sovereignty submerged lands for marinas, boatyards, mooring fields, and marine retailers. The bill provides that a facility designated as a Clean Marine Manufacturer under the Clean Marina Program will be eligible for a ten percent discount on its annual lease of sovereignty submerged lands, as well as a waiver of its extended-term lease surcharge, if it meets certain criteria. Facilities designated as Clean Marinas, Clean Boatyards, or Clean Marine Retailers are already eligible under current law.

**Section 2** amends s. 327.47, F.S., which authorizes the FWC to develop and administer competitive grants programs funded by the Fuel Tax Collection Trust Fund. The bill provides

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<sup>15</sup> See DEP, *Florida Clean Marina Best Management Practices*; DEP, *Clean Marina Program*.

<sup>16</sup> DEP, *Clean Marina Program*.

<sup>17</sup> *Id.*

<sup>18</sup> Section 327.47, F.S.

<sup>19</sup> *Id.*

<sup>20</sup> Section 206.606(1)(b), F.S.

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

that, in addition to what is currently authorized, grants may be awarded for the construction and maintenance of publicly owned parking for boat-hauling vehicles and trailers.

**Section 3** provides an effective date of July 1, 2025.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 253.0346 and 327.47.

**IX. Additional Information:**

A. **Committee Substitute – Statement of Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. **Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Leek

7-01036A-25

20251162\_\_

1 A bill to be entitled  
 2 An act relating to water access facilities; amending  
 3 s. 253.0346, F.S.; providing sovereignty submerged  
 4 land leases for Clean Marine Manufacturer facilities;  
 5 amending s. 327.47, F.S.; providing competitive grant  
 6 programs for the construction and maintenance of  
 7 publicly owned parking for boat-hauling vehicles and  
 8 trailers; providing an effective date.  
 9  
 10 Be It Enacted by the Legislature of the State of Florida:  
 11  
 12 Section 1. Subsection (3) of section 253.0346, Florida  
 13 Statutes, is amended to read:  
 14 253.0346 Lease of sovereignty submerged lands for marinas,  
 15 boatyards, mooring fields, and marine manufacturers and  
 16 retailers.—  
 17 (3) For a facility designated by the department as a Clean  
 18 Marina, Clean Boatyard, Clean Marine Manufacturer, or Clean  
 19 Marine Retailer under the Clean Marina Program:  
 20 (a) A discount of 10 percent on the annual lease fee shall  
 21 apply if the facility:  
 22 1. Actively maintains designation under the program.  
 23 2. Complies with the terms of the lease.  
 24 3. Does not change use during the term of the lease.  
 25 (b) Extended-term lease surcharges shall be waived if the  
 26 facility:  
 27 1. Actively maintains designation under the program.  
 28 2. Complies with the terms of the lease.  
 29 3. Does not change use during the term of the lease.

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**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

7-01036A-25

20251162\_\_

30 4. Is available to the public on a first-come, first-served  
 31 basis.  
 32 (c) If the facility is in arrears on lease fees or fails to  
 33 comply with paragraph (b), the facility is not eligible for the  
 34 discount or waiver under this subsection until arrears have been  
 35 paid and compliance with the program has been met.  
 36 Section 2. Section 327.47, Florida Statutes, is amended to  
 37 read:  
 38 327.47 Competitive grant programs.—The commission shall  
 39 develop and administer competitive grant programs funded with  
 40 moneys transferred pursuant to s. 206.606(1)(d). Grants may be  
 41 awarded for the construction and maintenance of publicly owned  
 42 parking for boat-hauling vehicles and trailers, boat ramps,  
 43 piers, and docks; boater education; deployment of manatee  
 44 technical avoidance technology; and economic development  
 45 initiatives that promote boating in the state. The commission  
 46 may adopt rules pursuant to chapter 120 to implement this  
 47 section.  
 48 Section 3. This act shall take effect July 1, 2025.

Page 2 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.



The Florida Senate

## Committee Agenda Request

**To:** Senator Jason Brodeur, Chair  
Appropriations Committee on Agriculture, Environment, and General  
Government

**Subject:** Committee Agenda Request

**Date:** March 16, 2025

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I respectfully request that **Senate Bill #1162**, relating to Water Access Facilities, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Leek", written over a horizontal line.

Sen. Tom Leek  
Florida Senator, District 7



**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

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BILL: SB 1226

INTRODUCER: Senator DiCeglie

SUBJECT: Pet Insurance and Wellness Programs

DATE: March 25, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Johnson</u>	<u>Knudson</u>	<u>BI</u>	<u>Favorable</u>
2.	<u>Sanders</u>	<u>Betta</u>	<u>AEG</u>	<u>Favorable</u>
3.	_____	_____	<u>FP</u>	_____

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**I. Summary:**

SB 1226 creates a regulatory framework for the oversight of pet insurance by the Office of Insurance Regulation (OIR). The bill provides consumer protections, including policy disclosures regarding the benefits and exclusions, and a right to rescind a policy within 30 days of issuance.

Although pet insurance is considered a kind of property insurance, it is essentially a health insurance policy for a pet that covers accidents and illnesses. In the United States about 65 million households have a dog and 46 million have a cat, and 4.8 million cats and dogs are insured in this country.<sup>1</sup> In 2022, total, nationwide premiums for pet insurance were about \$2.8 billion and covering over 4.41 million pets.<sup>2</sup> This represents an increase of 30.5 percent more premiums than in 2020 and about 28 percent more pets insured than in 2020.<sup>3</sup>

The bill has an indeterminate impact to state revenues or expenditures. **See Section V. Fiscal Impact Statement.**

The bill takes effect on January 1, 2026.

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<sup>1</sup> Brian Vines, *Pet Insurance Buying Guide* (August 25, 2023), Consumer Reports,

<https://www.consumerreports.org/money/pet-insurance/buying-guide/> (last visited March 18, 2025).

<sup>2</sup> Insurance Advocate, *NAIC Passes Pet Insurance Model Act* (Sep. 10, 2022) According to the article, data was provided by the North American Pet Health Insurance Association (NAPHIA). <https://www.insurance-advocate.com/2022/09/10/naic-passes-pet-insurance-model-act/#:~:text=The%20National%20Association%20of%20Insurance%20Commissioners%20%28NAIC%29%20members,to%20the%20North%20American%20Pet%20Health%20Insurance%20Association.> (last visited March 6, 2025).

<sup>3</sup> *Id.*

## II. Present Situation:

### Regulation of Insurance in Florida

Chapters 624-632, 634, 635, 636, 641, 642, 648, and 651, F.S., constitute the Florida Insurance Code (code). Part III of ch. 624, F.S., prescribes the requirements for an entity to obtain a certificate of authority and be authorized as an insurer. Part V of ch. 624, F.S., defines the kinds of insurance, including property insurance. Part I of ch. 626, F.S., regulates insurance agents, and Part III of ch. 626, F.S., regulates general lines agents. Part I of ch. 627, F.S., known as the “Rating Law,” provides that a purpose of this part is to promote the public welfare by regulating insurance rates to ensure that they may not be excessive, inadequate, or unfairly discriminatory. Part X of ch. 617, F.S., regulates property insurance.

### Department of Financial Services

The powers and duties of the Chief Financial Officer and the Department of Financial Services (DFS), relating to part I of ch. 626, F.S., are specified in s. 626.016, F.S. Part I, known as the “The Licensing Procedures Law,”<sup>4</sup> applies only with respect to insurance agents, insurance agencies, managing general agents, insurance adjusters, reinsurance intermediaries, viatical settlement brokers, customer representatives, service representatives, and agencies. The powers and duties of the Financial Services Commission (commission) and the Office of Financial Regulation (OFR) specified in Part I apply only with respect to service companies, administrators, and viatical settlement providers and contracts.

### *Licensure of Insurance Agents*

Section 626.112, F.S., provides that no person may be, act as, or advertise or hold himself or herself out to be an insurance agent, insurance adjuster, or customer representative unless he or she is currently licensed by the DFS and appointed by an appropriate appointing entity or person. An agent is a general lines agent, life agent, health agent, or title agent, or all such agents, as indicated by context.<sup>5</sup> Part II of ch. 626, F.S., regulates general lines agents. A general lines agent is an agent transacting any of the following kinds of insurance:

- Property insurance;
- Casualty insurance;
- Surety insurance;
- Health insurance; and
- Marine insurance.<sup>6</sup>

As a condition of transacting insurance in this state, agents must comply with consumer protection laws, including the following, as applicable:<sup>7</sup>

- Continuing education requirements for resident and nonresident agents, as required in s. 626.2815, F.S.;

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<sup>4</sup> Section 626.011, F.S.

<sup>5</sup> Section 626.015(3), F.S.

<sup>6</sup> Section 626.015(5), F.S.,

<sup>7</sup> Section 626.025, F.S.

- Fingerprinting requirements for resident and nonresident agents, as required under s. 626.171, F.S. or s. 626.202, F.S.;
- Fingerprinting following a department investigation under s. 626.601, F.S.;
- The submission of credit and character reports, as required by s. 626.171, F.S.;
- Qualifications for licensure as an agent in ss. 626.731, 626.741, 626.785, 626.792, 626.831, or 626.835, F.S.;
- Examination requirements in ss. 626.221, 626.741, 626.792, or 626.835, F.S.;
- Required licensure or registration of insurance agencies under s. 626.112, F.S.;
- Requirements for licensure of resident and nonresident agents in ss. 626.112, 626.321, 626.731, 626.741, 626.785, 626.792, 626.831, 626.835, or 626.927, F.S.;
- Countersignature of insurance policies, as required under ss. 624.425, 624.426, or 626.741, F.S.;
- The code of ethics for life insurance agents, as set forth in s. 626.797, F.S.; and
- Any other licensing requirement, restriction, or prohibition designated a consumer protection by the Chief Financial Officer, but not inconsistent with the requirements of Subtitle C of the federal Gramm-Leach-Bliley Act.

### **The Office of Insurance Regulation**

The Office of Insurance Regulation (OIR or office) is responsible for regulating all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the code. The head of the OIR is the Commissioner.<sup>8</sup>

### **The Unfair Insurance Trade Practices Act (Act)**

The Act<sup>9</sup> regulates trade practice relating to the business of insurance, including activities of insurers and agents. The Department of Financial Services (DFS) and the office are authorized to impose fines on any person who violates any provision of this Act.<sup>10</sup>

### **National Association of Insurance Commissioners**

The OIR is a member of the National Association of Insurance Commissioners (NAIC), an organization consisting of state insurance regulators.<sup>11</sup> As a member of the NAIC, the OIR is

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<sup>8</sup> Section 20.121(3)(a)1, F.S. The Financial Services Commission (commission), composed of the Governor, the Attorney General, the Chief Financial Officer, and the Commissioner of Agriculture, serve as the commission. Commission members serve as agency head of the Financial Services Commission. Commission members shall serve as the agency head for purposes of rulemaking by the commission. Section 20.121(3)(c), F.S.

<sup>9</sup> Part IX, ch. 626, F.S.

<sup>10</sup> *Id.*

<sup>11</sup> The NAIC provides expertise, data, and analysis for insurance commissioners to effectively regulate the industry and protect consumers. Founded in 1871, the U.S. standard-setting organization is governed by the chief insurance regulators from the 50 states, the District of Columbia, and five U.S. territories to coordinate regulation of multistate insurers. National Association of Insurance Commissioners, (NAIC), About, *Our Story*, <https://content.naic.org/about#:~:text=The%20National%20Association%20of%20Insurance,the%20industry%20and%20protect%20consumers>. (last visited March 19, 2025).

required to participate in the organization’s accreditation program.<sup>12</sup> The NAIC accreditation is a certification that a state insurance department is fulfilling legal, regulatory, and organizational oversight standards and practices. Once accredited, a member state is subject to a full accreditation review every five years. The NAIC also periodically reviews its solvency standards as set forth in its model acts<sup>13</sup> and revises accreditation requirements to adapt to evolving industry standards.

### ***Pet Insurance Act***

In 2022, the NAIC adopted the Pet Insurance Model Law, also known as the “Pet Insurance Act” (act).<sup>14</sup> The purpose of this act is to promote the public welfare by creating a comprehensive legal framework within which pet insurance may be sold. The elements of the act include definitions, disclosures, policy conditions, sales practices for wellness programs, agent training, rulemaking, and violations. The NAIC reports multiple states<sup>15</sup> have adopted the most recent version of the act in a substantially similar manner,<sup>16</sup> which requires states to adopt the act in its entirety but does allow for variations in style and format.<sup>17</sup>

Prior to the NAIC’s approval of the model law, the following factors were cited as the impetus for the NAIC to form a property and casualty insurance task force initially to review pet insurance coverage, product approval, marketing, ratemaking, claims practices, and regulatory concerns:

- Tremendous growth in the pet insurance market;
- Policy premiums that far exceed the cost of the covered pet; and
- Complex policies with multiple coverage options and exclusions.<sup>18</sup>

The NAIC task force issued, *A Regulator’s Guide to Pet Insurance in 2019* (report). The report<sup>19</sup> found that in 2018:

<sup>12</sup> NAIC, Insurance Topics, *Accreditation, Background* (December 12, 2024).

[https://content.naic.org/cipr\\_topics/topic\\_accreditation.htm](https://content.naic.org/cipr_topics/topic_accreditation.htm) (last visited March 19, 2025).

<sup>13</sup> NAIC, Resource Center, *Model Laws*, <https://content.naic.org/model-laws> (last visited March 19, 2025).

<sup>14</sup> [NAIC Pet Insurance Model Law 11921Clean \(soutronglobal.net\), Model 633](#) (Aug. 2022) (last visited March 6, 2024).

<sup>15</sup> NAIC Model Laws, Regulations, *Guidelines and Other Resources – Fall 2024, Pet Insurance Model Act (ST-633-1)*. These states include: California (CAL. INS. CODE s. 12880.0 to s. 12880.6 (2020)); Delaware (DEL. CODE ANN. tit. 18, s. 8801 to s. 8809 (2023)); Louisiana (LA. STAT. ANN. s. 22:1371 to s. 22:1375 (2023)); Maine (ME. REV. STAT. tit. 24-A, s. 3151 to s. 3161 (2022)); Maryland (Md. Code Ann., Ins. s. 19-1101 to s. 19-1107 (2024)), Mississippi (MISS. CODE ANN. s. 83-87-1 to s. 83-87-9 (2023)); Nebraska (NEB. REV. STAT. s. 44-6501 to s. 44-6510 (2023)); New Hampshire (N.H. REV. STAT. ANN. s. 402-P:1 to s. 402-P:6 (2023)); Ohio (S.B. 175/Ohio Revised Code, Ch. 3970 (Effective January 22, 2025)); Vermont (8 V.S.A. s. 7151 to s. 7159 (2024)); and, Washington (WASH. REV. CODE s. 48.205.010 to s. 48.205.080 (2023)), [https://content.naic.org/sites/default/files/model-law-state-page-633\\_1.pdf](https://content.naic.org/sites/default/files/model-law-state-page-633_1.pdf) (last visited March 19, 2025).

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> NAIC, *A Regulator’s Guide to Pet Insurance (2019)* at p. 1, <https://content.naic.org/sites/default/files/publication-pin-op-pet-insurance.pdf> (last visited March 19, 2023).

<sup>19</sup> NAIC, *A Regulator’s Guide to Pet Insurance (2019)*, <https://content.naic.org/sites/default/files/publication-pin-op-pet-insurance.pdf> (last visited March 19, 2023).

- The largest amount of gross premium was concentrated in California (21.4 percent) and New York (10.4 percent). In contrast, Florida's represented 6.3 percent of the gross written premium.<sup>20</sup>
- The first pet policy was issued in the United States in 1982.
- The majority of the carriers selling policies offer the following coverage: accident only; and accident and illness.
- Most carriers write coverage for dogs and cats only. Some write policies for exotic pets, such as reptiles and birds. Many carriers exclude coverage for pets less than eight weeks old or older than 12 years.
- Some carriers have waiting periods for injury, illness, and orthopedic care. Policy exclusions were noted for preexisting conditions. Many policies exclude coverage for congenital and hereditary conditions, such as hip dysplasia, heart defects, cataracts, and diabetes.
- The most common marketing or distribution strategies were web-based marketing and referrals from veterinary clinics, friends, and families. The fastest growing form of distribution was through an employee benefit package.

Consumer Reports<sup>21</sup> conducted a member survey<sup>22</sup> of 2,061 members who insured their pets. The average premium paid by Consumer Reports members was \$47 per month per pet. Depending on the plan selected, deductibles can range from \$0 to \$1,000 or more. Copays (the fixed percentage of a vet bill that is paid out of pocket) are typically 20 percent.<sup>23</sup>

## Regulation of Veterinarians in Florida

### *Veterinary Medicine, the Practice of Veterinary Medicine*

In 1979, the Legislature determined the practice of veterinary medicine to be potentially dangerous to public health and safety if conducted by incompetent and unlicensed practitioners and that minimum requirements for the safe practice of veterinary medicine are necessary.<sup>24</sup> The Board of Veterinary Medicine in the Department of Business and Professional Regulation (DBPR) implements the provisions of ch. 474, F.S., on Veterinary Medical Practice.<sup>25</sup> A veterinarian is a health care practitioner licensed to engage in the practice of veterinary medicine

<sup>20</sup> NAIC, *A Regulator's Guide to Pet Insurance (2019)*, Figure 4. *Policies and Premiums By State*, at p. 6, <https://content.naic.org/sites/default/files/publication-pin-op-pet-insurance.pdf> (last visited March 20, 2024). This data was provided by NAPHIA, not the states or the NAIC. Such data includes NAPHIA members only and is not exhaustive of the entire market for pet insurance. The report notes that NAPHIA represents 99 percent of the U.S. and Canada pet insurance industry.

<sup>21</sup> Consumer Reports, *About Us, What We Do*, <https://www.consumerreports.org/about-us/what-we-do/#:~:text=Our%20investigative%20journalism%2C%20advocacy%2C%20and,science%2C%20evidence%2C%20and%20data> (last visited March 20, 2025). Consumer Reports is an independent, nonprofit member organization that works side by side with consumers for truth, transparency, and fairness in the marketplace. Consumer Reports was founded in 1936.

<sup>22</sup> Brian Vines, *Pet Insurance Buying Guide* (Aug. 25, 2023), Consumer Reports, <https://www.consumerreports.org/money/pet-insurance/buying-guide/> (last visited March 20, 2025).

<sup>23</sup> *Id.*

<sup>24</sup> See s. 474.201, F.S.

<sup>25</sup> See s. 474.204 through 474.2125, F.S., concerning the powers and duties of the Board of Veterinary Medicine.

in Florida under ch. 474, F.S.<sup>26</sup> The DBPR reports there are approximately 13,600 licensees pursuant to ch. 474, F.S. and ch. 61G18, F.A.C.<sup>27</sup>

Veterinary medicine<sup>28</sup> includes, with respect to animals:<sup>29</sup>

- Surgery;
- Acupuncture;
- Obstetrics;
- Dentistry;
- Physical therapy;
- Radiology;
- Theriogenology (reproductive medicine);<sup>30</sup> and
- Other branches or specialties of veterinary medicine.

The practice of veterinary medicine is the diagnosis of medical conditions of animals and the prescribing, dispensing, or administering of medicine and treatment to animals for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease, or holding oneself out as performing any of these functions.<sup>31</sup> Veterinarians who are incompetent or present a danger to the public are subject to discipline and may be prohibited from practicing in the state.<sup>32</sup>

### III. Effect of Proposed Changes:

**Section 1** amends s. 624.604, F.S., to revise the definition of “property insurance” to specify that property insurance may include pet insurance that provides coverage for accidents and for illnesses of pets.

**Section 2** amends s. 626.9541, F.S., defining unfair methods of competition and unfair or deceptive the following sales acts or practices for pet wellness programs by pet insurance agents:

- Marketing a wellness program as pet insurance;
- Requiring the purchase of a wellness program as a prerequisite to the purchase of pet insurance;
- Wellness program costs that are not separate and identifiable from any pet insurance policy sold by the pet insurance agent;
- Wellness program terms and conditions that are not separate from any pet insurance policy sold by the pet insurance agent;

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<sup>26</sup> See s. 474.202(11), F.S.

<sup>27</sup> DBPR, Veterinary Medicine – Board Information, <https://www2.myfloridalicense.com/veterinary-medicine/board-information/#:~:text=The%20Board%20of%20Veterinary%20Medicine,Chapter%2061G18%2C%20Florida%20Administrative%20Code> (last visited March 19, 2025).

<sup>28</sup> Section 474.202(13), F.S.

<sup>29</sup> Section 474.202(1), F.S., defines “animal” as “any mammal other than a human being or any bird, amphibian, fish, or reptile, wild or domestic, living or dead.”

<sup>30</sup> The Society for Theriogenology, established in 1954, is composed of veterinarians dedicated to standards of excellence in animal reproduction, <https://www.therio.org/> (last visited March 19, 2024).

<sup>31</sup> Section 474.202(9), F.S. Also included is the determination of the health, fitness, or soundness of an animal, and the performance of any manual procedure for the diagnosis or treatment of pregnancy, fertility, or infertility of animals.

<sup>32</sup> Section 474.213, F.S., on prohibited acts, and s. 474.214, F.S., on disciplinary proceedings.

- Wellness program products or coverages that duplicate products or coverages available through the pet insurance policy; and
- Misleading advertising of the wellness program.

**Section 3** creates s. 627.71545, F.S., relating to pet insurance and noninsurance wellness programs. This section may be cited as the “Pet Insurance Act.” The section states that the purpose of this section is to promote the public welfare by creating a comprehensive regulatory framework within which pet insurance may be sold in this state. The section applies to the following:

- Pet insurance policies that are issued to any resident of this state or that are sold, solicited, negotiated, or offered in this state.
- Pet insurance policies or certificates that are delivered or issued for delivery in this state.

This section may not be construed to prohibit or limit the types of exclusions pet insurers may use in their policies or require pet insurers to have any of the limitations or exclusions as specified in the bill.

All other applicable provisions of the insurance laws of this state continue to apply to pet insurance except that the specific provisions of this chapter supersede any general provisions of law which would otherwise be applicable to pet insurance.

The section defines the following terms:

- “Chronic condition” means a condition that can be treated or managed, but not cured.
- “Congenital anomaly or disorder” means a condition that is present from birth, whether inherited or caused by the environment, which may cause or contribute to illness or disease.
- “Hereditary disorder” means an abnormality that is genetically transmitted from parent to offspring and may cause illness or disease.
- “Orthopedic conditions” means a condition affecting the bones, skeletal muscle, cartilage, tendons, ligaments, or joints. It includes, but is not limited to, elbow dysplasia, hip dysplasia, intervertebral disc degeneration, patellar luxation, and ruptured cranial cruciate ligaments. It does not include cancers or metabolic, hemopoietic, or autoimmune diseases.
- “Pet insurance” means a property insurance policy that provides coverage for accidents and for illnesses and diseases of pets. Such insurance reimburses a policyholder for expenses associated with medical advice, diagnosis, care, or treatment provided by a veterinarian, including, but not limited to, the cost of drugs prescribed by the veterinarian.
- “Pet insurance policy” or “policy” includes pet insurance certificates.
- “Preexisting condition” means a condition for which, before the effective date of a pet insurance policy or during any waiting period a veterinarian provided medical advice, the pet received previous treatment, or based on information from verifiable sources the pet had signs or symptoms directly related to the condition for which a claim is being made. A condition for which coverage is afforded on a policy is not deemed to be a preexisting condition on any renewal of the policy.
- “Renewal” means the issuance and delivery at the end of an insurance policy period of a policy that supersedes the policy previously issued and delivered by the same pet insurer or affiliated pet insurer and that provides types and limits of coverage substantially similar to those contained in the policy being superseded.

- “Veterinarian” means a health care practitioner who is licensed to engage in the practice of veterinary medicine in Florida under ch. 474, F.S.
- “Waiting period” means the period of time specified in a pet insurance policy that is required to transpire before some or all of the coverage in the policy can begin. Waiting periods may not be applied to renewals of existing coverage.
- “Wellness program” means a subscription-based or reimbursement-based program that is separate from an insurance policy which provides goods and services to promote the general health, safety, or well-being of the pet. If the subscription or program includes language such as “undertakes to indemnify another,” “pays a specified amount upon determinable contingencies,” or “provides coverage for a fortuitous event,” the subscription or program is transacting in the business of insurance and is subject to the Florida Insurance Code. This definition is not intended to classify a contract directly between a service provider and a pet owner which involves only the two parties as being the business of insurance, unless other indications of insurance also exist.

The bill specifies that when the foregoing defined terms are used in a pet insurance policy, they must be defined pursuant to the statute. The pet insurer must include any such definitions used in policies available via a clear and conspicuous link on the main page of the website of the pet insurer’s or the pet insurer’s program administrator.

The bill requires a pet insurer transacting pet insurance to disclose the following to pet insurance applicants and policyholders:

- Whether the policy excludes coverage due to a chronic condition, a congenital anomaly or disorder, a hereditary disorder, or a preexisting condition.
- If the policy includes any other policy exclusions not listed above, such other exclusions must be disclosed by including the following statement in the disclosure: “Other exclusions may apply. Please refer to the exclusions section of the policy for more information.”
- Any policy provision that limits coverage through a waiting period, a deductible, coinsurance, or an annual or lifetime policy limit. Waiting periods and the requirements applicable to them must be clearly and prominently disclosed to consumers before the policy purchase.
- Whether the pet insurer reduces coverage or increases premiums based on the policyholder’s claim history, the age of the covered pet, or a change in the geographic location of the policyholder.
- Whether the underwriting company differs from the brand name used to market and sell the product.

Before issuing a pet insurance policy, a pet insurer is required to provide through a clear and conspicuous link on the main page of the pet insurer’s website or the website of the insurer’s program administrator, a summary description of the basis or formula for the pet insurer’s determination of claim payments under the policy.

- If a pet insurer uses a benefit schedule to determine claim payments under a pet insurance policy, the insurer must clearly disclose:
  - The applicable benefit schedule in the policy; and



- All benefit schedules used by the pet insurer under its pet insurance policies through a clear and conspicuous link on the main page of the pet insurer's or pet insurer's program administrator's website.
- If a pet insurer uses usual and customary payments to determine claims payments under a pet insurance policy, or any other reimbursement limitation based on prevailing veterinary service provider charges, the insurer must:
  - Include a usual and customary fee limitation provision in the policy which clearly describes the pet insurer's basis or formula for determining usual and customary fees and how that basis or formula is applied in calculating claim payments.
  - Disclose the pet insurer's basis for determining usual and customary fees through a clear and conspicuous link on the main page of the pet insurer's or pet insurer's program administrator's website.

If any medical examination by a veterinarian is required to effectuate coverage, the pet insurer must clearly and conspicuously disclose the required aspects of the examination before the policy is purchased and must disclose that examination documentation may result in a preexisting condition exclusion.

### **Insurer Disclosure of Important Policy Provisions**

The bill provides a pet insurer shall create a summary of all policy disclosures required in a separate document. At the time a pet insurance policy is issued or delivered to a policyholder, the pet insurer must provide the policyholder with a copy of the Insurer Disclosure of Important Policy Provisions, which provides a summary of the required disclosures. Further, the pet insurer must post the document by way of a clear and conspicuous link on the main page of the pet insurer's or pet insurer's program administrator's website. The pet insurer must also include a written disclosure with all of the following information:

- Contact information for the Division of Consumer Services of the Department of Financial Services (DFS), including a toll-free telephone number and a link, for consumers to submit inquiries and complaints relating to pet insurance products regulated by the DFS and office.
- The address and customer service telephone number of the pet insurer or the insurance agent.

### **Right to Return Policy**

A pet insurance policy and rider must have a notice prominently printed on the first page or attached, which includes specific instructions to accomplish a return. If a policyholder decides not to keep the policy, the policyholder must return it to the insurer at its administrative office or return it to the agent/insurance producer unless the policyholder has filed a claim. The policyholder's right to return the policies lasts 30 days after the date of receipt. The insurer must refund the full amount of any premium paid within 30 days after receipt of the returned policy, certificate, or rider. The premium refund must be sent directly to the person who paid it. The policy, certificate, or rider will be void as if it had never been issued. The notice must state in substantially form, the following:

You have 30 days from the day you receive this policy, certificate, or rider to review it and return it to the insurer if you decide not to keep it. You do not have to tell the insurer why you are returning it. If you decide not to keep it, simply

return it to the insurer at its administrative office or return it to the agent or broker that you bought it from as long as you have not filed a claim. You must return the policy, certificate, or rider within 30 days after the day you first received it. The insurer will refund the full amount of any premium paid within 30 days after it receives the returned policy, certificate, or rider. The premium refund will be sent directly to the person who paid it. The policy, certificate, or rider will be void as if it had never been issued.

### **Exclusions and Waiting Periods**

The bill authorizes a pet insurer to issue a policy that:

- Excludes coverage on the basis of one or more preexisting conditions with appropriate written disclosure to the applicant or policyholder. The pet insurer has the burden of proving whether a preexisting condition exclusion is applicable to a claim.
- Imposes waiting periods upon effectuation of the policy which do not exceed 30 days for illnesses, diseases or orthopedic conditions not resulting from an accident. A pet insurer may not issue policies that impose waiting periods for accidents.
  - A pet insurer that imposes a waiting period authorized in this section must waive the waiting period upon completion of a medical examination.
  - Pet insurers may require that such an examination be conducted by a licensed veterinarian after the purchase of the policy and the insurer will pay for the examination. Such an examination required by a pet insurer must be paid for by the policyholder, unless the policy specifies the pet insurer will pay for the examination.
  - A pet insurer may specify requirements for the medical examination and require documentation that such requirements were satisfied, provided the specifications do not unreasonably restrict the ability of the applicant or policyholder to waive the waiting periods.

A pet insurer may not require a medical examination by a veterinarian of the covered pet for the policyholder to renew the policy. If a pet insurer includes any prescriptive, wellness, or noninsurance benefits in the pet insurance policy, such benefits are made part of the policy and must conform to all applicable laws in the code. An applicant's eligibility to purchase a pet insurance policy may not be based on participation in, or lack of participation, in a separate wellness program.

### **Agent Training**

The bill provides that pet insurers must ensure that their agents are appropriately trained on the terms and conditions of their pet insurance products. Such training must include the following topics:

- Preexisting conditions and waiting periods.
- The differences between pet insurance and noninsurance wellness programs.
- Hereditary disorders, congenital anomalies or disorders, chronic conditions, and the way pet insurance policies address those conditions or disorders.
- Rating, underwriting, renewal, and other related administrative topics.

**Rulemaking**

The bill authorizes the Financial Services Commission to adopt rules to administer this section.

**Section 4** provides the act takes effect January 1, 2026.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

The increased transparency provided by the policy disclosures will provide consumers with greater information to use in comparing the costs of premiums and benefits of various pet insurance policies.

The purchase of a pet insurance may reduce the out of pocket costs a consumer incurs when a pet experiences an unexpected medical emergency.

Enactment of the bill will provide greater regulatory certainty for insurers that write such coverage in Florida.

**C. Government Sector Impact:**

The bill has an indeterminate impact to state revenues and expenditures. The Office of Insurance Regulation (OIR) may experience additional costs associated with updating technology systems, resulting in a one-time impact. The OIR has not provided an analysis of this bill; however, the OIR should be able to absorb any costs associated with technology updates within existing resources.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends the following sections of the Florida Statutes: 624.604 and 626.9541.

This bill creates section 627.71545 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

By Senator DiCeglie

18-00865A-25

20251226\_\_

1 A bill to be entitled  
 2 An act relating to pet insurance and wellness  
 3 programs; amending s. 624.604, F.S.; revising the  
 4 definition of the term "property insurance" to include  
 5 a pet insurance option; amending s. 626.9541, F.S.;  
 6 providing that certain practices relating to pet  
 7 wellness programs are unfair methods of competition  
 8 and unfair or deceptive acts or practices; creating s.  
 9 627.71545, F.S.; providing a short title; providing a  
 10 purpose; providing applicability; providing  
 11 construction; defining terms; requiring pet insurers  
 12 that use such terms in their pet insurance policies to  
 13 use and include the statutory definitions in such  
 14 policies; requiring pet insurers to also make such  
 15 definitions available on their websites or their  
 16 program administrators' websites; requiring pet  
 17 insurers to make certain disclosures to pet insurance  
 18 applicants and policyholders; requiring pet insurers  
 19 to provide a summary of their bases or formulas for  
 20 determination of claim payments under a pet insurance  
 21 policy on their websites or their program  
 22 administrators' websites; requiring pet insurers to  
 23 disclose certain requirements for required medical  
 24 examinations of a pet by a veterinarian; requiring pet  
 25 insurers to create a document with a summary of  
 26 certain disclosures, to post such document on their  
 27 websites or their program administrators' websites,  
 28 and, upon issuance or delivery of a policy to a  
 29 policyholder, to provide such document to the

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30 policyholder; requiring that pet insurers make certain  
 31 additional written disclosures; providing that certain  
 32 required disclosures are in addition to disclosures  
 33 required by the Florida Insurance Code or the  
 34 Financial Services Commission rules; authorizing pet  
 35 insurance applicants and policyholders to examine and  
 36 return insurance policies and riders under certain  
 37 circumstances; requiring that premiums be refunded  
 38 under certain circumstances; requiring that pet  
 39 insurance policies and riders have a specified notice  
 40 printed on or attached to the first page; authorizing  
 41 pet insurers to issue policies that exclude coverage  
 42 on the basis of preexisting conditions with  
 43 appropriate written disclosure to the applicant or  
 44 policyholder; providing that pet insurers have a  
 45 specified burden of proof with regard to such  
 46 exclusions; authorizing pet insurers to issue new  
 47 policies that impose a waiting period of up to a  
 48 specified period of time for specified illnesses,  
 49 diseases, or conditions; prohibiting pet insurers from  
 50 issuing policies imposing a waiting period for  
 51 accidents; requiring pet insurers that issue a policy  
 52 that imposes a waiting period to include a provision  
 53 allowing for waiver of the waiting period upon  
 54 completion of a medical examination of the covered pet  
 55 by a veterinarian; authorizing pet insurers to require  
 56 that an examination be conducted by a veterinarian  
 57 after the purchase of the policy; providing  
 58 requirements and authorizations relating to such

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59 examination; prohibiting a pet insurer from requiring  
 60 a medical examination of the covered pet to renew a  
 61 policy; requiring that certain benefits comply with  
 62 certain provisions of the Florida Insurance Code;  
 63 prohibiting insurance applicants' eligibility from  
 64 being based on participation or lack of participation  
 65 in wellness programs; requiring pet insurers to ensure  
 66 that their agents are trained on specified topics;  
 67 providing rulemaking authority; providing an effective  
 68 date.

70 Be It Enacted by the Legislature of the State of Florida:

72 Section 1. Section 624.604, Florida Statutes, is amended to  
 73 read:

74 624.604 "Property insurance" defined.—"Property insurance"  
 75 is insurance on real or personal property of every kind and of  
 76 every interest therein, whether on land, water, or in the air,  
 77 against loss or damage from any and all hazard or cause, and  
 78 against loss consequential upon such loss or damage, other than  
 79 noncontractual legal liability for any such loss or damage.  
 80 Property insurance may include pet insurance that provides  
 81 coverage for accidents and for illnesses of pets. Property  
 82 insurance may contain a provision for accidental death or injury  
 83 as part of a multiple peril homeowner's policy. Such insurance,  
 84 which is incidental to the property insurance, is not subject to  
 85 the provisions of this code applicable to life or health  
 86 insurance. Property insurance does not include title insurance,  
 87 as defined in s. 624.608.

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88 Section 2. Paragraph (hh) is added to subsection (1) of  
 89 section 626.9541, Florida Statutes, to read:

90 626.9541 Unfair methods of competition and unfair or  
 91 deceptive acts or practices defined.—

92 (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE  
 93 ACTS.—The following are defined as unfair methods of competition  
 94 and unfair or deceptive acts or practices:

95 (hh) Sales practices for pet wellness programs.—

96 1. A pet insurance agent may not market a wellness program  
 97 as pet insurance.

98 2. If a wellness program is sold by a pet insurance agent:

99 a. The purchase of the wellness program may not be a  
 100 prerequisite to the purchase of pet insurance;

101 b. The costs of the wellness program must be separate and  
 102 identifiable from any pet insurance policy sold by the pet  
 103 insurance agent;

104 c. The terms and conditions of the wellness program must be  
 105 separate from any pet insurance policy sold by the agent;

106 d. The products or coverages available through the wellness  
 107 program may not duplicate the products or coverages available  
 108 through the pet insurance policy; and

109 e. The advertising of the wellness program must not be  
 110 misleading.

111 Section 3. Section 627.71545, Florida Statutes, is created  
 112 to read:

113 627.71545 Pet insurance; noninsurance wellness programs.—

114 (1) This section may be cited as the "Pet Insurance Act."

115 (2) The purpose of this section is to promote the public  
 116 welfare by creating a comprehensive regulatory framework within

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117 which pet insurance may be sold in this state.  
 118 (3) This section applies to all of the following:  
 119 (a) Pet insurance policies that are issued to any resident  
 120 of this state or that are sold, solicited, negotiated, or  
 121 offered in this state.  
 122 (b) Pet insurance policies or certificates that are  
 123 delivered or issued for delivery in this state.  
 124 (4) (a) This section may not be construed to prohibit or  
 125 limit the types of exclusions pet insurers may use in their  
 126 policies or to require pet insurers to include in such policies  
 127 any of the limitations or exclusions specified in subsection  
 128 (9).  
 129 (b) All other applicable provisions of the Florida  
 130 Insurance Code apply to pet insurance, except that this section  
 131 supersedes any general provisions of the Florida Insurance Code  
 132 which otherwise apply to pet insurance.  
 133 (5) (a) As used in this section, the term:  
 134 1. "Chronic condition" means a condition that can be  
 135 treated or managed, but not cured.  
 136 2. "Congenital anomaly or disorder" means a condition that  
 137 is present from birth, whether inherited or caused by the  
 138 environment, and which may cause or contribute to illness or  
 139 disease.  
 140 3. "Hereditary disorder" means an abnormality that is  
 141 genetically transmitted from parent to offspring and may cause  
 142 illness or disease.  
 143 4. "Orthopedic conditions" means a condition that affects  
 144 the bones, skeletal muscle, cartilage, tendons, ligaments, or  
 145 joints. The term includes, but is not limited to, elbow

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146 dysplasia, hip dysplasia, intervertebral disc degeneration,  
 147 patellar luxation, and cranial cruciate ligament rupture, but  
 148 does not include cancer or any metabolic, hematopoietic, or  
 149 autoimmune disease.  
 150 5. "Pet insurance" means an insurance policy that provides  
 151 coverage for accidents and for illnesses and diseases of pets.  
 152 Such insurance reimburses a policyholder for expenses associated  
 153 with medical advice, diagnosis, care, or treatment provided by a  
 154 veterinarian, including, but not limited to, the cost of drugs  
 155 prescribed by the veterinarian.  
 156 6. "Pet insurance policy" or "policy" includes pet  
 157 insurance certificates.  
 158 7. "Preexisting condition" means a condition for which any  
 159 of the following is true before the effective date of or during  
 160 a waiting period applicable to a pet insurance policy:  
 161 a. A veterinarian provided medical advice.  
 162 b. The pet received previous treatment.  
 163 c. Based on information from verifiable sources, the pet  
 164 had signs or symptoms directly related to the condition for  
 165 which a claim is being made.  
 166 A condition for which coverage is afforded on a policy is not  
 167 deemed to be a preexisting condition on any renewal of the  
 168 policy.  
 169 8. "Renewal" means the issuance and delivery at the end of  
 170 an insurance policy period of a policy that supersedes the  
 171 policy previously issued and delivered by the same pet insurer  
 172 or affiliated pet insurer and that provides types and limits of  
 173 coverage substantially similar to those contained in the policy  
 174

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175 being superseded.

176 9. "Veterinarian" means a health care practitioner who is  
 177 licensed to engage in the practice of veterinary medicine in  
 178 this state under chapter 474.

179 10. "Waiting period" means the period of time specified in  
 180 a pet insurance policy which is required to run before some or  
 181 all of the coverage in the policy may begin. This period may not  
 182 be applied to renewals of existing coverage.

183 11. "Wellness program" means a subscription or  
 184 reimbursement-based program that is separate from an insurance  
 185 policy and that provides goods and services to promote the  
 186 general health, safety, or well-being of the covered pet. If the  
 187 subscription or program includes language such as "undertakes to  
 188 indemnify another," "pays a specified amount upon determinable  
 189 contingencies," or "provides coverage for a fortuitous event,"  
 190 the subscription or program is transacting in the business of  
 191 insurance and is subject to the Florida Insurance Code. This  
 192 definition is not intended to classify a contract directly  
 193 between a service provider and a pet owner which involves only  
 194 the two parties as being the business of insurance, unless other  
 195 indications of insurance also exist.

196 (b) If a pet insurer uses any of the terms defined in  
 197 paragraph (a) in a pet insurance policy, the pet insurer must  
 198 use the definition of each term as provided in paragraph (a) and  
 199 must include such definition in the policy. The pet insurer must  
 200 also make such definitions available through a clear and  
 201 conspicuous link on the main page of the website of the pet  
 202 insurer or the pet insurer's program administrator.

203 (6) (a) A pet insurer transacting pet insurance must

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204 disclose the following to pet insurance applicants and  
 205 policyholders:

206 1. Whether the policy excludes coverage due to any of the  
 207 following:

- 208 a. A chronic condition;
- 209 b. A congenital anomaly or disorder;
- 210 c. A hereditary disorder; or
- 211 d. A preexisting condition.

212 2. If the policy includes any other exclusions not listed  
 213 in subparagraph 1., the following information in a statement in  
 214 the disclosure: "Other exclusions may apply. Please refer to the  
 215 exclusions section of the policy for more information."

216 3. Any policy provision that limits coverage through a  
 217 waiting period, a deductible, a coinsurance payment, or an  
 218 annual or lifetime policy limit. Waiting periods and applicable  
 219 requirements must be clearly and prominently disclosed to  
 220 applicants before the policy purchase.

221 4. Whether the pet insurer reduces coverage or increases  
 222 premium based on the policyholder's claims history, the age of  
 223 the covered pet, or a change in the geographic location of the  
 224 policyholder.

225 5. Whether the underwriting company differs from the brand  
 226 name used to market and sell the pet insurance.

227 (b) Before issuing a pet insurance policy, a pet insurer  
 228 shall, through a clear and conspicuous link on the main page of  
 229 the pet insurer's website or the website of the pet insurer's  
 230 program administrator, provide a summary description of the  
 231 basis or formula for the pet insurer's determination of claim  
 232 payments under the policy.



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233 1. A pet insurer that uses a benefit schedule to determine  
 234 claim payments under a pet insurance policy must clearly  
 235 disclose both of the following:

236 a. The applicable benefit schedule in the policy.  
 237 b. All benefit schedules used by the pet insurer under its  
 238 pet insurance policies through a clear and conspicuous link on  
 239 the main page of the pet insurer's or pet insurer's program  
 240 administrator's website.

241 2. A pet insurer that determines claim payments under a pet  
 242 insurance policy based on usual and customary fees, or any other  
 243 reimbursement limitation based on prevailing veterinary service  
 244 provider charges, shall do both of the following:

245 a. Include a usual and customary fee limitation provision  
 246 in the policy which clearly describes the pet insurer's basis or  
 247 formula for determining usual and customary fees and the manner  
 248 in which that basis or formula is applied in calculating claim  
 249 payments.

250 b. Disclose the pet insurer's basis for determining usual  
 251 and customary fees through a clear and conspicuous link on the  
 252 main page of the pet insurer's or pet insurer's program  
 253 administrator's website.

254 (c) If any medical examination of the pet by a veterinarian  
 255 is required to effectuate coverage, the pet insurer must clearly  
 256 and conspicuously disclose such requirement before the policy is  
 257 purchased and must disclose that examination documentation may  
 258 result in a preexisting condition exclusion.

259 (d) A pet insurer shall create a summary of all policy  
 260 disclosures required in paragraphs (a), (b), and (c) in a  
 261 separate document entitled "Insurer Disclosure of Important

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262 Policy Provisions." The pet insurer shall post the document  
 263 through a clear and conspicuous link on the main page of the pet  
 264 insurer's website or the website of the pet insurer's program  
 265 administrator's.

266 (e) At the time a pet insurance policy is issued or  
 267 delivered to a policyholder, the pet insurer shall provide the  
 268 policyholder with a copy of the Insurer Disclosure of Important  
 269 Policy Provisions document required under paragraph (d), in at  
 270 least 12-point type. At such time, the pet insurer shall also  
 271 include a written disclosure with all of the following:

272 1. Contact information for the Division of Consumer  
 273 Services of the department, including a link and toll-free  
 274 telephone number, for consumers to submit inquiries and  
 275 complaints relating to pet insurance products regulated by the  
 276 department or office.

277 2. The address and customer service telephone number of the  
 278 pet insurance agent.

279 (f) The disclosures required in this subsection are in  
 280 addition to any other disclosures required by the Florida  
 281 Insurance Code or rules prescribed by the commission.

282 (7) Unless the policyholder has filed a claim under the pet  
 283 insurance policy, a pet insurance applicant or policyholder may  
 284 examine and return the policy or rider to the pet insurer or pet  
 285 insurance agent or broker within 30 days after the applicant or  
 286 policyholder obtains the receipt and is entitled to the premium  
 287 refunded if, after examining the policy or rider, he or she is  
 288 not satisfied for any reason.

289 (8) A pet insurance policy and rider must have a notice  
 290 prominently printed on or attached to the first page which

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291 includes specific instructions to accomplish a return, in type  
 292 at least as large as any type appearing on the policy or rider  
 293 contract and in substantially the following language:

294  
 295 You have 30 days after the date you receive this  
 296 policy, certificate, or rider to review and return it  
 297 to the company if you decide not to keep it. You do  
 298 not have to tell the company why you are returning it.  
 299 If you decide not to keep policy, certificate, or  
 300 rider, simply return it to the company at the  
 301 company's administrative office, or to the insurance  
 302 agent or broker from whom you bought it, as long as  
 303 you have not filed a claim. You must return the  
 304 policy, certificate, or rider within 30 days after the  
 305 day you first receive it in order to receive a refund.  
 306 The company must refund the full amount of any premium  
 307 paid within 30 days after it receives the returned  
 308 policy, certificate, or rider. The premium refund will  
 309 be sent directly to the person who paid it. The  
 310 policy, certificate, or rider will be void as if it  
 311 had never been issued.

312  
 313 (9) (a) A pet insurer may issue a policy that excludes  
 314 coverage on the basis of one or more preexisting conditions with  
 315 appropriate written disclosure to the applicant or policyholder.  
 316 The pet insurer has the burden of proving that the preexisting  
 317 condition exclusion applies to the condition for which a claim  
 318 is being made.

319 (b)1. A pet insurer may issue a new policy imposing a

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320 waiting period that does not exceed 30 days after effectuation  
 321 of coverage for illnesses or diseases or for orthopedic  
 322 conditions not resulting from an accident. A pet insurer may not  
 323 issue a policy imposing a waiting period for accidents.

324 2. A pet insurer issuing a policy that imposes a waiting  
 325 period must include a provision in its contract which allows the  
 326 waiting period to be waived upon completion of a medical  
 327 examination of the pet by a veterinarian. The pet insurer may  
 328 require the examination to be conducted by a veterinarian after  
 329 the purchase of the policy.

330 a. A medical examination required under this subparagraph  
 331 must be paid for by the policyholder, unless the policy  
 332 specifies that the pet insurer will pay for the examination.

333 b. A pet insurer may specify requirements for the  
 334 examination and require documentation that the requirements have  
 335 been satisfied, provided that the specifications do not  
 336 unreasonably restrict the ability of the applicant or  
 337 policyholder to waive the waiting period.

338 (c) A pet insurer may not require a medical examination of  
 339 the covered pet for the policyholder to renew a policy.

340 (d) If a pet insurer includes any prescriptive, wellness,  
 341 or noninsurance benefit in the policy form, the benefit is made  
 342 part of the policy contract and must comply with all of the  
 343 applicable provisions of the Florida Insurance Code.

344 (e) An applicant's eligibility to purchase a pet insurance  
 345 policy may not be based on his or her participation, or lack of  
 346 participation, in a separate wellness program.

347 (10) (a) A pet insurer must ensure that its agents are  
 348 trained on the topics specified in paragraph (b) and that its

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349 agents have been appropriately trained on the coverages and  
350 conditions of its pet insurance products.

351 (b) The training required under this subsection must  
352 include information on all of the following topics:

353 1. Preexisting conditions and waiting periods.

354 2. The differences between pet insurance and noninsurance  
355 wellness programs.

356 3. Chronic conditions, congenital anomalies or disorders,  
357 and hereditary disorders and the way pet insurance policies  
358 address those conditions or disorders.

359 4. Rating, underwriting, renewal, and other related  
360 administrative topics.

361 (11) The commission may adopt rules necessary to administer  
362 this section.

363 Section 4. This act shall take effect January 1, 2026.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/26/25 Meeting Date

1326 Bill Number or Topic

ALG Committee

Amendment Barcode (if applicable)

Name DONOVAN BROWN

Phone 850.815.6010

Address 106 E COLLEGE AVE SUITE 1400 Street

Email donovanecapadvocates.com

TLH City

FL State

32309 Zip

Speaking: [ ] For [ ] Against [ ] Information OR Waive Speaking: [X] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[ ] I am appearing without compensation or sponsorship.

[X] I am a registered lobbyist, representing:

[ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

THE NORTH AMERICAN PET HEALTH INSURANCE ASSOCIATION

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. 511.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf flsenate.gov

This form is part of the public record for this meeting.



**THE FLORIDA SENATE**  
**SENATOR NICK DICEGLIE**  
District 18

**Ben Albritton**  
President of the Senate

**Jason Brodeur**  
President Pro Tempore

March 12, 2025

Dear Chair Brodeur,

I respectfully request that **SB 1226: Pet Insurance and Wellness Programs** be placed on the agenda of the Appropriations Committee on Agriculture, Environment, and General Government at your earliest convenience. If my office can be of any assistance to the committee, please do not hesitate to contact me at [DiCeglie.Nick@flsenate.gov](mailto:DiCeglie.Nick@flsenate.gov) or (850) 487-5018. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Nick DiCeglie".

Nick DiCeglie

State Senator, District 18

*Proudly Serving Pinellas County*

Appropriations Committee on Transportation, Tourism, and Economic Development,  
Chair ~ Governmental Oversight and Accountability, Vice Chair ~ Appropriations ~  
Appropriations Committee on Agriculture, Environment, and General Government ~  
Commerce and Tourism ~ Environment and Natural Resources ~ Judiciary ~ Rules ~  
Joint Select Committee on Collective Bargaining

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**Randy Fine**  
**Florida Senate**  
Senator, District 19

March 25, 2025

The Honorable Jason Brodeur  
Chairman of Appropriations Committee on Agriculture, Environment, and General Government,  
201 The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear Chairman Brodeur,

I respectfully request an excused absence from the Appropriations Committee on Agriculture, Environment, and General Government meeting on March 26th, 2025.

Thank you in advance for your consideration of this request.

cc:  
Staff Director Giovanni Betta  
Committee Administrative Assistant Julie Brass

Sincerely,

A handwritten signature in blue ink that reads "Randy A. Fine".

Randy Fine  
State Senator, District 19

A handwritten signature in black ink that reads "J. Brodeur".

Governmental Oversight and Accountability, Chair  
Community Affairs, Vice Chair  
Joint Select Committee on Collective Bargaining, Alternating Chair  
Appropriations -- Regulated Industries  
Appropriations Committee on Agriculture, Environment, and General Government  
Appropriations Committee on Pre-K - 12 Education -- Education Postsecondary  
Brevard County Delegation

# CourtSmart Tag Report

Room: KB 412

Case No.: -

Type:

Caption: Senate Appropriations Committee on Agriculture, Environment, and General Government

Judge:

Started: 3/26/2025 3:30:21 PM

Ends: 3/26/2025 4:41:55 PM

Length: 01:11:35

3:30:21 PM Sen. Brodeur (Chair)  
3:31:03 PM Review and Discussion of Fiscal Year 2025-2026 Budget  
3:31:20 PM Sen. Brodeur  
3:36:06 PM S 796  
3:36:10 PM Sen. Bradley  
3:36:34 PM Sen. Brodeur  
3:36:45 PM Brett Cyphers, Lobbyist, OnSyte Performance (waives in support)  
3:36:50 PM Sen. Brodeur  
3:36:53 PM Sen. Bradley  
3:36:56 PM Sen. Brodeur  
3:37:26 PM S 1162  
3:37:33 PM Sen. Leek  
3:38:11 PM Sen. Brodeur  
3:38:24 PM Sen. Leek  
3:38:26 PM Sen. Brodeur  
3:38:54 PM S 466  
3:38:58 PM Sen. Leek  
3:39:54 PM Sen. Brodeur  
3:40:10 PM Lisa Lloyd  
3:41:31 PM Sarah Arnold  
3:41:59 PM Christian Whitehurst  
3:42:15 PM Sen. Brodeur  
3:42:23 PM Sen. Leek  
3:43:05 PM Sen. Brodeur  
3:43:34 PM S 178  
3:43:41 PM Sen. Rouson  
3:44:45 PM Sen. Brodeur  
3:45:05 PM Susan Clarke  
3:45:30 PM Sen. Brodeur  
3:45:43 PM Sen. Rouson  
3:45:45 PM Sen. Brodeur  
3:46:21 PM S 678  
3:46:28 PM Sen. Truenow  
3:46:43 PM Sen. Brodeur  
3:46:51 PM David Sigerson, Lobbyist, Florida Pawnbrokers Association (waives in support)  
3:46:58 PM Sen. Brodeur  
3:47:05 PM Sen. Truenow  
3:47:07 PM Sen. Brodeur  
3:47:41 PM S 736  
3:47:45 PM Sen. Truenow  
3:48:32 PM Sen. Brodeur  
3:48:37 PM Am. 264904  
3:48:43 PM Sen. Truenow  
3:48:50 PM Sen. Brodeur  
3:48:59 PM S 736 (cont.)  
3:49:08 PM Colton Madill, Lobbyist, Florida Chamber of Commerce (waives in support)  
3:49:15 PM Jessica Love, Lobbyist, Goldstein Brownfields Group, LLC (waives in support)  
3:49:22 PM Sen. Brodeur  
3:49:30 PM Sen. Truenow  
3:49:43 PM Sen. Brodeur  
3:50:18 PM S 700  
3:50:23 PM Sen. Truenow

3:52:32 PM Sen. Brodeur  
3:52:39 PM Am. 976366  
3:52:53 PM Sen. Truenow  
3:53:03 PM Sen. Brodeur  
3:53:13 PM Am. 396046  
3:53:22 PM Sen. Truenow  
3:53:40 PM Sen. Brodeur  
3:54:12 PM S 700 (cont.)  
3:54:19 PM Sen. Berman  
3:54:47 PM Sen. Truenow  
3:56:00 PM Sen. Berman  
3:56:23 PM Sen. Truenow  
3:56:35 PM Sen. Berman  
3:57:04 PM Sen. Truenow  
3:57:24 PM Sen. Berman  
3:57:34 PM Sen. Truenow  
3:57:48 PM Sen. Berman  
3:58:00 PM Sen. Truenow  
3:58:08 PM Sen. Brodeur  
3:58:15 PM Sen. Pizzo  
3:58:21 PM Sen. Truenow  
3:58:26 PM Sen. Pizzo  
3:59:09 PM Sen. Truenow  
3:59:39 PM Sen. Pizzo  
3:59:57 PM Sen. Truenow  
4:00:28 PM Sen. Brodeur  
4:00:31 PM Sen. Arrington  
4:00:48 PM Sen. Truenow  
4:01:06 PM Sen. Arrington  
4:01:23 PM Sen. Truenow  
4:01:28 PM Sen. Arrington  
4:01:43 PM Sen. Truenow  
4:01:51 PM Sen. Brodeur  
4:02:08 PM Bailey Kuykendoll, Operations Director, Stand for Health Freedom  
4:03:22 PM Daniel Freeman  
4:04:05 PM Mary Winn, Volunteer, League of Women Voters of Florida  
4:06:06 PM Brandon Edmonston, Lobbyist, Florida Dental Association  
4:07:42 PM Russell Walther, Florida Society of Oral and Maxillofacial Surgeons  
4:09:58 PM Dr. Richard Mufson  
4:12:28 PM Pueschel Schneier  
4:14:59 PM Susan Clarke  
4:16:38 PM K. Searcy Dannheim (waives in support)  
4:16:44 PM Camille Peacock (waives in support)  
4:16:49 PM Tripp Hunter, Lobbyist, Florida Farm Bureau (waives in support)  
4:16:52 PM Alex Haley, Lobbyist, Florida Department of Agriculture and Consumer Services (waives in support)  
4:16:58 PM Gene Adams, Florida Feed Association (waives in support)  
4:17:03 PM Lena Juarez, Florida Agritourism Association (waives in support)  
4:17:09 PM Kelby Seanor, National Rifle Association (waives in support)  
4:17:28 PM Aimee Villella McBride, Executive Director, Global Wellness Forum  
4:19:49 PM Sen. Brodeur  
4:19:52 PM Sen. Berman  
4:20:03 PM A. McBride  
4:20:15 PM Sen. Berman  
4:20:36 PM A. McBride  
4:20:47 PM Sen. Brodeur  
4:21:02 PM Dr. Warren Edwards  
4:23:35 PM Erica Craven (waives in opposition)  
4:23:42 PM Carolina Luque (waives in opposition)  
4:23:46 PM Tiffany Mccray (waives in opposition)  
4:23:53 PM Acadia Jacob, Florida Voices for Health (waives in opposition)  
4:23:59 PM Sen. Brodeur  
4:24:09 PM Sen. Sharief



4:28:55 PM Sen. Brodeur  
4:28:59 PM Sen. Arrington  
4:29:58 PM Sen. Pizzo  
4:32:33 PM Sen. Brodeur  
4:32:38 PM Sen. Berman  
4:36:07 PM Sen. Brodeur  
4:38:09 PM Sen. Truenow  
4:39:13 PM Sen. Brodeur  
4:39:49 PM S 1226  
4:39:55 PM Sen. DiCeglie  
4:40:26 PM Sen. Brodeur  
4:40:32 PM Dovovan Brown, Lobbyist, The North American Pet Health Insurance Association (waives in support)  
4:40:38 PM Sen. Brodeur  
4:40:44 PM Sen. DiCeglie  
4:40:45 PM Sen. Brodeur  
4:41:20 PM Sen. DiCeglie  
4:41:35 PM Sen. Collins  
4:41:41 PM Sen. Brodeur