

Bill No. CS for CS for SB 2072

Amendment No. Barcode 351112

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Laurent moved the following amendment:

Senate Amendment (with title amendment)

On page 27, between lines 10 and 11,

insert:

Section 22. Section 581.091, Florida Statutes, is amended to read:

581.091 Noxious weeds and infected plants or regulated articles; sale or distribution; receipt; information to department; withholding information.--

(1) It is unlawful for any person to knowingly sell, offer for sale, or distribute any noxious weed, or any plant or plant product or regulated article infested or infected with any plant pest declared, by rule of the department, to be a public nuisance or a threat to the state's agricultural and horticultural interests.

(2) Any person who knows or reasonably should know that such person possesses or has knowingly received any noxious weed or any plant, plant product, or regulated article sold, given away, carried, shipped, or delivered for carriage

Bill No. CS for CS for SB 2072

Amendment No. ____ Barcode 351112

1 or shipment in violation of the provisions of this chapter or
2 the rules adopted thereunder shall immediately inform the
3 department and isolate and hold the weed, plant, plant
4 product, or other thing unopened or unused subject to
5 inspection or other disposition as may be provided by the
6 department.

7 (3) It is unlawful for any person to fail to disclose
8 or withhold available information regarding any infected or
9 infested plant, plant product, regulated article, or noxious
10 weed.

11 (4) The department, in conjunction with the Institute
12 of Food and Agricultural Sciences at the University of
13 Florida, shall biennially review the official state lists of
14 noxious weeds and invasive plants as provided for under this
15 chapter and department rules. The plants listed in section
16 369.251 shall be incorporated into the department lists as
17 provided for under this chapter. A water management district
18 when identifying by rule pursuant to section 373.185, or a
19 local government when identifying by ordinance or regulation
20 adopted on or after March 1, 2002, a list of noxious weeds,
21 invasive plants, or plants deemed to be a public nuisance or
22 threat, shall only adopt the lists developed under this
23 chapter or rules adopted thereunder. All local government
24 ordinances or regulations, adopted prior to March 1, 2002,
25 that list noxious weeds or invasive plants shall remain in
26 effect. All local ordinances or regulations requiring the
27 removal of invasive plants or noxious weeds from publicly or
28 privately owned conservation areas or preserves shall be
29 exempt from the limitations in this subsection.

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31 (Redesignate subsequent sections.)

Bill No. CS for CS for SB 2072

Amendment No. ____ Barcode 351112

1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 3, line 24, after the semicolon,

4

5 insert:

6 amending s. 581.091, F.S.; requiring the
7 Department of Agriculture and Consumer Services
8 to periodically review the state lists of
9 noxious weeds and invasive plants; requiring
10 water management districts and local
11 governments to use the lists when identifying
12 noxious weeds, invasive plants, and certain
13 other plants pursuant to rule, ordinance or
14 regulation;

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