

By Senator Collins

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1 A bill to be entitled
2 An act relating to the Department of Agriculture and
3 Consumer Services; amending s. 366.94, F.S.;
4 preempting the regulation of electric vehicle charging
5 stations to the state; prohibiting local governmental
6 entities from enacting or enforcing such regulations;
7 amending ss. 482.111, 482.151, and 482.155, F.S.;
8 providing that a pest control operator's certificate,
9 a special identification card, and certain limited
10 certifications for pesticide applicators,
11 respectively, expire a specified length of time after
12 issuance; revising renewal requirements for such
13 certificates and cards; amending s. 482.156, F.S.;
14 revising the tasks, pesticides, and equipment that
15 individual commercial landscape maintenance personnel
16 with limited certifications may perform and use;
17 revising the initial and renewal certification
18 requirements for such personnel; deleting a
19 requirement that certificateholders maintain certain
20 records; amending s. 482.157, F.S.; providing that a
21 limited certification for commercial wildlife
22 management personnel expires a specified length of
23 time after issuance; revising renewal certification
24 requirements for such personnel; amending s. 482.161,
25 F.S.; authorizing the department to take disciplinary
26 action against a person who swears to or affirms a
27 false statement on certain applications, cheats on a
28 required examination, or violates certain procedures
29 under certain circumstances; amending s. 482.191,

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30 F.S.; providing penalties for a person who swears to
31 or affirms a false statement on certain applications;
32 providing that cheating on certain examinations or
33 violating certain examination procedures voids an
34 examinee's exam attempt; authorizing the department to
35 adopt rules establishing penalties for such a
36 violation; authorizing the department to exercise
37 discretion in assessing penalties in certain
38 circumstances; amending s. 482.226, F.S.; requiring
39 pest control licensees to provide property owners or
40 their agents with a signed report that meets certain
41 requirements after each inspection or treatment;
42 amending s. 487.031, F.S.; prohibiting a person from
43 swearing to or affirming a false statement on certain
44 pesticide applicator license applications, cheating on
45 a required examination, or violating certain
46 procedures; making technical changes; amending s.
47 487.175, F.S.; providing penalties for a person who
48 swears to or affirms a false statement on certain
49 applications; providing that cheating on certain
50 examinations or violating certain examination
51 procedures voids an examinee's exam attempt; requiring
52 the department to adopt rules establishing penalties
53 for such a violation; authorizing the department to
54 exercise discretion in assessing penalties in certain
55 circumstances; amending s. 493.6113, F.S.; authorizing
56 Class "G" licensees to qualify for multiple calibers
57 of firearms in one requalification class under certain
58 circumstances; creating s. 493.6127, F.S.; authorizing

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59 the department to appoint tax collectors to accept
60 new, renewal, and replacement license applications
61 under certain circumstances; requiring the department
62 to establish by rule the types of licenses the tax
63 collectors may accept; providing an application
64 process for tax collectors who wish to perform such
65 functions; providing that certain confidential
66 information contained in the records of an appointed
67 tax collector retains its confidentiality; prohibiting
68 any person not appointed to do so from accepting an
69 application for a license for a fee or compensation;
70 authorizing tax collectors to collect and retain
71 certain convenience fees; requiring the tax collectors
72 to remit certain fees to the department for deposit in
73 the Division of Licensing Trust Fund; providing
74 penalties; amending s. 496.404, F.S.; defining the
75 term "street address"; amending ss. 496.405 and
76 496.406, F.S.; revising the information that
77 charitable organizations and sponsors must provide to
78 the department in an initial registration statement
79 and when claiming certain exemptions, respectively, to
80 include certain street addresses; amending s. 496.407,
81 F.S.; revising the information charitable
82 organizations or sponsors are required to provide to
83 the department when initially registering or annually
84 renewing a registration; revising circumstances under
85 which the department may extend the time for filing a
86 required final statement; amending ss. 496.409,
87 496.410, 496.4101, 496.411, 496.4121, and 496.425,

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88 F.S.; revising the information that professional
89 fundraising consultants must include in applications
90 for registration or renewals of registration, that
91 professional solicitors must include in applications
92 for registration, renewals of registration, and
93 solicitation notices provided to the department, that
94 professional solicitors are required to maintain in
95 their records, that must be included in certain
96 solicitor license applications, that disclosures of
97 charitable organizations or sponsors soliciting in
98 this state must include, that must be displayed on
99 certain collection receptacles, and that a person
100 desiring to solicit funds within a facility must
101 provide in an application to the department and must
102 display prominently on his or her badge or insignia,
103 respectively, to include street addresses; amending s.
104 500.03, F.S.; defining the term "cultivated meat";
105 creating s. 500.452, F.S.; prohibiting the
106 manufacture, sale, holding or offering for sale, or
107 distribution of cultivated meat in this state;
108 providing criminal penalties; providing for
109 disciplinary action and additional licensing
110 penalties; providing that such products are subject to
111 certain actions and orders; authorizing the department
112 to adopt rules; amending s. 507.07, F.S.; prohibiting
113 a mover from placing a shipper's goods in a self-
114 service storage unit or self-contained unit not owned
115 by the mover unless certain conditions are met;
116 repealing s. 531.67, F.S., relating to the scheduled

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117 expiration of certain statute sections related to
118 weights, measurements, and standards; amending s.
119 559.904, F.S.; revising the information that must be
120 provided to the department on a motor vehicle repair
121 shop registration application; providing that the
122 registration fee must be calculated for each location;
123 amending s. 559.905, F.S.; revising the cost of repair
124 work which requires a motor vehicle repair shop to
125 provide a customer with a written repair estimate;
126 amending s. 570.69, F.S.; defining the term "center";
127 deleting the definition of the term "museum"; amending
128 s. 570.691, F.S.; conforming provisions to changes
129 made by the act; amending s. 570.692, F.S.; renaming
130 the Florida Agricultural Museum as the Florida
131 Agricultural Legacy Learning Center; creating s.
132 581.189, F.S.; defining terms; prohibiting the willful
133 destruction, harvest, or sale of saw palmetto berries
134 without first obtaining written permission from the
135 landowner or legal representative and a permit from
136 the department; specifying the information that the
137 landowner's written permission must include; requiring
138 an authorized saw palmetto berry dealer to maintain
139 certain information for a specified timeframe;
140 authorizing law enforcement officers or authorized
141 employees of the department to seize or order to be
142 held for a specified timeframe saw palmetto berries
143 harvested, sold, or exposed for sale in violation of
144 specified provisions; declaring that unlawfully
145 harvested saw palmetto berries constitute contraband

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146 and are subject to seizure and disposal; authorizing
147 law enforcement agencies that seize such saw palmetto
148 berries to sell the berries and retain the proceeds to
149 implement certain provisions; providing that such law
150 enforcement agencies are exempt from certain
151 provisions; requiring the law enforcement agencies to
152 submit certain information annually to the department;
153 providing criminal penalties; providing that
154 individuals convicted of such violations are
155 responsible for specified costs; defining the term
156 "convicted"; providing construction; requiring the
157 department to adopt rules; amending s. 585.01, F.S.;
158 revising the definition of the term "livestock" to
159 include poultry; amending s. 790.0625, F.S.;
160 authorizing certain tax collectors to collect and
161 retain certain convenience fees for certain concealed
162 weapon or firearm license applications; authorizing
163 such tax collectors to print and deliver replacement
164 licenses to licensees under certain circumstances;
165 authorizing such tax collectors to provide
166 fingerprinting and photographing services; amending s.
167 810.011, F.S.; revising the definition of the term
168 "posted land" to include land classified as
169 agricultural which has specified signs placed at
170 specified points; amending s. 810.09, F.S.; providing
171 criminal penalties for trespassing with the intent to
172 commit a crime on commercial agricultural property
173 under certain circumstances; defining the term
174 "commercial agricultural property"; amending s.

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175 1003.24, F.S.; providing that a student's
176 participation in a 4-H or Future Farmers of America
177 activity is an excused absence from school; defining
178 the term "4-H representative"; amending ss. 379.3004,
179 812.014, and 921.0022, F.S.; conforming cross-
180 references; reenacting s. 493.6115(6), F.S., relating
181 to weapons and firearms, to incorporate the amendment
182 made to s. 493.6113, F.S., in a reference thereto;
183 reenacting s. 496.4055(2), F.S., relating to
184 charitable organization or sponsor board duties, to
185 incorporate the amendment made to s. 496.405, F.S., in
186 references thereto; reenacting s. 559.907(1)(b), F.S.,
187 relating to the charges for motor vehicle repair
188 estimates, to incorporate the amendment made to s.
189 559.905, F.S., in a reference thereto; reenacting ss.
190 468.382(6), 534.47(3), 767.01, and 767.03, F.S.,
191 relating to the definition of the term "livestock" for
192 auctions, livestock markets, dog owner's liability for
193 damages to livestock, and defenses for killing dogs,
194 respectively, to incorporate the amendment made to s.
195 585.01, F.S., in references thereto; providing
196 effective dates.

197

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

199

200 Section 1. Subsection (2) of section 366.94, Florida
201 Statutes, is amended to read:

202 366.94 Electric vehicle charging stations.—

203 (2) The regulation of electric vehicle charging stations is

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204 preempted to the state.

205 (a) A local governmental entity may not enact or enforce an
206 ordinance or regulation related to electric vehicle charging
207 stations.

208 (b) The Department of Agriculture and Consumer Services
209 shall adopt rules to provide definitions, methods of sale,
210 labeling requirements, and price-posting requirements for
211 electric vehicle charging stations to allow for consistency for
212 consumers and the industry.

213 Section 2. Subsections (3), (4), and (10) of section
214 482.111, Florida Statutes, are amended to read:

215 482.111 Pest control operator's certificate.—

216 (3) A certificate expires 1 year after the date of
217 issuance. Annually, on or before the 1-year an anniversary of
218 the date of issuance set by the department, an individual so
219 issued a pest control operator's certificate must apply to the
220 department on a form prescribed by the department to renew the
221 for renewal of such certificate. After a grace period not
222 exceeding 60 30 calendar days following such renewal date, the
223 department shall assess a late renewal charge of \$50 shall be
224 assessed and the certificateholder must pay the late renewal
225 charge be paid in addition to the renewal fee.

226 (4) If a certificateholder fails to renew his or her
227 certificate and provide proof of completion of the required
228 continuing education units under subsection (10) within 60 days
229 after the certificate's expiration date, the certificateholder
230 may be recertified only after reexamination Unless timely
231 renewed, a certificate automatically expires 180 calendar days
232 after the anniversary renewal date. Subsequent to such

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233 ~~expiration, a certificate may be issued only upon successful~~
234 ~~reexamination and upon payment of the examination and issuance~~
235 ~~fees due.~~

236 (10) In order to renew ~~Prior to the expiration date of a~~
237 certificate, the certificateholder must complete 2 hours of
238 approved continuing education on legislation, safety, pesticide
239 labeling, and integrated pest management and 2 hours of approved
240 continuing education in each category of her or his certificate
241 or must pass an examination given by the department. The
242 department may not renew a certificate if the continuing
243 education or examination requirement is not met.

244 (a) Courses or programs, to be considered for credit, must
245 include one or more of the following topics:

246 1. The law and rules of this state pertaining to pest
247 control.

248 2. Precautions necessary to safeguard life, health, and
249 property in the conducting of pest control and the application
250 of pesticides.

251 3. Pests, their habits, recognition of the damage they
252 cause, and identification of them by accepted common name.

253 4. Current accepted industry practices in the conducting of
254 fumigation, termites and other wood-destroying organisms pest
255 control, lawn and ornamental pest control, and household pest
256 control.

257 5. How to read labels, a review of current state and
258 federal laws on labeling, and a review of changes in or
259 additions to labels used in pest control.

260 6. Integrated pest management.

261 (b) The certificateholder must submit with her or his

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262 application for renewal a statement certifying that she or he
263 has completed the required number of hours of continuing
264 education. The statement must be on a form prescribed by the
265 department and must identify at least the date, location,
266 provider, and subject of the training and must provide such
267 other information as required by the department.

268 (c) The department shall charge the same fee for
269 examination as provided in s. 482.141(2).

270 Section 3. Subsections (6), (7), and (8) of section
271 482.151, Florida Statutes, are amended to read:

272 482.151 Special identification card for performance of
273 fumigation.—

274 (6) A special identification card expires 1 year after the
275 date of issuance. A cardholder must apply ~~An application~~ to the
276 department to renew his or her ~~for renewal of a special~~
277 identification card ~~must be made~~ on or before the 1-year ~~an~~
278 anniversary of the date of issuance ~~set by the department~~. The
279 department shall set the fee for renewal of a special
280 identification card ~~shall be set by the department~~ but the fee
281 may not be more than \$100 or less than \$50; however, until a
282 rule setting this fee is adopted by the department, the renewal
283 fee is ~~shall be~~ \$50. After a grace period not exceeding 60 ~~30~~
284 calendar days following such renewal date, the department shall
285 assess a late renewal charge of \$25, which the cardholder must
286 pay ~~be paid~~ in addition to the renewal fee.

287 (7) If a cardholder fails to renew his or her card and
288 provide proof of completion of the continuing education units
289 required by subsection (8) within 60 days after the expiration
290 date, the cardholder may be reissued a special identification

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291 ~~card only after reexamination~~ Unless timely renewed, a special
292 ~~identification card automatically expires 180 calendar days~~
293 ~~after the anniversary renewal date. Subsequent to such~~
294 ~~expiration, a special identification card may be issued only~~
295 ~~upon successful reexamination and upon payment of examination~~
296 ~~and issuance fees due, as provided in this section.~~

297 (8) In order to renew ~~Prior to the expiration date of a~~
298 ~~special identification card, the cardholder must~~ do at least one
299 of the following:

300 (a) Complete 2 hours of approved continuing education on
301 legislation, safety, and pesticide labeling and 2 hours of
302 approved continuing education in the fumigation category. ~~or~~

303 (b) Pass an examination in fumigation given by the
304 department.

305 Section 4. Paragraph (b) of subsection (1) of section
306 482.155, Florida Statutes, is amended to read:

307 482.155 Limited certification for governmental pesticide
308 applicators or private applicators.—

309 (1)

310 (b) A person seeking limited certification under this
311 subsection must pass an examination given or approved by the
312 department. Each application for examination must be accompanied
313 by an examination fee set by the department, in an amount of not
314 more than \$150 or less than \$50; and a recertification fee of
315 \$25 every 4 years. Until rules setting these fees are adopted by
316 the department, the examination fee is \$50. Application for
317 recertification must be accompanied by proof of having completed
318 4 classroom hours of acceptable continuing education. The
319 limited certificate expires 4 years after the date of issuance.

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320 If the certificateholder fails to renew his or her certificate
321 and provide proof of completion of the required continuing
322 education units within 60 days after the expiration date, the
323 certificateholder may be recertified only after reexamination.

324 The department shall provide the appropriate reference material
325 and make the examination readily accessible and available to all
326 applicants at least quarterly or as necessary in each county.

327 Section 5. Subsections (1), (2), (3), and (5) of section
328 482.156, Florida Statutes, are amended to read:

329 482.156 Limited certification for commercial landscape
330 maintenance personnel.-

331 (1) The department shall establish a limited certification
332 category for individual commercial landscape maintenance
333 personnel to authorize them to apply herbicides for controlling
334 weeds in plant beds, driveways, sidewalks, and patios and to
335 perform integrated pest management on ornamental plants using
336 pesticides that do not have a insecticides and fungicides having
337 the signal word or that have the signal word "caution" but do
338 not have ~~having~~ the signal word "warning" or "danger" on the
339 label. The application equipment that may be used by a person
340 certified pursuant to this section is limited to portable,
341 handheld application equipment and 3-gallon compressed air
342 ~~sprayers or~~ backpack sprayers but having no more than a 5-gallon
343 ~~capacity and~~ does not include any type of power equipment.

344 (2)~~(a)~~ A person seeking limited certification under this
345 section must pass an examination given by the department. Each
346 application for examination must be accompanied by an
347 examination fee set by rule of the department, in an amount of
348 not more than \$150 or less than \$50. Before the department

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349 ~~issues~~ Prior to the department's issuing a limited certification
350 under this section, each person applying for the certification
351 must furnish proof of having a certificate of insurance which
352 states that the employer meets the requirements for minimum
353 financial responsibility for bodily injury and property damage
354 required by s. 482.071(4).

355 ~~(b) To be eligible to take the examination, an applicant~~
356 ~~must have completed 6 classroom hours of plant bed and~~
357 ~~ornamental continuing education training approved by the~~
358 ~~department and provide sufficient proof, according to criteria~~
359 ~~established by department rule.~~ The department shall provide the
360 appropriate reference materials for the examination and make the
361 examination readily accessible and available to applicants at
362 least quarterly or as necessary in each county.

363 (3) A certificate expires 1 year after the date of
364 issuance. A certificateholder must apply to the department to
365 renew his or her certificate on or before the 1-year anniversary
366 of the date of issuance. The ~~An application for recertification~~
367 ~~under this section must be made annually and be accompanied by a~~
368 recertification fee set by rule of the department, in an amount
369 of not more than \$75 or less than \$25. The application must also
370 be accompanied by proof of having completed 4 classroom hours of
371 acceptable continuing education and the same proof of having a
372 certificate of insurance as is required for issuance of this
373 certification. After a grace period not exceeding 60 ~~30~~ calendar
374 days following the annual date that recertification is due, a
375 late renewal charge of \$50 shall be assessed and must be paid in
376 addition to the renewal fee. If a certificateholder fails to
377 renew his or her certificate and provide proof of completing the

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378 required continuing education units within 60 days after the
379 expiration date, the certificateholder may be recertified only
380 after reexamination ~~Unless timely recertified, a certificate~~
381 ~~automatically expires 180 calendar days after the anniversary~~
382 ~~recertification date. Subsequent to such expiration, a~~
383 ~~certificate may be issued only upon successful reexamination and~~
384 ~~upon payment of the examination fees due.~~

385 ~~(5) A person certified under this section shall maintain~~
386 ~~records documenting the pests and areas treated, plus the~~
387 ~~methods and materials applied for control of such pests, which~~
388 ~~records must be available for review by the department upon~~
389 ~~request.~~

390 Section 6. Subsection (3) of section 482.157, Florida
391 Statutes, is amended to read:

392 482.157 Limited certification for commercial wildlife
393 management personnel.—

394 (3) A certificate expires 1 year after the date of
395 issuance. A certificateholder must apply to the department to
396 renew his or her certificate on or before the 1-year anniversary
397 of the date of issuance. The ~~An application for recertification~~
398 ~~must be made annually and~~ be accompanied by a recertification
399 fee of at least \$75, but not more than \$150, as prescribed by
400 the department by rule. The application must also be accompanied
401 by proof of completion of the required 4 classroom hours of
402 acceptable continuing education and the required proof of
403 insurance. After a grace period not exceeding 60 ~~30~~ calendar
404 days after the recertification renewal date, the department
405 shall assess a late fee of \$50 in addition to the renewal fee.
406 If a certificateholder fails to renew his or her certificate and

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407 provide proof of completing the required continuing education
408 units within 60 days after the expiration date, the
409 certificateholder may be recertified only after reexamination A
410 ~~certificate automatically expires 180 days after the~~
411 ~~recertification date if the renewal fee has not been paid. After~~
412 ~~expiration, the department shall issue a new certificate only if~~
413 ~~the applicant successfully passes a reexamination and pays the~~
414 ~~examination fee and late fee.~~

415 Section 7. Paragraphs (k) and (l) are added to subsection
416 (1) of section 482.161, Florida Statutes, to read:

417 482.161 Disciplinary grounds and actions; reinstatement.—

418 (1) The department may issue a written warning to or impose
419 a fine against, or deny the application for licensure or
420 licensure renewal of, a licensee, certified operator, limited
421 certificateholder, identification cardholder, or special
422 identification cardholder or any other person, or may suspend,
423 revoke, or deny the issuance or renewal of any license,
424 certificate, limited certificate, identification card, or
425 special identification card that is within the scope of this
426 chapter, in accordance with chapter 120, upon any of the
427 following grounds:

428 (k) Swearing to or affirming any false statement in an
429 application for a license issued pursuant to this chapter.

430 (l) Cheating on an examination required for licensure under
431 this chapter or violating a published test center or examination
432 procedure provided orally, in writing, or electronically at the
433 test site and affirmatively acknowledged by the examinee.

434 Section 8. Section 482.191, Florida Statutes, is amended to
435 read:

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436 482.191 Violation and penalty.—

437 (1) It is unlawful to do any of the following:

438 (a) Solicit, practice, perform, or advertise in pest
439 control except as provided by this chapter.

440 (b) Swear to or affirm a false statement in an application
441 for a license or certificate issued pursuant to this chapter. A
442 false statement contained in an application for such license or
443 certificate renders the application, license, or certificate
444 void.

445 (c) Cheat on an examination required for licensure under
446 this chapter or violate a published test center or examination
447 procedure provided orally, in writing, or electronically at the
448 test site and affirmatively acknowledged by an examinee.
449 Violating this paragraph renders the examinee's exam attempt
450 void. The department shall adopt rules establishing penalties
451 for examinees who violate this subsection. The department may
452 exercise discretion in assessing penalties based on the nature
453 and frequency of the violation.

454 (2) Except as provided in paragraph (1)(c), a person who
455 ~~violates any provision of this chapter~~ commits ~~is guilty of~~ a
456 misdemeanor of the second degree, punishable as provided in s.
457 775.082 or s. 775.083.

458 (3) ~~A Any~~ person who violates any rule of the department
459 relative to pest control commits ~~is guilty of~~ a misdemeanor of
460 the second degree, punishable as provided in s. 775.082 or s.
461 775.083.

462 Section 9. Subsection (3) of section 482.226, Florida
463 Statutes, is amended to read:

464 482.226 Wood-destroying organism inspection report; notice

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465 of inspection or treatment; financial responsibility.-

466 (3) ~~A If periodic reinspections or retreatments are~~
 467 ~~specified in wood-destroying organisms preventive or control~~
 468 ~~contracts, the~~ licensee shall furnish a ~~the~~ property owner or
 469 the property owner's authorized agent, after each inspection
 470 ~~such reinspection~~ or treatment retreatment, with a signed report
 471 indicating the presence or absence of wood-destroying organisms
 472 covered by the wood-destroying organism preventive or control
 473 contract, whether treatment retreatment was made, and the common
 474 or brand name of the pesticide used. Such report need not be on
 475 a form prescribed by the department. A person may not perform
 476 inspections ~~periodic reinspections~~ or treatments retreatments
 477 unless she or he has an identification card issued under s.
 478 482.091(9).

479 Section 10. Subsection (13) of section 487.031, Florida
 480 Statutes, is amended to read:

481 487.031 Prohibited acts.—It is unlawful:

482 (13) For any person to do any of the following:

483 (a) Make a false or fraudulent claim through any medium,
 484 misrepresenting the effect of materials or methods used.†

485 (b) Make a pesticide recommendation or application not in
 486 accordance with the label, except as provided in this section,
 487 or not in accordance with recommendations of the United States
 488 Environmental Protection Agency or not in accordance with the
 489 specifications of a special local need registration.†

490 (c) Operate faulty or unsafe equipment.†

491 (d) Operate in a faulty, careless, or negligent manner.†

492 (e) Apply any pesticide directly to, or in any manner cause
 493 any pesticide to drift onto, any person or area not intended to

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494 receive the pesticide.†

495 (f) Fail to disclose to an agricultural crop grower, before
496 ~~prior to the time~~ pesticides are applied to a crop, full
497 information regarding the possible harmful effects to human
498 beings or animals and the earliest safe time for workers or
499 animals to reenter the treated field.†

500 (g) Refuse or, after notice, neglect to comply with ~~the~~
501 ~~provisions of~~ this part, the rules adopted under this part, or
502 any lawful order of the department.†

503 (h) Refuse or neglect to keep and maintain the records
504 required by this part or to submit reports when and as
505 required.†

506 (i) Make false or fraudulent records, invoices, or
507 reports.†

508 (j) Use fraud or misrepresentation in making an application
509 for a license or license renewal.†

510 (k) Swear to or affirm a false statement in an application
511 for a license issued pursuant to this chapter.

512 (l) Cheat on an examination required for licensure under
513 this chapter or violate a published test center or examination
514 procedure provided orally, in writing, or electronically at the
515 test site and affirmatively acknowledged by the examinee.

516 (m) Refuse or neglect to comply with any limitations or
517 restrictions on or in a duly issued license.†

518 (n) ~~(l)~~ Aid or abet a licensed or unlicensed person to evade
519 ~~the provisions of~~ this part, or combine or conspire with a
520 licensed or unlicensed person to evade ~~the provisions of~~ this
521 part, or allow a license to be used by an unlicensed person.†

522 (o) ~~(m)~~ Make false or misleading statements during or after

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523 an inspection concerning any infestation or infection of pests
524 found on land.~~†~~

525 (p)~~(n)~~ Make false or misleading statements, or fail to
526 report, pursuant to this part, any suspected or known damage to
527 property or illness or injury to persons caused by the
528 application of pesticides.~~†~~

529 (q)~~(o)~~ Impersonate any state, county, or city inspector or
530 official.~~†~~

531 (r)~~(p)~~ Fail to maintain a current liability insurance
532 policy or surety bond required by ~~as provided for in~~ this part.~~†~~

533 (s)~~(q)~~ Fail to adequately train, as required by ~~provided~~
534 ~~for in~~ this part, unlicensed applicators or mixer-loaders
535 applying restricted-use pesticides under the direct supervision
536 of a licensed applicator.~~†~~~~or~~

537 (t)~~(r)~~ Fail to provide authorized representatives of the
538 department with records required by this part or with free
539 access for inspection and sampling of any pesticide, areas
540 treated with or impacted by these materials, and equipment used
541 in their application.

542 Section 11. Section 487.175, Florida Statutes, is amended
543 to read:

544 487.175 Penalties; administrative fine; injunction.—

545 (1) In addition to any other penalty provided in this part,
546 when the department finds any person, applicant, or licensee has
547 violated any provision of this part or rule adopted under this
548 part, it may enter an order imposing any one or more of the
549 following penalties:

550 (a) Denial of an application for licensure.

551 (b) Revocation or suspension of a license.

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552 (c) Issuance of a warning letter.

553 (d) Placement of the licensee on probation for a specified
554 period of time and subject to conditions the department may
555 specify by rule, including requiring the licensee to attend
556 continuing education courses, to demonstrate competency through
557 a written or practical examination, or to work under the direct
558 supervision of another licensee.

559 (e) Imposition of an administrative fine in the Class III
560 category pursuant to s. 570.971 for each violation. When
561 imposing a fine under this paragraph, the department shall
562 consider the degree and extent of harm caused by the violation,
563 the cost of rectifying the damage, the amount of money the
564 violator benefited from by noncompliance, whether the violation
565 was committed willfully, and the compliance record of the
566 violator.

567 (2) It is unlawful for a person to swear to or affirm a
568 false statement in an application for a license or certificate
569 issued pursuant to this chapter. A false statement contained in
570 an application for such license or certificate renders the
571 application, license, or certificate void.

572 (3) Cheating on an examination required for licensure under
573 this chapter or violating a published test center or examination
574 procedure provided orally, in writing, or electronically at the
575 test site and affirmatively acknowledged by the examinee renders
576 the examinee's exam attempt void. The department shall adopt
577 rules establishing penalties for examinees who violate this
578 section. The department may exercise discretion in assessing
579 penalties based on the nature and frequency of the violation.

580 (4) Except as provided under subsection (3), a ~~Any~~ person

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581 who violates ~~any provision of~~ this part or rules adopted
582 pursuant thereto commits a misdemeanor of the second degree and
583 upon conviction is punishable as provided in s. 775.082 or s.
584 775.083. For a subsequent violation, such person commits a
585 misdemeanor of the first degree and upon conviction is
586 punishable as provided in s. 775.082 or s. 775.083.

587 (5)~~(3)~~ In addition to the remedies provided in this part
588 and notwithstanding the existence of any adequate remedy at law,
589 the department may bring an action to enjoin the violation or
590 threatened violation of ~~any provision of~~ this part, or rule
591 adopted under this part, in the circuit court of the county in
592 which the violation occurred or is about to occur. Upon the
593 department's presentation of competent and substantial evidence
594 to the court of the violation or threatened violation, the court
595 shall immediately issue the temporary or permanent injunction
596 sought by the department. The injunction shall be issued without
597 bond. A single act in violation of ~~any provision of this part~~ is
598 ~~shall be~~ sufficient to authorize the issuance of an injunction.

599 Section 12. Paragraph (b) of subsection (3) of section
600 493.6113, Florida Statutes, is amended to read:

601 493.6113 Renewal application for licensure.—

602 (3) Each licensee is responsible for renewing his or her
603 license on or before its expiration by filing with the
604 department an application for renewal accompanied by payment of
605 the renewal fee and the fingerprint retention fee to cover the
606 cost of ongoing retention in the statewide automated biometric
607 identification system established in s. 943.05(2)(b). Upon the
608 first renewal of a license issued under this chapter before
609 January 1, 2017, the licensee shall submit a full set of

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610 fingerprints and fingerprint processing fees to cover the cost
611 of entering the fingerprints into the statewide automated
612 biometric identification system pursuant to s. 493.6108(4) (a)
613 and the cost of enrollment in the Federal Bureau of
614 Investigation's national retained print arrest notification
615 program. Subsequent renewals may be completed without submission
616 of a new set of fingerprints.

617 (b) Each Class "G" licensee shall additionally submit proof
618 that he or she has received during each year of the license
619 period a minimum of 4 hours of firearms requalification training
620 taught by a Class "K" licensee and has complied with such other
621 health and training requirements that the department shall adopt
622 by rule. Proof of completion of firearms requalification
623 training shall be submitted to the department upon completion of
624 the training. A Class "G" licensee must successfully complete
625 this requalification training for each type and caliber of
626 firearm carried in the course of performing his or her regulated
627 duties. At the discretion of a Class "K" instructor, a Class "G"
628 licensee may qualify for up to two calibers of firearms in one
629 4-hour firearm requalification class if the licensee
630 successfully completes training for each firearm, including a
631 separate course of fire for each caliber of firearm. If the
632 licensee fails to complete the required 4 hours of annual
633 training during the first year of the 2-year term of the
634 license, the license is ~~shall be~~ automatically suspended. The
635 licensee must complete the minimum number of hours of range and
636 classroom training required at the time of initial licensure and
637 submit proof of completion of such training to the department
638 before the license may be reinstated. If the licensee fails to

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639 complete the required 4 hours of annual training during the
640 second year of the 2-year term of the license, the licensee must
641 complete the minimum number of hours of range and classroom
642 training required at the time of initial licensure and submit
643 proof of completion of such training to the department before
644 the license may be renewed. The department may waive the
645 firearms training requirement if:

646 1. The applicant provides proof that he or she is currently
647 certified as a law enforcement officer or correctional officer
648 under the Criminal Justice Standards and Training Commission and
649 has completed law enforcement firearms requalification training
650 annually during the previous 2 years of the licensure period;

651 2. The applicant provides proof that he or she is currently
652 certified as a federal law enforcement officer and has received
653 law enforcement firearms training administered by a federal law
654 enforcement agency annually during the previous 2 years of the
655 licensure period;

656 3. The applicant submits a valid firearm certificate among
657 those specified in s. 493.6105(6) (a) and provides proof of
658 having completed requalification training during the previous 2
659 years of the licensure period; or

660 4. The applicant provides proof that he or she has
661 completed annual firearms training in accordance with the
662 requirements of the federal Law Enforcement Officers Safety Act
663 under 18 U.S.C. ss. 926B-926C.

664 Section 13. Section 493.6127, Florida Statutes, is created
665 to read:

666 493.6127 Appointment of tax collectors to accept
667 applications and renewals for licenses; fees; penalties.-

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668 (1) The department may appoint a tax collector, a county
669 officer as described in s. 1(d), Art. VIII of the State
670 Constitution, to accept new, renewal, and replacement license
671 applications on behalf of the department for licenses issued
672 under this chapter. Such appointment shall be for specified
673 locations that will best serve the public interest and
674 convenience in persons applying for these licenses. The
675 department shall establish by rule the type of new, renewal, or
676 replacement licenses a tax collector appointed under this
677 section is authorized to accept.

678 (2) A tax collector seeking to be appointed to accept
679 applications for new, renewal, or replacement licenses must
680 submit a written request to the department stating his or her
681 name, address, telephone number, each location within the county
682 at which the tax collector wishes to accept applications, and
683 other information as required by the department.

684 (a) Upon receipt of a written request, the department shall
685 review it and may decline to enter into a memorandum of
686 understanding or, if approved, may enter into a memorandum of
687 understanding with the tax collector to accept applications for
688 new or renewal licenses on behalf of the department.

689 (b) The department may rescind a memorandum of
690 understanding for any reason at any time.

691 (3) All information provided pursuant to s. 493.6105 or s.
692 493.6113 and contained in the records of a tax collector
693 appointed under this section which is confidential pursuant to
694 s. 493.6122, or any other state or federal law, retains its
695 confidentiality.

696 (4) A person may not handle an application for a license

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697 issued pursuant to this chapter for a fee or compensation of any
698 kind unless he or she has been appointed by the department to do
699 so.

700 (5) A tax collector appointed under this section may
701 collect and retain a convenience fee of \$22 for each new
702 application, \$12 for each renewal application, \$12 for each
703 replacement license, \$9 for fingerprinting services associated
704 with the completion of an application submitted online or by
705 mail, and \$9 for photographing services associated with the
706 completion of an application submitted online or by mail, and
707 shall remit weekly to the department the license fees pursuant
708 to s. 790.06 for deposit in the Division of Licensing Trust
709 Fund.

710 (6) A person who willfully violates this section commits a
711 misdemeanor of the second degree, punishable as provided in s.
712 775.082 or s. 775.083.

713 (7) Upon receipt of a completed renewal or replacement
714 application, a new color photograph, and appropriate payment of
715 required fees, a tax collector authorized to accept renewal or
716 replacement applications for licenses under this section may,
717 upon approval and confirmation of license issuance by the
718 department, print and deliver a license to a licensee renewing
719 or replacing his or her license at the tax collector's office.

720 Section 14. Subsection (28) is added to section 496.404,
721 Florida Statutes, to read:

722 496.404 Definitions.—As used in ss. 496.401-496.424, the
723 term:

724 (28) "Street address" means the physical location where
725 activities subject to regulation under this chapter are

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726 conducted or where an applicant, licensee, or other referenced
727 individual actually resides. The term does not include a virtual
728 office, a post office box, or a mail drop.

729 Section 15. Present paragraphs (d) through (g) of
730 subsection (2) of section 496.405, Florida Statutes, are
731 redesignated as paragraphs (e) through (h), respectively, a new
732 paragraph (d) is added to that subsection, and paragraphs (b)
733 and (d) of subsection (1), subsection (3), and paragraph (b) of
734 subsection (7) of that section are amended, to read:

735 496.405 Registration statements by charitable organizations
736 and sponsors.—

737 (1) A charitable organization or sponsor, unless exempted
738 pursuant to s. 496.406, which intends to solicit contributions
739 in or from this state by any means or have funds solicited on
740 its behalf by any other person, charitable organization,
741 sponsor, commercial co-venturer, or professional solicitor, or
742 that participates in a charitable sales promotion or sponsor
743 sales promotion, must, before engaging in any of these
744 activities, file an initial registration statement, and a
745 renewal statement annually thereafter, with the department.

746 (b) Any changes to the information submitted to the
747 department pursuant to paragraph (2) (d) or paragraph (2) (e) on
748 the initial registration statement or the last renewal statement
749 must be reported to the department on a form prescribed by the
750 department within 10 days after the change occurs.

751 (d) The registration of a charitable organization or
752 sponsor may not continue in effect and shall expire without
753 further action of the department under either of the following
754 circumstances:

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

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

760 (2) The initial registration statement must be submitted on
761 a form prescribed by the department, signed by an authorized
762 official of the charitable organization or sponsor who shall
763 certify that the registration statement is true and correct, and
764 include the following information or material:

765 (d) The name and street address of each institution where
766 banking or similar monetary transactions are done by the
767 charitable organization or sponsor, as well as the account
768 numbers associated with all transactions.

769 (3) Each chapter, branch, or affiliate of a parent
770 organization ~~that is~~ required to register under this section
771 must file a separate registration statement and financial
772 statement or report the required information to its parent
773 organization, which shall then file, on a form prescribed by the
774 department, a consolidated registration statement for the parent
775 organization and its Florida chapters, branches, and affiliates.
776 A consolidated registration statement filed by a parent
777 organization must include or be accompanied by financial
778 statements as specified in s. 496.407 for the parent
779 organization and each of its Florida chapters, branches, and
780 affiliates that solicited or received contributions during the
781 preceding fiscal year. However, if all contributions received by
782 chapters, branches, or affiliates are remitted directly into a
783 depository account that feeds directly into the parent

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784 organization's centralized accounting system from which all
785 disbursements are made, the parent organization may submit one
786 consolidated financial statement on a form prescribed by the
787 department. The consolidated financial statement must comply
788 with s. 496.407 and must reflect the activities of each chapter,
789 branch, or affiliate of the parent organization, including all
790 contributions received in the name of each chapter, branch, or
791 affiliate; all payments made to each chapter, branch, or
792 affiliate; and all administrative fees assessed to each chapter,
793 branch, or affiliate. A copy of Internal Revenue Service Form
794 990 and all attached schedules filed for the preceding fiscal
795 year, or a copy of Internal Revenue Service Form 990-EZ and
796 Schedule O for the preceding fiscal year, for the parent
797 organization and each Florida chapter, branch, or affiliate ~~that~~
798 ~~is~~ required to file such forms must be attached to the
799 consolidated financial statement.

800 (7)

801 (b) If a charitable organization or sponsor discloses
802 information specified in subparagraphs (2)(e)2.-7. ~~subparagraphs~~
803 ~~(2)(d)2.-7.~~ in the initial registration statement or annual
804 renewal statement, the time limits set forth in paragraph (a)
805 are waived, and the department must ~~shall~~ process such initial
806 registration statement or annual renewal statement in accordance
807 with the time limits set forth in chapter 120. The registration
808 of a charitable organization or sponsor shall be automatically
809 suspended for failure to disclose any information specified in
810 subparagraphs (2)(e)2.-7. ~~subparagraphs (2)(d)2.-7.~~ until such
811 time as the required information is submitted to the department.

812 Section 16. Paragraph (a) of subsection (2) of section

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813 496.406, Florida Statutes, is amended to read:

814 496.406 Exemption from registration.—

815 (2) Before soliciting contributions, a charitable
816 organization or sponsor claiming to be exempt from the
817 registration requirements of s. 496.405 under paragraph (1) (d)
818 must submit annually to the department, on forms prescribed by
819 the department:

820 (a) The name, street address, and telephone number of the
821 charitable organization or sponsor, the name under which it
822 intends to solicit contributions, the purpose for which it is
823 organized, and the purpose or purposes for which the
824 contributions to be solicited will be used.

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

827 496.407 Financial statement.—

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

832 (a) The statement must include the following:

833 1. A balance sheet.

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

836 3. The names and street addresses of the charitable
837 organizations or sponsors, professional fundraising consultant,
838 professional solicitors, and commercial co-venturers used, if
839 any, and the amounts received therefrom, if any.

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

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- 842 a. Program service costs.
843 b. Management and general costs.
844 c. Fundraising costs.

845 (3) ~~Upon a showing of good cause by a charitable~~
846 ~~organization or sponsor,~~ The department may extend the time for
847 the filing of a financial statement required under this section
848 ~~by up to 180 days,~~ during which time the previous registration
849 shall remain active. The registration must ~~shall~~ be
850 automatically suspended for failure to file the financial
851 statement within the extension period.

852 Section 18. Paragraph (c) of subsection (2) of section
853 496.409, Florida Statutes, is amended to read:

854 496.409 Registration and duties of professional fundraising
855 consultant.—

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

861 (c) The names and street ~~residence~~ addresses of all
862 principals of the applicant, including all officers, directors,
863 and owners.

864 Section 19. Paragraphs (d) and (j) of subsection (2),
865 paragraph (c) of subsection (6), paragraphs (a), (b), and (h) of
866 subsection (10), and subsection (11) of section 496.410, Florida
867 Statutes, are amended to read:

868 496.410 Registration and duties of professional
869 solicitors.—

870 (2) Applications for registration or renewal of

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871 registration must be submitted on a form prescribed by rule of
872 the department, signed by an authorized official of the
873 professional solicitor who shall certify that the report is true
874 and correct, and must include the following information:

875 (d) The names and street ~~residence~~ addresses of all
876 principals of the applicant, including all officers, directors,
877 and owners.

878 (j) A list of all telephone numbers the applicant will use
879 to solicit contributions as well as the actual street ~~physical~~
880 address associated with each telephone number and any fictitious
881 names associated with such address.

882 (6) No less than 15 days before commencing any solicitation
883 campaign or event, the professional solicitor must file with the
884 department a solicitation notice on a form prescribed by the
885 department. The notice must be signed and sworn to by the
886 contracting officer of the professional solicitor and must
887 include:

888 (c) The legal name and street ~~residence~~ address of each
889 person responsible for directing and supervising the conduct of
890 the campaign.

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

894 (a) The date and amount of each contribution received and
895 the name, street address, and telephone number of each
896 contributor.

897 (b) The name and ~~residence~~ street address of each employee,
898 agent, and any other person, however designated, who is involved
899 in the solicitation, the amount of compensation paid to each,

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900 and the dates on which the payments were made.

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

904 (11) If the professional solicitor sells tickets to any
905 event and represents that the tickets will be donated for use by
906 another person, the professional solicitor also must ~~shall~~
907 maintain for the same period as specified in subsection (10) the
908 following records:

909 (a) The name and street address of each contributor who
910 purchases or donates tickets and the number of tickets purchased
911 or donated by the contributor.

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

915 Section 20. Paragraph (a) of subsection (2) of section
916 496.4101, Florida Statutes, is amended to read:

917 496.4101 Licensure of professional solicitors and certain
918 employees thereof.—

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

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

926 Section 21. Paragraph (c) of subsection (2) of section
927 496.411, Florida Statutes, is amended, and paragraph (e) of that
928 subsection is reenacted, to read:

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929 496.411 Disclosure requirements and duties of charitable
930 organizations and sponsors.—

931 (2) A charitable organization or sponsor soliciting in this
932 state must include all of the following disclosures at the point
933 of solicitation:

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

937 (e) Upon request, the source from which a written financial
938 statement may be obtained. Such financial statement must be for
939 the immediate preceding fiscal year and must be consistent with
940 the annual financial statement filed under s. 496.407. The
941 written financial statement must be provided within 14 days
942 after the request and must state the purpose for which funds are
943 raised, the total amount of all contributions raised, the total
944 costs and expenses incurred in raising contributions, the total
945 amount of contributions dedicated to the stated purpose or
946 disbursed for the stated purpose, and whether the services of
947 another person or organization have been contracted to conduct
948 solicitation activities.

949 Section 22. Paragraph (a) of subsection (2) of section
950 496.4121, Florida Statutes, is amended to read:

951 496.4121 Collection receptacles used for donations.—

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

957 (a) For a collection receptacle used by a person required

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958 to register under this chapter, the name, street ~~business~~
959 address, telephone number, and registration number of the
960 charitable organization or sponsor for whom the solicitation is
961 made.

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

964 496.425 Solicitation of funds within public transportation
965 facilities.—

966 (2) Any person desiring to solicit funds within a facility
967 shall first obtain a written permit therefor from the authority
968 responsible for the administration of the facility.

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

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

974 2. The full name, street ~~mailing~~ address, and telephone
975 number of each person who will participate in such activities
976 and of the person who will have supervision of and
977 responsibility for the proposed activities;

978 3. A description of the proposed activities indicating the
979 type of communication to be involved;

980 4. The dates on and the hours during which the activities
981 are proposed to be carried out and the expected duration of the
982 proposed activities; and

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

984 (6) Each individual solicitor shall display prominently on
985 her or his person a badge or insignia, provided by the solicitor
986 and approved by the authority, bearing the signature of a

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987 responsible officer of the authority and that of the solicitor
988 and describing the solicitor by name, age, height, weight, eye
989 color, hair color, street address, and principal occupation and
990 indicating the name of the organization for which funds are
991 solicited.

992 Section 24. Effective upon this act becoming a law, present
993 paragraphs (k) through (y) of subsection (1) of section 500.03,
994 Florida Statutes, are redesignated as paragraphs (l) through
995 (z), respectively, and a new paragraph (k) is added to that
996 subsection, to read:

997 500.03 Definitions; construction; applicability.—

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

999 (k) "Cultivated meat" means any meat or food product
1000 produced from cultured animal cells.

1001 Section 25. Effective upon this act becoming a law, section
1002 500.452, Florida Statutes, is created to read:

1003 500.452 Cultivated meat; prohibition; penalties.—

1004 (1) It is unlawful for any person to manufacture, sell,
1005 hold or offer for sale, or distribute cultivated meat in this
1006 state.

1007 (2) A person who violates this section commits a
1008 misdemeanor of the second degree, punishable as provided in s.
1009 775.082 or s. 775.083.

1010 (3) A food establishment that manufactures, distributes, or
1011 sells cultivated meat in violation of this section is subject to
1012 disciplinary action pursuant to s. 500.121.

1013 (4) In addition to the penalties provided in this section,
1014 the license of any restaurant, store, or other business may be
1015 suspended as provided in the applicable licensing law upon the

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1016 conviction of an owner or employee of that business for a
1017 violation of this section in connection with that business.

1018 (5) A product found to be in violation of this section is
1019 subject to s. 500.172 and an immediate stop-sale order.

1020 (6) The department may adopt rules to implement this
1021 section.

1022 Section 26. Subsection (10) is added to section 507.07,
1023 Florida Statutes, to read:

1024 507.07 Violations.—It is a violation of this chapter:

1025 (10) For a mover to place a shipper's goods in a self-
1026 service storage unit or self-contained storage unit owned by
1027 anyone other than the mover unless those goods are stored in the
1028 name of the shipper and the shipper contracts directly with the
1029 owner of the self-service storage unit or self-contained storage
1030 unit.

1031 Section 27. Section 531.67, Florida Statutes, is repealed.

1032 Section 28. Paragraphs (d) and (e) of subsection (1) and
1033 paragraph (a) of subsection (3) of section 559.904, Florida
1034 Statutes, are amended to read:

1035 559.904 Motor vehicle repair shop registration;
1036 application; exemption.—

1037 (1) Each motor vehicle repair shop engaged or attempting to
1038 engage in the business of motor vehicle repair work must
1039 register with the department prior to doing business in this
1040 state. The application for registration must be on a form
1041 provided by the department and must include at least the
1042 following information:

1043 ~~(d) Copies of all licenses, permits, and certifications~~
1044 ~~obtained by the applicant or employees of the applicant.~~

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1045 ~~(e)~~ Number of employees who perform repairs at each
1046 location or whom ~~which~~ the applicant intends to employ ~~or which~~
1047 ~~are currently employed.~~

1048 (3) (a) Each application for registration must be
1049 accompanied by a registration fee for each location calculated
1050 on a per-year basis as follows:

1051 1. If the place of business has 1 to 5 employees who
1052 perform repairs: \$50.

1053 2. If the place of business has 6 to 10 employees who
1054 perform repairs: \$150.

1055 3. If the place of business has 11 or more employees who
1056 perform repairs: \$300.

1057 Section 29. Subsections (1) and (2) of section 559.905,
1058 Florida Statutes, are amended to read:

1059 559.905 Written motor vehicle repair estimate and
1060 disclosure statement required.—

1061 (1) When any customer requests a motor vehicle repair shop
1062 to perform repair work on a motor vehicle, the cost of which
1063 repair work will exceed \$150 ~~\$100~~ to the customer, the shop
1064 shall prepare a written repair estimate, which is a form setting
1065 forth the estimated cost of repair work, including diagnostic
1066 work, before effecting any diagnostic work or repair. The
1067 written repair estimate must ~~shall~~ also include all of the
1068 following items:

1069 (a) The name, address, and telephone number of the motor
1070 vehicle repair shop.

1071 (b) The name, address, and telephone number of the
1072 customer.

1073 (c) The date and time of the written repair estimate.

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1074 (d) The year, make, model, odometer reading, and license
1075 tag number of the motor vehicle.

1076 (e) The proposed work completion date.

1077 (f) A general description of the customer's problem or
1078 request for repair work or service relating to the motor
1079 vehicle.

1080 (g) A statement as to whether the customer is being charged
1081 according to a flat rate or an hourly rate, or both.

1082 (h) The estimated cost of repair which must ~~shall~~ include
1083 any charge for shop supplies or for hazardous or other waste
1084 removal and, if a charge is included, the estimate must ~~shall~~
1085 include the following statement:

1086
1087 "This charge represents costs and profits to the motor
1088 vehicle repair facility for miscellaneous shop
1089 supplies or waste disposal."

1090
1091 If a charge is mandated by state or federal law, the estimate
1092 must ~~shall~~ contain a statement identifying the law and the
1093 specific amount charged under the law.

1094 (i) The charge for making a repair price estimate or, if
1095 the charge cannot be predetermined, the basis on which the
1096 charge will be calculated.

1097 (j) The customer's intended method of payment.

1098 (k) The name and telephone number of another person who may
1099 authorize repair work, if the customer desires to designate such
1100 person.

1101 (l) A statement indicating what, if anything, is guaranteed
1102 in connection with the repair work and the time and mileage

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1103 period for which the guarantee is effective.

1104 (m) A statement allowing the customer to indicate whether
1105 replaced parts should be saved for inspection or return.

1106 (n) A statement indicating the daily charge for storing the
1107 customer's motor vehicle after the customer has been notified
1108 that the repair work has been completed. However, ~~no~~ storage
1109 charges may not ~~shall~~ accrue or be due and payable for a period
1110 of 3 working days from the date after ~~of~~ such notification.

1111 (2) If the cost of repair work will exceed \$150 ~~\$100~~, the
1112 shop must ~~shall~~ present to the customer a written notice
1113 conspicuously disclosing, in a separate, blocked section, only
1114 the following statement, in capital letters of at least 12-point
1115 type:

1116
1117 PLEASE READ CAREFULLY, CHECK ONE OF THE STATEMENTS BELOW, AND
1118 SIGN:

1119 I UNDERSTAND THAT, UNDER STATE LAW, I AM ENTITLED TO A
1120 WRITTEN ESTIMATE IF MY FINAL BILL WILL EXCEED \$150 ~~\$100~~.

1121
1122 I REQUEST A WRITTEN ESTIMATE.

1123
1124 I DO NOT REQUEST A WRITTEN ESTIMATE AS LONG AS THE
1125 REPAIR COSTS DO NOT EXCEED \$..... THE SHOP MAY NOT EXCEED THIS
1126 AMOUNT WITHOUT MY WRITTEN OR ORAL APPROVAL.

1127
1128 I DO NOT REQUEST A WRITTEN ESTIMATE.

1129
1130 SIGNED DATE

1131

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1132 Section 30. Section 570.69, Florida Statutes, is amended to
1133 read:

1134 570.69 Definitions; ss. 570.69 and 570.691.—For the purpose
1135 of this section and s. 570.691:

1136 (1) “Center” means the Florida Agricultural Legacy Learning
1137 Center.

1138 (2) “Designated program” means the departmental program
1139 that which a direct-support organization has been created to
1140 support.

1141 (3) ~~(2)~~ “Direct-support organization” or “organization”
1142 means an organization that which is a Florida corporation not
1143 for profit incorporated under chapter 617 and approved by the
1144 department to operate for the benefit of a museum or a
1145 designated program.

1146 ~~(3) “Museum” means the Florida Agricultural Museum, which~~
1147 ~~is designated as the museum for agriculture and rural history of~~
1148 ~~the State of Florida.~~

1149 Section 31. Subsections (1), (2), (4), (5), and (7) of
1150 section 570.691, Florida Statutes, are amended to read:

1151 570.691 Direct-support organization.—

1152 (1) The department may authorize the establishment of
1153 direct-support organizations to provide assistance, funding, and
1154 promotional support for ~~the museums and other~~ programs of the
1155 department. The following provisions ~~shall~~ govern the creation,
1156 use, powers, and duties of the direct-support organizations:

1157 (a) The department shall enter into a memorandum or letter
1158 of agreement with the direct-support organization, which must
1159 ~~shall~~ specify the approval of the department, the powers and
1160 duties of the direct-support organization, and rules with which

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1161 the direct-support organization must comply.

1162 (b) The department may authorize, without charge,
1163 appropriate use of property, facilities, and personnel of the
1164 department by the direct-support organization. The use must
1165 ~~shall~~ be for the approved purposes of the direct-support
1166 organization and may not be made at times or places that would
1167 unreasonably interfere with opportunities for the general public
1168 to use department facilities.

1169 (c) The department shall prescribe by agreement conditions
1170 with which the direct-support organization must comply in order
1171 to use property, facilities, or personnel of the department.
1172 Such conditions must ~~shall~~ provide for budget and audit review
1173 and oversight by the department.

1174 (d) The department may not authorize the use of property,
1175 facilities, or personnel of the center ~~museum~~, department, or
1176 designated program by the direct-support organization that does
1177 not provide equal employment opportunities to all persons
1178 regardless of race, color, religion, sex, age, or national
1179 origin.

1180 (2) (a) The direct-support organization may conduct programs
1181 and activities; raise funds; request and receive grants, gifts,
1182 and bequests of money; acquire, receive, hold, invest, and
1183 administer, in its own name, securities, funds, objects of
1184 value, or other property, real or personal; and make
1185 expenditures to or for the direct or indirect benefit of the
1186 center ~~museum~~ or designated program.

1187 (b) Notwithstanding ~~the provisions of~~ s. 287.025(1)(e), the
1188 direct-support organization may enter into contracts to insure
1189 property of the center ~~museum~~ or designated programs and may

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1190 insure objects or collections on loan from others in satisfying
1191 security terms of the lender.

1192 (4) A department employee, direct-support organization or
1193 center ~~museum~~ employee, volunteer, or director, or designated
1194 program may not do either of the following:

1195 (a) Receive a commission, fee, or financial benefit in
1196 connection with the sale or exchange of real or personal
1197 property or historical objects to the direct-support
1198 organization, the center ~~museum~~, or the designated program. ~~;~~ ~~or~~

1199 (b) Be a business associate of any individual, firm, or
1200 organization involved in the sale or exchange of real or
1201 personal property to the direct-support organization, the center
1202 ~~museum~~, or the designated program.

1203 (5) All moneys received by the direct-support organization
1204 shall be deposited into an account of the direct-support
1205 organization and must ~~shall~~ be used by the organization in a
1206 manner consistent with the goals of the center ~~museum~~ or
1207 designated program.

1208 (7) The Commissioner of Agriculture, or the commissioner's
1209 designee, may serve on the board of trustees and the executive
1210 committee of any direct-support organization established to
1211 benefit the center ~~museum~~ or any designated program.

1212 Section 32. Section 570.692, Florida Statutes, is amended
1213 to read:

1214 570.692 Florida Agricultural Legacy Learning Center
1215 ~~Museum~~.—The Florida Agricultural Legacy Learning Center ~~Museum~~
1216 is designated as the legacy learning center for ~~museum of~~
1217 agriculture and rural history of this ~~the~~ state ~~of Florida~~ and
1218 is ~~hereby~~ established within the department.

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1219 Section 33. Section 581.189, Florida Statutes, is created
1220 to read:

1221 581.189 Dealing in, buying, transporting, and processing
1222 saw palmetto berries.-

1223 (1) As used in this section, the term:

1224 (a) "Harvest" or "harvesting" means to dig up, remove, or
1225 cut and remove saw palmetto berries from the place where they
1226 are grown.

1227 (b) "Harvester" means a person, firm, or corporation that
1228 takes, harvests, or attempts to take or harvest saw palmetto
1229 berries.

1230 (c) "Landowner" means:

1231 1. The public agency administering any public lands; or
1232 2. The person who holds legal title to the real property
1233 from which saw palmetto berries are harvested or the person
1234 having possession, control, or use of that land which has lawful
1235 authority to grant permission to harvest saw palmetto berries
1236 from the land.

1237 (d) "Person" means an individual, a partnership, a
1238 corporation, an association, or any other legal entity.

1239 (e) "Saw palmetto berries" means the fruit of the plant
1240 *Serenoa repens*, commonly known as the saw palmetto.

1241 (f) "Saw palmetto berry dealer" means a person that
1242 purchases or otherwise obtains saw palmetto berries from a
1243 seller for the purpose of selling the saw palmetto berries at
1244 retail or for the purpose of selling the saw palmetto berries to
1245 another saw palmetto berry dealer or for both such purposes.
1246 This term also includes a person who purchases saw palmetto
1247 berries directly from a landowner for the purpose of selling the

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1248 saw palmetto berries at retail.

1249 (g) "Seller" means a person that exchanges or offers to
1250 exchange saw palmetto berries for money or for any other
1251 valuable consideration.

1252 (2) It is unlawful for any person to willfully destroy,
1253 harvest, or sell saw palmetto berries on the private land of
1254 another or on any public land without first obtaining written
1255 permission from the landowner or legal representative of the
1256 landowner and a permit from the department as provided in s.
1257 581.185. The landowner's written permission must include all of
1258 the following information:

1259 (a) The name, address, and telephone number of the
1260 landowner.

1261 (b) The start date, end date, and location, including
1262 county, of the harvest.

1263 (c) The landowner's actual or electronic signature.

1264 (3) (a) A saw palmetto berry dealer that purchases saw
1265 palmetto berries from a landowner or a person harvesting saw
1266 palmetto berries from another's property shall:

1267 1. Maintain a bill of lading, a copy of the harvester's
1268 entire permit, as provided in s. 581.185, a copy of the
1269 landowner's written permission to harvest, and all of the
1270 following:

1271 a. The name, address, and telephone number of the seller.

1272 b. The date or dates of harvesting.

1273 c. The weight, quantity, or volume and a description of the
1274 type of saw palmetto berries harvested.

1275 d. A scan or photocopy of a valid government-issued photo
1276 identification card of such person.

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1277 (b) A person required to maintain the information under
1278 paragraph (a) shall retain such records for at least 2 years
1279 from the date the harvest ends.

1280 (4) (a) When any law enforcement officer or any authorized
1281 employee of the department finds that any saw palmetto berries
1282 are being harvested, offered for sale, or exposed for sale in
1283 violation of this section, the law enforcement officer or
1284 authorized department employee may seize or order such saw
1285 palmetto berries be held at a designated location until the
1286 individual:

1287 1. Provides the officer or employee with the required
1288 permit and landowner's written permission to harvest, within 7
1289 calendar days following the seizure; or

1290 2. Legally disposes of the saw palmetto berries in
1291 accordance with this section.

1292 (b) A law enforcement officer or authorized department
1293 employee shall release the saw palmetto berries when the
1294 requirements of this section are met.

1295 (5) Unlawfully harvested saw palmetto berries constitute
1296 contraband and are subject to seizure and disposal by the
1297 seizing law enforcement agency or the department.

1298 (a) Notwithstanding any other provision of law, a law
1299 enforcement agency that seizes saw palmetto berries harvested or
1300 possessed in violation of this section or unlawfully harvested
1301 in violation of s. 581.185, or in violation of any other state
1302 or federal law, may sell such saw palmetto berries and retain
1303 the proceeds of the sale for the enforcement of this section.
1304 Law enforcement agencies selling contraband saw palmetto berries
1305 are exempt from s. 581.185.

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1306 (b) Law enforcement agencies that seize unlawfully
1307 harvested saw palmetto berries shall submit annually to the
1308 department, in the manner prescribed by department rule:

1309 1. The quantity and a description of the saw palmetto
1310 berries seized; and

1311 2. The location from which the saw palmetto berries were
1312 harvested, if known.

1313 (6) (a) A harvester that exchanges or offers to exchange saw
1314 palmetto berries with a saw palmetto dealer, seller, or
1315 processor for money or any other valuable consideration without
1316 first presenting to the saw palmetto berry dealer, seller,
1317 processor the person's entire permit, as provided in s. 581.185,
1318 or the landowner's written permission commits a misdemeanor of
1319 the first degree, punishable as provided in s. 775.082 or s.
1320 775.083.

1321 (b) A person required to maintain records as required in
1322 this section that fails to maintain such record for the time
1323 period specified in paragraph (3) (b) commits a misdemeanor of
1324 the first degree, punishable as provided in s. 775.082 or s.
1325 775.083.

1326 (c) A person that willfully destroys or harvests saw
1327 palmetto berries without first obtaining the landowner's written
1328 permission to harvest as required by subsection (2) or a permit
1329 as required by s. 581.185 commits a felony of the third degree,
1330 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1331 (d) A saw palmetto berry dealer, buyer, processor,
1332 harvester, or seller that presents a false, forged, or altered
1333 document purporting to be a landowner's written permission or
1334 the permit required by s. 581.185 commits a felony of the third

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1335 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1336 775.084.

1337 (e) A saw palmetto berry dealer, transporter, or processor
1338 that exchanges, offers to exchange for money or any other
1339 valuable consideration, or possesses unlawfully harvested saw
1340 palmetto berries commits a felony of the third degree,
1341 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1342 (7) (a) A person convicted of a violation of this section is
1343 responsible for:

1344 1. All reasonable costs incurred by the responding law
1345 enforcement agencies and the department, including, but not
1346 limited to, investigative costs; and

1347 2. Restitution to the landowner in an amount equal to the
1348 fair market value of the saw palmetto berries unlawfully
1349 harvested.

1350 (b) For the purposes of this subsection, the term
1351 "convicted" means that there has been a determination of guilt
1352 as a result of trial or the entry of a plea of guilty or nolo
1353 contendere, regardless of whether adjudication is withheld.

1354 (8) This section does not affect any other person that
1355 legally harvests or handles saw palmetto berries from up to two
1356 plants for home or personal use.

1357 (9) The department shall adopt rules to administer this
1358 section.

1359 Section 34. Subsection (13) of section 585.01, Florida
1360 Statutes, is amended to read:

1361 585.01 Definitions.—In construing this part, where the
1362 context permits, the word, phrase, or term:

1363 (13) "Livestock" means grazing animals, such as cattle,

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1364 horses, sheep, swine, goats, other hoofed animals, poultry,
1365 ostriches, emus, and rheas, which are raised for private use or
1366 commercial purposes.

1367 Section 35. Subsections (5) and (8) of section 790.0625,
1368 Florida Statutes, are amended, and subsections (9) and (10) are
1369 added to that section, to read:

1370 790.0625 Appointment of tax collectors to accept
1371 applications for a concealed weapon or firearm license; fees;
1372 penalties.—

1373 (5) A tax collector appointed under this section may
1374 collect and retain a convenience fee of \$22 for each new
1375 application, ~~and~~ \$12 for each renewal application, \$12 for each
1376 replacement license, \$9 for fingerprinting services associated
1377 with the completion of an application submitted online or by
1378 mail, and \$9 for photographing services associated with the
1379 completion of an application submitted online or by mail, and
1380 shall remit weekly to the department the license fees pursuant
1381 to s. 790.06 for deposit in the Division of Licensing Trust
1382 Fund.

1383 (8) Upon receipt of a completed renewal application, a new
1384 color photograph, and ~~appropriate~~ payment of required fees, a
1385 tax collector authorized to accept renewal applications for
1386 concealed weapon or firearm licenses under this section may,
1387 upon approval and confirmation of license issuance by the
1388 department, print and deliver a concealed weapon or firearm
1389 license to a licensee renewing his or her license at the tax
1390 collector's office.

1391 (9) Upon receipt of a statement under oath to the
1392 department and payment of required fees, a tax collector

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1393 authorized to accept an application for a concealed weapon or
1394 firearm license under this section may, upon approval and
1395 confirmation from the department that a license is in good
1396 standing, print and deliver a concealed weapon or firearm
1397 license to a licensee whose license has been lost or destroyed.

1398 (10) Tax collectors authorized to accept an application for
1399 a concealed weapon or firearm license under this section may
1400 provide fingerprinting and photographing services to aid
1401 concealed weapon and firearm applicants and licensees with
1402 initial and renewal applications submitted online or by mail.

1403 Section 36. Paragraph (a) of subsection (5) of section
1404 810.011, Florida Statutes, is amended to read:

1405 810.011 Definitions.—As used in this chapter:

1406 (5) (a) "Posted land" is land upon which any of the
1407 following are placed:

1408 1. Signs placed not more than 500 feet apart along and at
1409 each corner of the boundaries of the land or, for land owned by
1410 a water control district that exists pursuant to chapter 298 or
1411 was created by special act of the Legislature, signs placed at
1412 or near the intersection of any district canal right-of-way and
1413 a road right-of-way or, for land classified as agricultural
1414 pursuant to s. 193.461, signs placed at each point of ingress
1415 and at each corner of the boundaries of the agricultural land,
1416 which prominently display in letters of not less than 2 inches
1417 in height the words "no trespassing" and the name of the owner,
1418 lessee, or occupant of the land. The signs must be placed along
1419 the boundary line of posted land in a manner and in such
1420 position as to be clearly noticeable from outside the boundary
1421 line; or

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1422 2.a. A conspicuous no trespassing notice is painted on
1423 trees or posts on the property, provided that the notice is:

1424 (I) Painted in an international orange color and displaying
1425 the stenciled words "No Trespassing" in letters no less than 2
1426 inches high and 1 inch wide either vertically or horizontally;

1427 (II) Placed so that the bottom of the painted notice is not
1428 less than 3 feet from the ground or more than 5 feet from the
1429 ground; and

1430 (III) Placed at locations that are readily visible to any
1431 person approaching the property and no more than 500 feet apart
1432 on agricultural land.

1433 b. When a landowner uses the painted no trespassing posting
1434 to identify a no trespassing area, those painted notices must be
1435 accompanied by signs complying with subparagraph 1. and must be
1436 placed conspicuously at all places where entry to the property
1437 is normally expected or known to occur.

1438 Section 37. Subsection (2) of section 810.09, Florida
1439 Statutes, is amended to read:

1440 810.09 Trespass on property other than structure or
1441 conveyance.—

1442 (2) ~~(a)~~ Except as provided in this subsection, trespass on
1443 property other than a structure or conveyance is a misdemeanor
1444 of the first degree, punishable as provided in s. 775.082 or s.
1445 775.083.

1446 (a) ~~(b)~~ If the offender defies an order to leave, personally
1447 communicated to the offender by the owner of the premises or by
1448 an authorized person, or if the offender willfully opens any
1449 door, fence, or gate or does any act that exposes animals,
1450 crops, or other property to waste, destruction, or freedom;

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1451 unlawfully dumps litter on property; or trespasses on property
1452 other than a structure or conveyance, the offender commits a
1453 misdemeanor of the first degree, punishable as provided in s.
1454 775.082 or s. 775.083.

1455 (b)~~(e)~~ If the offender is armed with a firearm or other
1456 dangerous weapon during the commission of the offense of
1457 trespass on property other than a structure or conveyance, he or
1458 she commits ~~is guilty of~~ a felony of the third degree,
1459 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
1460 Any owner or person authorized by the owner may, for prosecution
1461 purposes, take into custody and detain, in a reasonable manner,
1462 for a reasonable length of time, any person when he or she
1463 reasonably believes that a violation of this paragraph has been
1464 or is being committed, and that the person to be taken into
1465 custody and detained has committed or is committing the
1466 violation. If a person is taken into custody, a law enforcement
1467 officer must ~~shall~~ be called as soon as is practicable after the
1468 person has been taken into custody. The taking into custody and
1469 detention in compliance with the requirements of this paragraph
1470 does not result in criminal or civil liability for false arrest,
1471 false imprisonment, or unlawful detention.

1472 (c)~~(d)~~ The offender commits a felony of the third degree,
1473 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
1474 if the property trespassed is a construction site that is:

1475 1. Greater than 1 acre in area and is legally posted and
1476 identified in substantially the following manner: "THIS AREA IS
1477 A DESIGNATED CONSTRUCTION SITE, AND ANYONE WHO TRESPASSES ON
1478 THIS PROPERTY COMMITS A FELONY."; or

1479 2. One acre or less in area and is identified as such with

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1480 a sign that appears prominently, in letters of not less than 2
1481 inches in height, and reads in substantially the following
1482 manner: "THIS AREA IS A DESIGNATED CONSTRUCTION SITE, AND ANYONE
1483 WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY." The sign must
1484 ~~shall~~ be placed at the location on the property where the
1485 permits for construction are located. For construction sites of
1486 1 acre or less as provided in this subparagraph, it may ~~shall~~
1487 not be necessary to give notice by posting as defined in s.
1488 810.011(5).

1489 (d)~~(e)~~ The offender commits a felony of the third degree,
1490 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
1491 if the property trespassed upon is commercial horticulture
1492 property and the property is legally posted and identified in
1493 substantially the following manner: "THIS AREA IS DESIGNATED
1494 COMMERCIAL PROPERTY FOR HORTICULTURE PRODUCTS, AND ANYONE WHO
1495 TRESPASSES ON THIS PROPERTY COMMITS A FELONY."

1496 (e)~~(f)~~ The offender commits a felony of the third degree,
1497 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
1498 if the property trespassed upon is an agricultural site for
1499 testing or research purposes that is legally posted and
1500 identified in substantially the following manner: "THIS AREA IS
1501 A DESIGNATED AGRICULTURAL SITE FOR TESTING OR RESEARCH PURPOSES,
1502 AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY."

1503 (f)~~(g)~~ The offender commits a felony of the third degree,
1504 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
1505 if the property trespassed upon is a domestic violence center
1506 certified under s. 39.905 which is legally posted and identified
1507 in substantially the following manner: "THIS AREA IS A
1508 DESIGNATED RESTRICTED SITE, AND ANYONE WHO TRESPASSES ON THIS

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1509 PROPERTY COMMITS A FELONY.”

1510 (g)~~(h)~~ Any person who in taking or attempting to take any
1511 animal described in s. 379.101(19) or (20), or in killing,
1512 attempting to kill, or endangering any animal described in s.
1513 585.01(13) knowingly propels or causes to be propelled any
1514 potentially lethal projectile over or across private land
1515 without authorization commits trespass, a felony of the third
1516 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1517 775.084. For purposes of this paragraph, the term “potentially
1518 lethal projectile” includes any projectile launched from any
1519 firearm, bow, crossbow, or similar tensile device. This section
1520 does not apply to any governmental agent or employee acting
1521 within the scope of his or her official duties.

1522 (h)~~(i)~~ The offender commits a felony of the third degree,
1523 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
1524 if the property trespassed upon is an agricultural chemicals
1525 manufacturing facility that is legally posted and identified in
1526 substantially the following manner: “THIS AREA IS A DESIGNATED
1527 AGRICULTURAL CHEMICALS MANUFACTURING FACILITY, AND ANYONE WHO
1528 TRESPASSES ON THIS PROPERTY COMMITS A FELONY.”

1529 (i)~~1. (j)1.~~ The offender commits a felony of the third
1530 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1531 775.084, if the offender trespasses with the intent to injure
1532 another person, damage property, or impede the operation or use
1533 of an aircraft, runway, taxiway, ramp, or apron area, and the
1534 property trespassed upon is the operational area of an airport
1535 that is legally posted and identified in substantially the
1536 following manner: “THIS AREA IS A DESIGNATED OPERATIONAL AREA OF
1537 AN AIRPORT, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A

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1538 FELONY.”

1539 2. For purposes of this paragraph, the term “operational
1540 area of an airport” means any portion of an airport to which
1541 access by the public is prohibited by fences or appropriate
1542 signs and includes runways, taxiways, ramps, apron areas,
1543 aircraft parking and storage areas, fuel storage areas,
1544 maintenance areas, and any other area of an airport used or
1545 intended to be used for landing, takeoff, or surface maneuvering
1546 of aircraft.

1547 (j) The offender commits a felony of the third degree,
1548 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
1549 if the offender trespasses with the intent to commit a crime on
1550 commercial agricultural property that is legally posted and
1551 identified by signs in letters of at least 2 inches at each
1552 pedestrian and vehicle entrance in substantially the following
1553 manner: “THIS AREA IS A DESIGNATED COMMERCIAL AGRICULTURAL
1554 PROPERTY, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A
1555 FELONY.”

1556 1. A first-time offender who is under 18 years of age at
1557 the time he or she commits the crime specified in this paragraph
1558 must be given the option of participating in a diversion program
1559 described in s. 958.12, s. 985.125, s. 985.155, or s. 985.16 or
1560 a program to which a referral is made by a state attorney under
1561 s. 985.15.

1562 2. For the purpose of this paragraph, the term “commercial
1563 agricultural property” means property cleared of its natural
1564 vegetation or fenced for the purposes of planting, growing,
1565 harvesting, processing, raising, producing, or storing plant or
1566 animal commercial commodities.

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1567 Section 38. Subsection (5) is added to section 1003.24,
1568 Florida Statutes, to read:

1569 1003.24 Parents responsible for attendance of children;
1570 attendance policy.—Each parent of a child within the compulsory
1571 attendance age is responsible for the child's school attendance
1572 as required by law. The absence of a student from school is
1573 prima facie evidence of a violation of this section; however,
1574 criminal prosecution under this chapter may not be brought
1575 against a parent until the provisions of s. 1003.26 have been
1576 complied with. A parent of a student is not responsible for the
1577 student's nonattendance at school under any of the following
1578 conditions:

1579 (5) AGRICULTURAL SCHOOL ACTIVITIES.—

1580 (a) A student who participates in an activity or program
1581 sponsored by 4-H or Future Farmers of America (FFA) must be
1582 credited with an excused absence by the school in which he or
1583 she is enrolled in the same manner as any other excused absence
1584 is credited. Any such participation in an activity or program
1585 sponsored by 4-H or FFA may not be counted as an unexcused
1586 absence, for any day, portion of a day, or days missed from
1587 school.

1588 (b) Upon request from a school principal or the principal's
1589 designee, a 4-H or FFA representative shall provide
1590 documentation as proof of a student's participation in an
1591 activity or program sponsored by 4-H or FFA.

1592 (c) As used in this subsection, the term "4-H
1593 representative" means an individual officially recognized or
1594 designated by the Florida Cooperative Extension Service 4-H
1595 Program as a 4-H professional or a 4-H adult volunteer.

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1597 Each district school board shall establish an attendance policy
1598 that includes, but is not limited to, the required number of
1599 days each school year that a student must be in attendance and
1600 the number of absences and tardinesses after which a statement
1601 explaining such absences and tardinesses must be on file at the
1602 school. Each school in the district must determine if an absence
1603 or tardiness is excused or unexcused according to criteria
1604 established by the district school board.

1605 Section 39. Paragraph (b) of subsection (2) of section
1606 379.3004, Florida Statutes, is amended to read:

1607 379.3004 Voluntary Authorized Hunter Identification
1608 Program.—

1609 (2) Any person hunting on private land enrolled in the
1610 Voluntary Authorized Hunter Identification Program shall have
1611 readily available on the land at all times when hunting on the
1612 property written authorization from the owner or his or her
1613 authorized representative to be on the land for the purpose of
1614 hunting. The written authorization shall be presented on demand
1615 to any law enforcement officer, the owner, or the authorized
1616 agent of the owner.

1617 (b) Failure by any person hunting on private land enrolled
1618 in the program to present written authorization to hunt on that
1619 ~~said~~ land to any law enforcement officer or the owner or
1620 representative thereof within 7 days after ~~of~~ demand shall be
1621 prima facie evidence of violation of s. 810.09(2)(b) ~~s.~~
1622 ~~810.09(2)(e)~~, punishable as provided in s. 775.082, s. 775.083,
1623 or s. 775.084. However, such evidence may be contradicted or
1624 rebutted by other evidence.

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1625 Section 40. Paragraph (c) of subsection (2) of section
1626 812.014, Florida Statutes, is amended to read:
1627 812.014 Theft.—
1628 (2)
1629 (c) It is grand theft of the third degree and a felony of
1630 the third degree, punishable as provided in s. 775.082, s.
1631 775.083, or s. 775.084, if the property stolen is:
1632 1. Valued at \$750 or more, but less than \$5,000.
1633 2. Valued at \$5,000 or more, but less than \$10,000.
1634 3. Valued at \$10,000 or more, but less than \$20,000.
1635 4. A will, codicil, or other testamentary instrument.
1636 5. A firearm, except as provided in paragraph (f).
1637 6. A motor vehicle, except as provided in paragraph (a).
1638 7. Any commercially farmed animal, including any animal of
1639 the equine, avian, bovine, or swine class or other grazing
1640 animal; a bee colony of a registered beekeeper; and aquaculture
1641 species raised at a certified aquaculture facility. If the
1642 property stolen is a commercially farmed animal, including an
1643 animal of the equine, avian, bovine, or swine class or other
1644 grazing animal; a bee colony of a registered beekeeper; or an
1645 aquaculture species raised at a certified aquaculture facility,
1646 a \$10,000 fine shall be imposed.
1647 8. Any fire extinguisher that, at the time of the taking,
1648 was installed in any building for the purpose of fire prevention
1649 and control. This subparagraph does not apply to a fire
1650 extinguisher taken from the inventory at a point-of-sale
1651 business.
1652 9. Any amount of citrus fruit consisting of 2,000 or more
1653 individual pieces of fruit.

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1654 10. Taken from a designated construction site identified by
1655 the posting of a sign as provided for in s. 810.09(2)(c) ~~s.~~
1656 ~~810.09(2)(d)~~.

1657 11. Any stop sign.

1658 12. Anhydrous ammonia.

1659 13. Any amount of a controlled substance as defined in s.
1660 893.02. Notwithstanding any other law, separate judgments and
1661 sentences for theft of a controlled substance under this
1662 subparagraph and for any applicable possession of controlled
1663 substance offense under s. 893.13 or trafficking in controlled
1664 substance offense under s. 893.135 may be imposed when all such
1665 offenses involve the same amount or amounts of a controlled
1666 substance.

1667
1668 However, if the property is stolen during a riot or an
1669 aggravated riot prohibited under s. 870.01 and the perpetration
1670 of the theft is facilitated by conditions arising from the riot;
1671 or within a county that is subject to a state of emergency
1672 declared by the Governor under chapter 252, the property is
1673 stolen after the declaration of emergency is made, and the
1674 perpetration of the theft is facilitated by conditions arising
1675 from the emergency, the offender commits a felony of the second
1676 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1677 775.084, if the property is valued at \$5,000 or more, but less
1678 than \$10,000, as provided under subparagraph 2., or if the
1679 property is valued at \$10,000 or more, but less than \$20,000, as
1680 provided under subparagraph 3. As used in this paragraph, the
1681 terms "conditions arising from a riot" and "conditions arising
1682 from the emergency" have the same meanings as provided in

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1683 paragraph (b). A person arrested for committing a theft during a
 1684 riot or an aggravated riot or within a county that is subject to
 1685 a state of emergency may not be released until the person
 1686 appears before a committing magistrate at a first appearance
 1687 hearing. For purposes of sentencing under chapter 921, a felony
 1688 offense that is reclassified under this paragraph is ranked one
 1689 level above the ranking under s. 921.0022 or s. 921.0023 of the
 1690 offense committed.

1691 Section 41. Paragraphs (b) and (c) of subsection (3) of
 1692 section 921.0022, Florida Statutes, are amended to read:

1693 921.0022 Criminal Punishment Code; offense severity ranking
 1694 chart.—

1695 (3) OFFENSE SEVERITY RANKING CHART

1696 (b) LEVEL 2

1697

Florida Statute	Felony Degree	Description
379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.

1698

1699

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1701	403.413 (6) (c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
1702	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.
1703	590.28 (1)	3rd	Intentional burning of lands.
1704	784.03 (3)	3rd	Battery during a riot or an aggravated riot.
1705	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
1706	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.

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1707	806.13 (1) (b) 3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
1708	806.13 (3)	3rd	Criminal mischief; damage of \$200 or more to a memorial or historic property.
1709	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
1710	<u>810.09 (2) (d)</u> 810.09 (2) (e)	3rd	Trespassing on posted commercial horticulture property.
1711	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$750 or more but less than \$5,000.
	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$750, taken from unenclosed curtilage of dwelling.

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1712

812.015 (7) 3rd Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.

1713

817.234 (1) (a) 2. 3rd False statement in support of insurance claim.

1714

817.481 (3) (a) 3rd Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.

1715

817.52 (3) 3rd Failure to redeliver hired vehicle.

1716

817.54 3rd With intent to defraud, obtain mortgage note, etc., by false representation.

1717

817.60 (5) 3rd Dealing in credit cards of another.

1718

817.60 (6) (a) 3rd Forgery; purchase goods,

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			services with false card.
1719	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
1720	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
1721	831.01	3rd	Forgery.
1722	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
1723	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
1724	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
1725	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.

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1726

831.11 3rd Bringing into the state forged bank bills, checks, drafts, or notes.

1727

832.05 (3) (a) 3rd Cashing or depositing item with intent to defraud.

1728

843.01 (2) 3rd Resist police canine or police horse with violence; under certain circumstances.

1729

843.08 3rd False personation.

1730

843.19 (3) 3rd Touch or strike police, fire, SAR canine or police horse.

1731

893.13 (2) (a) 2. 3rd Purchase of any s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs other than cannabis.

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1732
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1735
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1740

893.147(2) 3rd Manufacture or delivery of drug paraphernalia.

(c) LEVEL 3

Florida Statute Felony Degree Description

119.10(2)(b) 3rd Unlawful use of confidential information from police reports.

316.066(3)(b)-(d) 3rd Unlawfully obtaining or using confidential crash reports.

316.193(2)(b) 3rd Felony DUI, 3rd conviction.

316.1935(2) 3rd Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.

319.30(4) 3rd Possession by junkyard of motor vehicle with identification number plate removed.

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1741

319.33 (1) (a) 3rd Alter or forge any certificate of title to a motor vehicle or mobile home.

1742

319.33 (1) (c) 3rd Procure or pass title on stolen vehicle.

1743

319.33 (4) 3rd With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.

1744

327.35 (2) (b) 3rd Felony BUI.

1745

328.05 (2) 3rd Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.

1746

328.07 (4) 3rd Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.

1747

376.302 (5) 3rd Fraud related to

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1748

379.2431
(1) (e) 5.

3rd

reimbursement for cleanup expenses under the Inland Protection Trust Fund.

Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.

1749

379.2431
(1) (e) 6.

3rd

Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.

1750

379.2431
(1) (e) 7.

3rd

Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.

1751

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1752 400.9935 (4) (a) 3rd Operating a clinic, or
or (b) offering services requiring
licensure, without a
license.

1753 400.9935 (4) (e) 3rd Filing a false license
application or other
required information or
failing to report
information.

1754 440.1051 (3) 3rd False report of workers'
compensation fraud or
retaliation for making such
a report.

1755 501.001 (2) (b) 2nd Tampers with a consumer
product or the container
using materially
false/misleading
information.

1756 624.401 (4) (a) 3rd Transacting insurance
without a certificate of
authority.

624.401 (4) (b) 1. 3rd Transacting insurance
without a certificate of
authority; premium

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			collected less than \$20,000.
1757	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
1758	697.08	3rd	Equity skimming.
1759	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
1760	794.053	3rd	Lewd or lascivious written solicitation of a person 16 or 17 years of age by a person 24 years of age or older.
1761	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
1762	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
1763	<u>810.09 (2) (b)</u> 810.09 (2) (c)	3rd	Trespass on property other than structure or

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			conveyance armed with firearm or dangerous weapon.
1764	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
1765	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
1766	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
1767	812.081 (2)	3rd	Theft of a trade secret.
1768	815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
1769	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
1770	817.233	3rd	Burning to defraud insurer.
1771	817.234	3rd	Unlawful solicitation of

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	(8) (b) & (c)		persons involved in motor vehicle accidents.
1772	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
1773	817.236	3rd	Filing a false motor vehicle insurance application.
1774	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
1775	817.413 (2)	3rd	Sale of used goods of \$1,000 or more as new.
1776	817.49 (2) (b) 1.	3rd	Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.
1777	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to

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1778			defraud.
	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
1779			
	836.13 (2)	3rd	Person who promotes an altered sexual depiction of an identifiable person without consent.
1780			
	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
1781			
	860.15 (3)	3rd	Overcharging for repairs and parts.
1782			
	870.01 (2)	3rd	Riot.
1783			
	870.01 (4)	3rd	Inciting a riot.
1784			
	893.13 (1) (a) 2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4)

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1785

893.13(1)(d)2.

2nd

drugs).

Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs within 1,000 feet of university.

1786

893.13(1)(f)2.

2nd

Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs within 1,000 feet of public housing facility.

1787

893.13(4)(c)

3rd

Use or hire of minor; deliver to minor other controlled substances.

1788

893.13(6)(a)

3rd

Possession of any controlled substance other than felony possession of cannabis.

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1789

893.13(7)(a)8.

3rd

Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.

1790

893.13(7)(a)9.

3rd

Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.

1791

893.13(7)(a)10.

3rd

Affix false or forged label to package of controlled substance.

1792

893.13(7)(a)11.

3rd

Furnish false or fraudulent material information on any document or record required by chapter 893.

1793

893.13(8)(a)1.

3rd

Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the

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1794

practitioner's practice.

893.13(8)(a)2.

3rd

Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.

1795

893.13(8)(a)3.

3rd

Knowingly write a prescription for a controlled substance for a fictitious person.

1796

893.13(8)(a)4.

3rd

Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.

1797

918.13(1)

3rd

Tampering with or fabricating physical evidence.

1798

944.47
(1)(a)1. & 2.

3rd

Introduce contraband to correctional facility.

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1799

944.47(1)(c) 2nd Possess contraband while upon the grounds of a correctional institution.

1800

985.721 3rd Escapes from a juvenile facility (secure detention or residential commitment facility).

1801

1802

1803

Section 42. For the purpose of incorporating the amendment made by this act to section 493.6113, Florida Statutes, in a reference thereto, subsection (6) of section 493.6115, Florida Statutes, is reenacted, to read:

1807

493.6115 Weapons and firearms.—

1808

(6) In addition to any other firearm approved by the department, a licensee who has been issued a Class "G" license may carry a .38 caliber revolver; or a .380 caliber or 9 millimeter semiautomatic pistol; or a .357 caliber revolver with .38 caliber ammunition only; or a .40 caliber handgun; or a .45 ACP handgun while performing duties authorized under this chapter. A licensee may not carry more than two firearms upon her or his person when performing her or his duties. A licensee may only carry a firearm of the specific type and caliber with which she or he is qualified pursuant to the firearms training referenced in subsection (8) or s. 493.6113(3)(b).

1819

Section 43. For the purpose of incorporating the amendment made by this act to section 496.405, Florida Statutes, in

1820

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1821 references thereto, subsection (2) of section 496.4055, Florida
1822 Statutes, is reenacted, to read:

1823 496.4055 Charitable organization or sponsor board duties.—

1824 (2) The board of directors, or an authorized committee
1825 thereof, of a charitable organization or sponsor required to
1826 register with the department under s. 496.405 shall adopt a
1827 policy regarding conflict of interest transactions. The policy
1828 shall require annual certification of compliance with the policy
1829 by all directors, officers, and trustees of the charitable
1830 organization. A copy of the annual certification shall be
1831 submitted to the department with the annual registration
1832 statement required by s. 496.405.

1833 Section 44. For the purpose of incorporating the amendment
1834 made by this act to section 559.905, Florida Statutes, in a
1835 reference thereto, paragraph (b) of subsection (1) of section
1836 559.907, Florida Statutes, is reenacted to read:

1837 559.907 Charges for motor vehicle repair estimate;
1838 requirement of waiver of rights prohibited.—

1839 (1) No motor vehicle repair shop shall charge for making a
1840 repair price estimate unless, prior to making the price
1841 estimate, the shop:

1842 (b) Obtains authorization on the written repair estimate,
1843 in accordance with s. 559.905, to prepare an estimate. No motor
1844 vehicle repair shop shall impose or threaten to impose any such
1845 charge which is clearly excessive in relation to the work
1846 involved in making the price estimate.

1847 Section 45. For the purpose of incorporating the amendment
1848 made by this act to section 585.01, Florida Statutes, in a
1849 reference thereto, subsection (6) of section 468.382, Florida

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1850 Statutes, is reenacted to read:

1851 468.382 Definitions.—As used in this act, the term:

1852 (6) "Livestock" means any animal included in the definition
1853 of "livestock" by s. 585.01 or s. 588.13.

1854 Section 46. For the purpose of incorporating the amendment
1855 made by this act to section 585.01, Florida Statutes, in a
1856 reference thereto, subsection (3) of section 534.47, Florida
1857 Statutes, is reenacted to read:

1858 534.47 Definitions.—As used in ss. 534.48-534.54, the term:

1859 (3) "Livestock" has the same meaning as in s. 585.01(13).

1860 Section 47. For the purpose of incorporating the amendment
1861 made by this act to section 585.01, Florida Statutes, in a
1862 reference thereto, section 767.01, Florida Statutes, is
1863 reenacted to read:

1864 767.01 Dog owner's liability for damages to persons,
1865 domestic animals, or livestock.—Owners of dogs shall be liable
1866 for any damage done by their dogs to a person or to any animal
1867 included in the definitions of "domestic animal" and "livestock"
1868 as provided by s. 585.01.

1869 Section 48. For the purpose of incorporating the amendment
1870 made by this act to section 585.01, Florida Statutes, in a
1871 reference thereto, section 767.03, Florida Statutes, is
1872 reenacted to read:

1873 767.03 Good defense for killing dog.—In any action for
1874 damages or of a criminal prosecution against any person for
1875 killing or injuring a dog, satisfactory proof that said dog had
1876 been or was killing any animal included in the definitions of
1877 "domestic animal" and "livestock" as provided by s. 585.01 shall
1878 constitute a good defense to either of such actions.

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1879 Section 49. Except as otherwise expressly provided in this
1880 act and except for this section, which shall take effect upon
1881 this act becoming a law, this act shall take effect July 1,
1882 2024.