



699264

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/23/2024	.	
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The Committee on Fiscal Policy (Collins) recommended the following:

1           **Senate Substitute for Amendment (789144) (with title**  
2 **amendment)**

3  
4           Delete lines 737 - 1071  
5 and insert:

6           Section 15. Paragraph (d) of subsection (1), subsection  
7 (3), and paragraph (a) of subsection (4) of section 496.405,  
8 Florida Statutes, are amended to read:

9           496.405 Registration statements by charitable organizations  
10 and sponsors.-



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11 (1) A charitable organization or sponsor, unless exempted  
12 pursuant to s. 496.406, which intends to solicit contributions  
13 in or from this state by any means or have funds solicited on  
14 its behalf by any other person, charitable organization,  
15 sponsor, commercial co-venturer, or professional solicitor, or  
16 that participates in a charitable sales promotion or sponsor  
17 sales promotion, must, before engaging in any of these  
18 activities, file an initial registration statement, and a  
19 renewal statement annually thereafter, with the department.

20 (d) The registration of a charitable organization or  
21 sponsor may not continue in effect and shall expire without  
22 further action of the department under either of the following  
23 circumstances:

24 1. After the date the charitable organization or sponsor  
25 should have filed, but failed to file, its renewal statement in  
26 accordance with this section.

27 2. For failure to provide a financial statement within any  
28 extension period provided under s. 496.407.

29 (3) Each chapter, branch, or affiliate of a parent  
30 organization ~~that is~~ required to register under this section  
31 must file a separate registration statement and financial  
32 statement or report the required information to its parent  
33 organization, which shall then file, on a form prescribed by the  
34 department, a consolidated registration statement for the parent  
35 organization and its Florida chapters, branches, and affiliates.  
36 A consolidated registration statement filed by a parent  
37 organization must include or be accompanied by financial  
38 statements as specified in s. 496.407 for the parent  
39 organization and each of its Florida chapters, branches, and



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40 affiliates that solicited or received contributions during the  
41 preceding fiscal year. However, if all contributions received by  
42 chapters, branches, or affiliates are remitted directly into a  
43 depository account that feeds directly into the parent  
44 organization's centralized accounting system from which all  
45 disbursements are made, the parent organization may submit one  
46 consolidated financial statement on a form prescribed by the  
47 department. The consolidated financial statement must comply  
48 with s. 496.407 and must reflect the activities of each chapter,  
49 branch, or affiliate of the parent organization, including all  
50 contributions received in the name of each chapter, branch, or  
51 affiliate; all payments made to each chapter, branch, or  
52 affiliate; and all administrative fees assessed to each chapter,  
53 branch, or affiliate. A copy of Internal Revenue Service Form  
54 990 and all attached schedules filed for the preceding fiscal  
55 year, or a copy of Internal Revenue Service Form 990-EZ and  
56 Schedule O for the preceding fiscal year, for the parent  
57 organization and each Florida chapter, branch, or affiliate ~~that~~  
58 ~~is~~ required to file such forms must be attached to the  
59 consolidated financial statement.

60 (4) (a) Every charitable organization, sponsor, or parent  
61 organization filing on behalf of one or more chapters, branches,  
62 or affiliates that is required to register under this section  
63 must pay a single registration fee. A parent organization filing  
64 on behalf of one or more chapters, branches, or affiliates shall  
65 total all contributions received by the chapters, branches, or  
66 affiliates included in the registration statement to determine  
67 registration fees. Fees shall be assessed as follows:

68 1. ~~a.~~ Ten dollars, if the contributions received for the



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69 last fiscal or calendar year were less than \$5,000; ~~or~~  
70 ~~b. Ten dollars, if the contributions actually raised or~~  
71 ~~received from the public during the immediately preceding fiscal~~  
72 ~~year by such organization or sponsor are no more than \$50,000~~  
73 ~~and the fundraising activities of such organization or sponsor~~  
74 ~~are carried on by volunteers, members, officers, or permanent~~  
75 ~~employees, who are not compensated, primarily to solicit such~~  
76 ~~contributions, provided no part of the assets or income of such~~  
77 ~~organization or sponsor inures to the benefit of or is paid to~~  
78 ~~any officer or member of such organization or sponsor or to any~~  
79 ~~professional fundraising consultant, professional solicitor, or~~  
80 ~~commercial co-venturer;~~  
81 2. Seventy-five dollars, if the contributions received for  
82 the last fiscal year were \$5,000 or more, but less than  
83 \$100,000;  
84 3. One hundred twenty-five dollars, if the contributions  
85 received for the last fiscal year were \$100,000 or more, but  
86 less than \$200,000;  
87 4. Two hundred dollars, if the contributions received for  
88 the last fiscal year were \$200,000 or more, but less than  
89 \$500,000;  
90 5. Three hundred dollars, if the contributions received for  
91 the last fiscal year were \$500,000 or more, but less than \$1  
92 million;  
93 6. Three hundred fifty dollars, if the contributions  
94 received for the last fiscal year were \$1 million or more, but  
95 less than \$10 million;  
96 7. Four hundred dollars, if the contributions received for  
97 the last fiscal year were \$10 million or more.



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98           Section 16. Paragraph (d) of subsection (1) and paragraph  
99 (a) of subsection (2) of section 496.406, Florida Statutes, are  
100 amended to read:

101           496.406 Exemption from registration.—

102           (1) The following charitable organizations and sponsors are  
103 exempt from the requirements of s. 496.405:

104           (d) A charitable organization or sponsor that has less than  
105 \$50,000 in total contributions ~~revenue~~ during a fiscal year if  
106 the fundraising activities of such organization or sponsor are  
107 carried on by volunteers, members, or officers who are not  
108 compensated and no part of the assets or income of such  
109 organization or sponsor inures to the benefit of or is paid to  
110 any officer or member of such organization or sponsor or to any  
111 professional fundraising consultant, professional solicitor, or  
112 commercial co-venturer. If a charitable organization or sponsor  
113 that has less than \$50,000 in total contributions ~~revenue~~ during  
114 a fiscal year actually acquires total contributions ~~revenue~~  
115 equal to or in excess of \$50,000, the charitable organization or  
116 sponsor must register with the department as required by s.  
117 496.405 within 30 days after the date the contributions reach  
118 ~~revenue reaches~~ \$50,000.

119           (2) Before soliciting contributions, a charitable  
120 organization or sponsor claiming to be exempt from the  
121 registration requirements of s. 496.405 under paragraph (1) (d)  
122 must submit annually to the department, on forms prescribed by  
123 the department:

124           (a) The name, street address, and telephone number of the  
125 charitable organization or sponsor, the name under which it  
126 intends to solicit contributions, the purpose for which it is



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127 organized, and the purpose or purposes for which the  
128 contributions to be solicited will be used.

129 Section 17. Paragraph (a) of subsection (1) and subsection  
130 (3) of section 496.407, Florida Statutes, are amended to read:

131 496.407 Financial statement.—

132 (1) A charitable organization or sponsor that is required  
133 to initially register or annually renew registration must file  
134 an annual financial statement for the immediately preceding  
135 fiscal year on a form prescribed by the department.

136 (a) The statement must include the following:

137 1. A balance sheet.

138 2. A statement of support, revenue and expenses, and any  
139 change in the fund balance.

140 3. The names and street addresses of the charitable  
141 organizations or sponsors, professional fundraising consultant,  
142 professional solicitors, and commercial co-venturers used, if  
143 any, and the amounts received therefrom, if any.

144 4. A statement of functional expenses that must include,  
145 but is not limited to, expenses in the following categories:

146 a. Program service costs.

147 b. Management and general costs.

148 c. Fundraising costs.

149 ~~(3) Upon a showing of good cause by a charitable~~  
150 ~~organization or sponsor,~~ The department may extend the time for  
151 the filing of a financial statement required under this section  
152 ~~by up to 180 days,~~ during which time the previous registration  
153 shall remain active. The registration must ~~shall~~ be  
154 automatically suspended for failure to file the financial  
155 statement within the extension period.



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156 Section 18. Paragraph (c) of subsection (2) of section  
157 496.409, Florida Statutes, is amended to read:

158 496.409 Registration and duties of professional fundraising  
159 consultant.—

160 (2) Applications for registration or renewal of  
161 registration must be submitted on a form prescribed by the  
162 department, signed by an authorized official of the professional  
163 fundraising consultant who shall certify that the report is true  
164 and correct, and must include the following information:

165 (c) The names and street ~~residence~~ addresses of all  
166 principals of the applicant, including all officers, directors,  
167 and owners.

168 Section 19. Paragraphs (d) and (j) of subsection (2),  
169 paragraph (c) of subsection (6), paragraphs (a), (b), and (h) of  
170 subsection (10), and subsection (11) of section 496.410, Florida  
171 Statutes, are amended to read:

172 496.410 Registration and duties of professional  
173 solicitors.—

174 (2) Applications for registration or renewal of  
175 registration must be submitted on a form prescribed by rule of  
176 the department, signed by an authorized official of the  
177 professional solicitor who shall certify that the report is true  
178 and correct, and must include the following information:

179 (d) The names and street ~~residence~~ addresses of all  
180 principals of the applicant, including all officers, directors,  
181 and owners.

182 (j) A list of all telephone numbers the applicant will use  
183 to solicit contributions as well as the actual street ~~physical~~  
184 address associated with each telephone number and any fictitious



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185 names associated with such address.

186 (6) No less than 15 days before commencing any solicitation  
187 campaign or event, the professional solicitor must file with the  
188 department a solicitation notice on a form prescribed by the  
189 department. The notice must be signed and sworn to by the  
190 contracting officer of the professional solicitor and must  
191 include:

192 (c) The legal name and street ~~residence~~ address of each  
193 person responsible for directing and supervising the conduct of  
194 the campaign.

195 (10) During each solicitation campaign, and for not less  
196 than 3 years after its completion, the professional solicitor  
197 shall maintain the following records:

198 (a) The date and amount of each contribution received and  
199 the name, street address, and telephone number of each  
200 contributor.

201 (b) The name and ~~residence~~ street address of each employee,  
202 agent, and any other person, however designated, who is involved  
203 in the solicitation, the amount of compensation paid to each,  
204 and the dates on which the payments were made.

205 (h) If a refund of a contribution has been requested, the  
206 name and street address of each person requesting the refund,  
207 and, if a refund was made, its amount and the date it was made.

208 (11) If the professional solicitor sells tickets to any  
209 event and represents that the tickets will be donated for use by  
210 another person, the professional solicitor also must ~~shall~~  
211 maintain for the same period as specified in subsection (10) the  
212 following records:

213 (a) The name and street address of each contributor who





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214 purchases or donates tickets and the number of tickets purchased  
215 or donated by the contributor.

216 (b) The name and street address of each organization that  
217 receives the donated tickets for the use of others, and the  
218 number of tickets received by the organization.

219 Section 20. Paragraph (a) of subsection (2) of section  
220 496.4101, Florida Statutes, is amended to read:

221 496.4101 Licensure of professional solicitors and certain  
222 employees thereof.—

223 (2) Persons required to obtain a solicitor license under  
224 subsection (1) shall submit to the department, in such form as  
225 the department prescribes, an application for a solicitor  
226 license. The application must include the following information:

227 (a) The true name, date of birth, unique identification  
228 number of a driver license or other valid form of  
229 identification, and street ~~home~~ address of the applicant.

230 Section 21. Paragraph (c) of subsection (2) of section  
231 496.411, Florida Statutes, is amended, and paragraph (e) of that  
232 subsection is reenacted, to read:

233 496.411 Disclosure requirements and duties of charitable  
234 organizations and sponsors.—

235 (2) A charitable organization or sponsor soliciting in this  
236 state must include all of the following disclosures at the point  
237 of solicitation:

238 (c) Upon request, the name and either the street address or  
239 telephone number of a representative to whom inquiries may be  
240 addressed.

241 (e) Upon request, the source from which a written financial  
242 statement may be obtained. Such financial statement must be for



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243 the immediate preceding fiscal year and must be consistent with  
244 the annual financial statement filed under s. 496.407. The  
245 written financial statement must be provided within 14 days  
246 after the request and must state the purpose for which funds are  
247 raised, the total amount of all contributions raised, the total  
248 costs and expenses incurred in raising contributions, the total  
249 amount of contributions dedicated to the stated purpose or  
250 disbursed for the stated purpose, and whether the services of  
251 another person or organization have been contracted to conduct  
252 solicitation activities.

253 Section 22. Paragraph (a) of subsection (2) of section  
254 496.4121, Florida Statutes, is amended to read:

255 496.4121 Collection receptacles used for donations.—

256 (2) A collection receptacle must display a permanent sign  
257 or label on each side which contains the following information  
258 printed in letters that are at least 3 inches in height and no  
259 less than one-half inch in width, in a color that contrasts with  
260 the color of the collection receptacle:

261 (a) For a collection receptacle used by a person required  
262 to register under this chapter, the name, street ~~business~~  
263 address, telephone number, and registration number of the  
264 charitable organization or sponsor for whom the solicitation is  
265 made.

266 Section 23. Paragraph (a) of subsection (2) and subsection  
267 (6) of section 496.425, Florida Statutes, are amended to read:

268 496.425 Solicitation of funds within public transportation  
269 facilities.—

270 (2) Any person desiring to solicit funds within a facility  
271 shall first obtain a written permit therefor from the authority



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272 responsible for the administration of the facility.

273 (a) An application in writing for such permit must ~~shall~~ be  
274 submitted to the authority and must state ~~shall set forth~~:

275 1. The full name, street ~~mailing~~ address, and telephone  
276 number of the person or organization sponsoring, promoting, or  
277 conducting the proposed activities;

278 2. The full name, street ~~mailing~~ address, and telephone  
279 number of each person who will participate in such activities  
280 and of the person who will have supervision of and  
281 responsibility for the proposed activities;

282 3. A description of the proposed activities indicating the  
283 type of communication to be involved;

284 4. The dates on and the hours during which the activities  
285 are proposed to be carried out and the expected duration of the  
286 proposed activities; and

287 5. The number of persons to be engaged in such activities.

288 (6) Each individual solicitor shall display prominently on  
289 her or his person a badge or insignia, provided by the solicitor  
290 and approved by the authority, bearing the signature of a  
291 responsible officer of the authority and that of the solicitor  
292 and describing the solicitor by name, age, height, weight, eye  
293 color, hair color, street address, and principal occupation and  
294 indicating the name of the organization for which funds are  
295 solicited.

296 Section 24. Effective upon this act becoming a law, present  
297 paragraphs (k) through (y) of subsection (1) of section 500.03,  
298 Florida Statutes, are redesignated as paragraphs (l) through  
299 (z), respectively, a new paragraph (k) is added to that  
300 subsection, and present paragraph (m) of that subsection is



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301 reenacted, to read:

302 500.03 Definitions; construction; applicability.—

303 (1) For the purpose of this chapter, the term:

304 (k) “Cultivated meat” means any meat or food product  
305 produced from cultured animal cells.

306 (n) ~~(m)~~ “Food” includes:

307 1. Articles used for food or drink for human consumption;

308 2. Chewing gum;

309 3. Articles used for components of any such article;

310 4. Articles for which health claims are made, which claims  
311 are approved by the Secretary of the United States Department of  
312 Health and Human Services and which claims are made in  
313 accordance with s. 343(r) of the federal act, and which are not  
314 considered drugs solely because their labels or labeling contain  
315 health claims;

316 5. Dietary supplements as defined in 21 U.S.C. s.  
317 321(ff) (1) and (2); and

318 6. Hemp extract as defined in s. 581.217.

319  
320 The term includes any raw, cooked, or processed edible  
321 substance; ice; any beverage; or any ingredient used, intended  
322 for use, or sold for human consumption.

323 Section 25. Paragraph (f) of subsection (3) of section  
324 581.217, Florida Statutes, is amended to read:

325 581.217 State hemp program.—

326 (3) DEFINITIONS.—As used in this section, the term:

327 (f) “Hemp extract” means hemp ~~a substance or compound~~  
328 ~~intended for ingestion~~, containing more than trace amounts of a  
329 cannabinoid which is intended for ingestion, or for inhalation



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330 ~~but which is derived from or contains hemp and which~~ does not  
331 contain controlled substances. The term does not include  
332 synthetic cannabidiol or seeds or seed-derived ingredients that  
333 are generally recognized as safe by the United States Food and  
334 Drug Administration.

335 Section 26. Effective upon this act becoming a law, section  
336 500.452, Florida Statutes, is created to read:

337 500.452 Cultivated meat; prohibition; penalties.—

338 (1) It is unlawful for any person to manufacture for sale,  
339 sell, hold or offer for sale, or distribute cultivated meat in  
340 this state.

341 (2) A person who knowingly violates this section commits a  
342

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

344 And the title is amended as follows:

345 Delete lines 74 - 107

346 and insert:

347 deleting certain fees; amending s. 496.406, F.S.;

348 revising the circumstances under which charitable

349 organizations or sponsors are exempt from specified

350 provisions; revising the information that charitable

351 organizations and sponsors must provide to the

352 department when claiming certain exemptions; amending

353 s. 496.407, F.S.; revising the information charitable

354 organizations or sponsors are required to provide to

355 the department when initially registering or annually

356 renewing a registration; revising circumstances under

357 which the department may extend the time for filing a

358 required financial statement; amending ss. 496.409,



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359 496.410, 496.4101, 496.411, 496.4121, and 496.425,  
360 F.S.; revising the information that professional  
361 fundraising consultants must include in applications  
362 for registration or renewals of registration, that  
363 professional solicitors must include in applications  
364 for registration, renewals of registration, and  
365 solicitation notices provided to the department and  
366 that professional solicitors are required to maintain  
367 in their records, that must be included in certain  
368 solicitor license applications, that disclosures of  
369 charitable organizations or sponsors soliciting in  
370 this state must include, that must be displayed on  
371 certain collection receptacles, and that a person  
372 desiring to solicit funds within a facility must  
373 provide in an application to the department and must  
374 display prominently on his or her badge or insignia,  
375 respectively, to include street addresses; reenacting  
376 and amending s. 500.03, F.S.; defining the term  
377 "cultivated meat"; amending s. 581.217, F.S.;  
378 redefining the term "hemp extract"; creating s.  
379 500.452, F.S.; prohibiting the manufacture for sale,  
380 sale, holding or offering