

By the Committees on Appropriations; Agriculture and Consumer Services; and Senators Geller and Dawson

309-1817-01

1 A bill to be entitled
 2 An act relating to citrus canker compensation;
 3 requiring the Department of Agriculture and
 4 Consumer Services to administer a residential
 5 citrus canker compensation program; providing
 6 for sources of funds; providing for homeowners
 7 to receive compensation for citrus trees
 8 removed on or after a specified date as part of
 9 a citrus canker eradication program; providing
 10 eligibility criteria for receiving
 11 compensation; specifying the amount of
 12 compensation provided under the program,
 13 subject to availability of funds; requiring
 14 that the department notify homeowners of the
 15 program and develop a dispute-resolution
 16 process; providing an effective date.

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

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 20 Section 1. (1) The Department of Agriculture and
 21 Consumer Services shall provide compensation to eligible
 22 homeowners whose citrus trees have been removed under a citrus
 23 canker eradication program. Funds to pay this compensation may
 24 be derived from both state and federal matching sources, and
 25 shall be specifically appropriated by law. Eligible homeowners
 26 shall be compensated subject to the availability of
 27 appropriated funds.

28 (2) To be eligible to receive compensation under the
 29 program, a homeowner must:

30 (a) Be the homeowner of record on the effective date
 31 of this act for residential property where one or more citrus

1 trees have been removed as part of a citrus canker eradication
2 program;

3 (b) Have had one or more citrus trees removed from the
4 property by a tree-cutting contractor as part of a citrus
5 canker eradication program on or after January 1, 1995; and

6 (c) Have received no commercial compensation and is
7 not eligible to receive commercial compensation from the
8 United States Department of Agriculture for citrus trees
9 removed as part of a citrus canker eradication program.

10 (3) The amount of compensation for each tree removed
11 from residential property by the citrus canker eradication
12 program shall be \$100 per tree. If the homeowner's property is
13 eligible for a Shade Dade or a Shade Florida Card, the
14 homeowner may not receive compensation under this section for
15 the first citrus tree removed from the property as part of a
16 citrus canker eradication program.

17 (4) The specification of a per-tree amount paid for
18 the residential citrus canker compensation program does not
19 limit the amount of any other compensation that may be paid by
20 another entity or pursuant to court order for the removal of
21 citrus trees as part of a citrus canker eradication program.

22 (5) Of the funds appropriated to the department under
23 this section, the department may use up to \$500,000 to
24 administer the residential citrus canker compensation program.
25 Specifically, the department shall:

26 (a) Take reasonable steps to identify and notify
27 owners of citrus trees removed as part of a citrus canker
28 eradication program of the availability of the compensation
29 program.

30 (b) Notify homeowners of the manner in which the owner
31 may request funding.

