

By the Committees on Agriculture, Rules & Calendar and  
Representative Constantine

1                                   A bill to be entitled  
2           An act relating to the Florida Statutes;  
3           repealing various statutory provisions that  
4           have become obsolete, have had their effect,  
5           have served their purpose, or have been  
6           impliedly repealed or superseded; repealing ss.  
7           506.01-506.05, F.S., relating to regulation on  
8           the use of stamped or marked containers and  
9           baskets; repealing ss. 506.14-506.18, F.S.,  
10          relating to regulation of the sale or  
11          distribution of milk products in marked  
12          bottles, cans, or crates; repealing ss.  
13          506.29-506.45, F.S., the Florida Milk and  
14          Ice-cream Container Law; amending s. 506.519,  
15          F.S.; revising a reference, to conform;  
16          repealing ch. 523, F.S., relating to regulation  
17          of naval stores; repealing ch. 544, F.S.,  
18          relating to combinations against Florida meats;  
19          repealing s. 570.541, F.S., relating to the  
20          Racing Quarter Horse Advisory Council;  
21          repealing ss. 588.07 and 588.08, F.S., relating  
22          to the prohibition against stakes and the right  
23          to land not in issue at trial; repealing s.  
24          593.114(3)(b), F.S., relating to applicability  
25          of provisions concerning the validity of  
26          assessments under the Florida Boll Weevil  
27          Eradication Law; repealing ch. 602, F.S.,  
28          relating to citrus canker disease; repealing s.  
29          616.21(2)-(4), F.S., relating to the  
30          Agricultural and Livestock Fair Council;  
31          amending ss. 616.001 and 616.15, F.S.; deleting

1 references, to conform; repealing s. 698.10,  
2 F.S., relating to chattel mortgages filed or  
3 recorded prior to a certain date; repealing s.  
4 865.04, F.S., relating to a prohibition against  
5 the false packing of provisions; providing an  
6 effective date.

7

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

9

10 Section 1. Sections 506.01, 506.02, 506.03, 506.04,  
11 and 506.05, Florida Statutes, are repealed.

12 Section 2. Sections 506.14, 506.15, 506.16, 506.17,  
13 and 506.18, Florida Statutes, are repealed.

14 Section 3. Sections 506.29, 506.30, 506.31, 506.32,  
15 506.33, 506.34, 506.35, 506.36, 506.37, 506.38, 506.39,  
16 506.40, 506.41, 506.42, 506.43, 506.44, and 506.45, Florida  
17 Statutes, are repealed.

18 Section 4. Subsection (2) of section 506.519, Florida  
19 Statutes, is amended to read:

20 506.519 Scope of ss. 506.501-506.519.--

21 (2) The provisions of ss. 506.501-506.519 are intended  
22 to be supplemental to the other provisions of this chapter ~~ss.~~  
23 ~~506.01-506.45~~ and any other provisions of law governing the  
24 subject matter of ss. 506.501-506.519.

25 Section 5. Sections 523.01, 523.02, 523.03, 523.04,  
26 523.05, 523.06, 523.07, 523.08, 523.09, 523.10, 523.12,  
27 523.13, 523.14, 523.15, 523.16, 523.17, 523.18, 523.19,  
28 523.20, 523.21, and 523.22, Florida Statutes, are repealed.

29 Section 6. Sections 544.01, 544.02, 544.03, 544.04,  
30 544.05, and 544.06, Florida Statutes, are repealed.

31

1           Section 7. Section 570.541, Florida Statutes, is  
2 repealed.

3           Section 8. Sections 588.07 and 588.08, Florida  
4 Statutes, are repealed.

5           Section 9. Paragraph (b) of subsection (3) of section  
6 593.114, Florida Statutes, is repealed.

7           Section 10. Sections 602.015, 602.025, 602.035,  
8 602.055, 602.065, 602.075, 602.085, 602.095, 602.097, and  
9 602.099, Florida Statutes, are repealed.

10          Section 11. Subsections (2), (3), and (4) of section  
11 616.21, Florida Statutes, are repealed.

12          Section 12. Section 616.001, Florida Statutes, is  
13 amended to read:

14           616.001 Definitions.--As used in this chapter, the  
15 term:

16           (1) "Authority" means the Florida State Fair  
17 Authority.

18           (2) "Community fair" means a fair which serves an area  
19 of less than an entire county and the exhibits of which are in  
20 accordance with s. 616.17 and in which premiums or awards are  
21 given to exhibitors of the fair. Agricultural products shall  
22 be produced in the community the exhibit represents. The  
23 majority of the board of directors of the fair shall reside,  
24 be employed, or operate a business in the community the fair  
25 represents.

26           ~~(3) "Council" means the Agricultural and Livestock~~  
27 ~~Fair Council.~~

28           (3)(4) "County fair" means a fair which serves an  
29 entire county and the exhibits of which are in accordance with  
30 s. 616.17 and in which premiums or awards are given to  
31 exhibitors of the fair. Agricultural products shall be

1 typical of those produced in the county the exhibit represents  
2 in meeting minimum exhibit requirements. The majority of the  
3 board of directors of the fair shall reside, be employed, or  
4 operate a business in the county the fair represents.

5 (4)~~(5)~~ "Department" means the Department of  
6 Agriculture and Consumer Services.

7 (5)~~(6)~~ "District fair" means a fair which serves at  
8 least five counties and the exhibits of which are in  
9 accordance with s. 616.17, which fair shall pay not less than  
10 a minimum of \$25,000 in cash premiums or awards to exhibitors  
11 of the fair. Agricultural products shall be typical of those  
12 produced in the county the exhibit represents. Livestock may  
13 originate from outside the district, but must be registered in  
14 the exhibitor's name 30 days before the opening day of the  
15 fair. Each county shall be encouraged to have proportionate  
16 exhibits, typical of its respective natural resources. Each  
17 county shall have exhibits in some phase of basic resources in  
18 agriculture and industry.

19 (6)~~(7)~~ "Entry" means one item entered for competition  
20 or show. An entry may or may not constitute an exhibit,  
21 depending upon the regulations as stated in the premium book.

22 (7)~~(8)~~ "Exhibit" means one or more entries entered for  
23 exhibition and constituting a unit. An exhibit may consist of  
24 one or more entries, depending upon the regulations as stated  
25 in the premium book.

26 (8)~~(9)~~ "Exhibitor" means an individual, group of  
27 individuals, or business having an entry or entries in a show  
28 or fair.

29 (9)~~(10)~~ "Fair association" or "association" means an  
30 association not for profit incorporated under this chapter for  
31

1 the purpose of conducting and operating public fairs or  
2 expositions.

3 (10)~~(11)~~ "Public fair or exposition" means a fair or  
4 exposition not for profit for the purpose of the benefit and  
5 development of the educational, agricultural, horticultural,  
6 livestock, charitable, historical, civic, cultural,  
7 scientific, and other resources of the state, any county or  
8 counties of the state, or any municipality or other community  
9 of any county of the state.

10 (11)~~(12)~~ "Regional fair" or "interstate fair" means a  
11 fair of several states, one of which is Florida, in which fair  
12 exhibits are in accordance with s. 616.17. Agricultural  
13 products shall be typical of those produced in the area the  
14 exhibit represents.

15 (12)~~(13)~~ "Specialized show" means a show or exhibition  
16 exhibiting and emphasizing a livestock or poultry show, or a  
17 fruit or vegetable festival, and shall meet the minimum  
18 exhibit requirements as defined in s. 616.17. A specialized  
19 show may qualify under one of the definitions in subsections  
20 (2), (3)~~(4)~~, (5)~~(6)~~, and (13)~~(14)~~.

21 (13)~~(14)~~ "State fair" means a fair which serves the  
22 entire state. Exhibits shall be in accordance with s. 616.17,  
23 and cash premiums or awards may be given to exhibitors of the  
24 fair.

25 Section 13. Subsection (1) of section 616.15, Florida  
26 Statutes, is amended to read:

27 616.15 Permit from Department of Agriculture and  
28 Consumer Services required.--

29 (1) No public fair or exposition may be conducted by a  
30 fair association without a permit issued by the department.  
31 The permit shall be issued in the following manner: The

1 association shall present to the department an application for  
2 the permit, signed by an officer of the association, at least  
3 3 months before holding the fair or exposition; this  
4 application shall be accompanied by a fee in an amount to be  
5 determined by the department not to exceed \$366 or be less  
6 than \$183 for processing the application and making any  
7 required investigation. The fees collected under this  
8 subsection shall be deposited in the General Inspection Trust  
9 Fund of the State Treasury in a special account to be known as  
10 the "Agricultural and Livestock Fair Account." A copy of the  
11 application must be sent to each fair association located  
12 within 50 miles of the site of the proposed fair or exposition  
13 at the same time the application is sent to the department.  
14 The department may issue the permit ~~with the advice and~~  
15 ~~counsel of the Agricultural and Livestock Fair Council,~~  
16 provided the application sets forth:

17 (a) The opening and closing dates of the proposed fair  
18 or exposition.

19 (b) The name and address of the owner of the central  
20 amusement attraction to operate during the fair or exposition.

21 (c) An affidavit properly executed by the president or  
22 other chief executive officer of the applicant association  
23 certifying the existence of a binding contract entered into by  
24 the association or exposition and the owner of the central  
25 amusement attraction covering the period for which the permit  
26 from the department is applied. The contract or contracts  
27 between the parties shall be available for inspection by duly  
28 authorized agents of the department in administering this  
29 chapter.

30 (d) A statement that the main purpose of the  
31 association is to conduct and operate the proposed fair or

1 exposition for the benefit and development of the educational,  
2 agricultural, horticultural, livestock, charitable,  
3 historical, civic, cultural, scientific, and other resources  
4 of the geographical area the fair or exposition represents and  
5 serves. The statement shall be in writing, shall be  
6 subscribed, and shall be acknowledged by an officer of the  
7 association before an officer authorized to take  
8 acknowledgments.

9 (e) A premium list of the current fair or exposition  
10 to be conducted or a copy of the previous year's premium list  
11 showing all premiums and awards to be offered to exhibitors in  
12 various departments of the fair, such as art exhibition, beef  
13 cattle, county exhibits, dairy cattle, horticulture, swine,  
14 women's department, 4-H Club activities, Future Farmers of  
15 America activities, Future Homemakers of America activities,  
16 poultry and egg exhibits, and community exhibits, the  
17 foregoing being a list of the usual exhibitors of a fair and  
18 not to be construed as limiting the premium list to these  
19 departments. The list may be submitted separately at any time  
20 not later than 60 days before the holding of the fair or  
21 exposition, and the department shall issue the permit as  
22 provided in this section within 10 days thereafter if the  
23 applicant is properly qualified.

24 (f) Proof of liability insurance insuring the  
25 association against liability for injury to persons, in an  
26 amount of not less than \$300,000 per occurrence.

27 (g) A copy of the most recent review.

28 (h) A list of all current members of the board of  
29 directors of the association and their home addresses.

30 Section 14. Section 698.10, Florida Statutes, is  
31 repealed.

1           Section 15. Section 865.04, Florida Statutes, is  
2 repealed.  
3           Section 16. This act shall take effect upon becoming a  
4 law.  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31