

1 A bill to be entitled
2 An act relating to agriculture; amending s. 570.822,
3 F.S.; renaming the Agriculture and Aquaculture
4 Producers Natural Disaster Recovery Loan Program as
5 the Agriculture and Aquaculture Producers Emergency
6 Loan Program; revising definitions; providing that
7 loan funds from the Department of Agriculture and
8 Consumer Services' Agriculture and Aquaculture
9 Producers Emergency Loan Program may be used for labor
10 costs and to reset and replant agriculture and
11 aquaculture commodities; increasing the maximum loan
12 amount an applicant may receive during the application
13 period; authorizing certain applicants to receive a
14 supplemental loan up to a specified amount if
15 eligible; providing that the supplemental loan may not
16 be counted toward the maximum loan amount an applicant
17 may receive under the program; revising eligibility
18 criteria; requiring the department to adopt certain
19 standards by rule; authorizing the department to renew
20 certain loan applications under certain circumstances;
21 authorizing the department to defer or waive loan
22 payments under certain circumstances; conforming
23 provisions to changes made by the act; creating s.
24 570.823, F.S.; defining terms; establishing the
25 Silviculture Emergency Recovery Program within the

26 department to administer a grant program to assist
 27 certain timber land owners; requiring that the grants
 28 be used for certain purposes; requiring that only
 29 timber land located on specified agricultural lands
 30 are eligible for the program; requiring the department
 31 to coordinate with state agencies and other entities
 32 to ensure that timber land owners have access to
 33 financial assistance following a specified declared
 34 emergency; providing additional objectives for the
 35 coordination; authorizing the department to adopt
 36 rules, including emergency rules; creating s. 570.831,
 37 F.S.; providing legislative intent; defining a term;
 38 requiring the Citrus Research and Development (CRDF)
 39 Foundation to work in coordination with the department
 40 to provide support for certain activities; requiring
 41 the CRDF Foundation to direct and manage a certain
 42 program; requiring the department to assist the CRDF
 43 Foundation in the execution of its duties; providing
 44 an effective date.

45
 46 Be It Enacted by the Legislature of the State of Florida:

47
 48 **Section 1. Section 570.822, Florida Statutes, is amended**
 49 **to read:**

50 570.822 Agriculture and Aquaculture Producers Emergency

51 ~~Natural Disaster Recovery~~ Loan Program.—

52 (1) DEFINITIONS.—As used in this section, the term:

53 (a) "Bona fide farm operation" means a farm operation
54 engaged in a good faith commercial agricultural use of land on
55 land classified as agricultural pursuant to s. 193.461 or on
56 sovereign submerged land that is leased to the applicant by the
57 department pursuant to s. 597.010 and that produces agricultural
58 products within the definition of agriculture under s. 570.02.

59 (b) "Declared emergency ~~natural disaster~~" means an
60 emergency ~~a natural disaster~~ for which a state of emergency is
61 declared pursuant to s. 252.36 or s. 570.07(21).

62 (c) "Department" means the Department of Agriculture and
63 Consumer Services.

64 (d) "Essential physical property" means fences; equipment;
65 structural production facilities, such as shade houses and
66 greenhouses; or other agriculture or aquaculture facilities or
67 infrastructure.

68 (e) "Program" means the Agriculture and Aquaculture
69 Producers Emergency ~~Natural Disaster Recovery~~ Loan Program.

70 (2) USE OF LOAN FUNDS; LOAN TERMS.—

71 (a) The program is established within the department to
72 make loans to agriculture and aquaculture producers that have
73 experienced damage or destruction from a declared emergency
74 ~~natural disaster~~. Loan funds may be used to restore, repair, or
75 replace essential physical property or remove vegetative debris

76 | from essential physical property, including labor costs, or to
77 | reset and replant agriculture or aquaculture commodities. A
78 | structure or building constructed using loan proceeds must
79 | comply with storm-hardening standards for nonresidential farm
80 | buildings as defined in s. 604.50(2). The department shall adopt
81 | such standards by rule.

82 | (b) The department may make a low-interest or interest-
83 | free loan to an eligible applicant. The maximum amount that an
84 | applicant may receive during the application period for a loan
85 | is \$1.5 million ~~\$500,000~~. An applicant may not receive more than
86 | one loan per application period and no more than two loans per
87 | year or no more than five loans in any 3-year period. A loan
88 | term is 10 years.

89 | (c) Applicants approved for loan funds as a result of
90 | Hurricanes Helene and Milton, which occurred during the year
91 | 2024, may receive a supplemental loan of up to \$1 million if
92 | deemed eligible. This supplemental loan amount may not be
93 | counted toward the maximum amount an applicant may receive
94 | during a given period pursuant to paragraph (b).

95 | (3) ELIGIBLE APPLICANTS.—To be eligible for the program,
96 | an applicant must:

97 | (a) Own or lease a bona fide farm operation that is
98 | located in a county named in a declared emergency ~~natural~~
99 | ~~disaster~~ and that was damaged or destroyed as a result of such
100 | declared emergency ~~natural~~ ~~disaster~~.

101 (b) Retain, if applicable, crop insurance and property
102 insurance on the owned or leased bona fide farm operation for
103 the duration of the loan term. The department shall adopt such
104 standards by rule.

105 (c) ~~(b)~~ Maintain complete and acceptable farm records,
106 pursuant to criteria published by the department, and present
107 them as proof of production levels and bona fide farm
108 operations.

109 (4) LOAN APPLICATION AND AGREEMENT.—

110 (a) Requests for loans must be made by application to the
111 department. Upon a determination that funding for loans is
112 available, the department shall publicly notice an application
113 period for the declared emergency ~~natural disaster~~, beginning
114 within 60 days after the date of the declared emergency ~~natural~~
115 ~~disaster~~ and running up to 1 year after the date of the declared
116 emergency ~~natural disaster~~ or until all available loan funds are
117 exhausted, whichever occurs first. The application may be
118 renewed upon determination from the department and an active
119 emergency declaration.

120 (b) An applicant must demonstrate the need for financial
121 assistance and an ability to repay or meet a standard credit
122 rating determined by the department.

123 (c) Loans must be made pursuant to written agreements
124 specifying the terms and conditions agreed to by the approved
125 applicant and the department. The loan agreement must specify

126 | that the loan is due upon sale if the property or other
127 | collateral for the loan is sold.

128 | (d) An approved applicant must agree to stay in production
129 | for the duration of the loan. A loan is not assumable.

130 | (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured
131 | by a lien, subordinate only to any mortgage held by a financial
132 | institution as defined in s. 655.005, on property or other
133 | collateral as set forth in the loan agreement. The specific type
134 | of collateral required may vary depending upon the loan purpose,
135 | repayment ability, and the particular circumstances of the
136 | applicant. The department shall record the lien in public
137 | records in the county where the property is located and, in the
138 | case of personal property, perfect the security interest by
139 | filing appropriate Uniform Commercial Code forms with the
140 | Florida Secured Transaction Registry as required pursuant to
141 | chapter 679.

142 | (6) LOAN REPAYMENT.—

143 | (a) A loan is due and payable in accordance with the terms
144 | of the loan agreement.

145 | (b) The department shall defer payments for the first 3
146 | years of the loan. After 3 years, the department shall reduce
147 | the principal balance annually through the end of the loan term
148 | such that the original principal balance is reduced by 30
149 | percent. If the principal balance is repaid before the end of
150 | the 10th year, the applicant may not be required to pay more

151 than 70 percent of the original principal balance. The approved
152 applicant must continue to be actively engaged in production in
153 order to receive the original principal balance reductions and
154 must continue to meet the loan agreement terms to the
155 satisfaction of the department.

156 (c) An approved applicant may make payments on the loan at
157 any time without penalty. Early repayment is encouraged as other
158 funding sources or revenues become available to the approved
159 applicant.

160 (d) All repayments of principal and interest, if
161 applicable, received by the department in a fiscal year must be
162 returned to the loan fund and made available for loans to other
163 applicants in the next application period.

164 (e) The department may periodically review an approved
165 applicant to determine whether he or she continues to be in
166 compliance with the terms of the loan agreement. If the
167 department finds that an applicant is no longer in production or
168 has otherwise violated the loan agreement, the department may
169 seek repayment of the full original principal balance
170 outstanding, including any interest or costs, as applicable, and
171 excluding any applied or anticipated original principal balance
172 reductions.

173 (f) The department may defer or waive loan payments if, at
174 any time during the repayment period of a loan, the approved
175 applicant experiences a significant hardship, such as crop loss

176 from a weather-related event or from impacts of a natural
177 disaster or other declared emergency.

178 (7) ADMINISTRATION.—

179 (a) The department shall create and maintain a separate
180 account in the General Inspection Trust Fund as a fund for the
181 program. All repayments must be returned to the loan fund and
182 made available as provided in this section. Notwithstanding s.
183 216.301, funds appropriated for the loan program are not subject
184 to reversion. The department shall manage the fund, establishing
185 loan practices that must include, but are not limited to,
186 procedures for establishing loan interest rates, uses of
187 funding, application procedures, and application review
188 procedures. The department is authorized to contract with a
189 third-party administrator to administer the program and manage
190 the loan fund. A contract for a third-party administrator that
191 includes management of the loan fund must, at a minimum, require
192 maintenance of the loan fund to ensure that the program may
193 operate in a revolving manner.

194 (b) The department shall coordinate with other state
195 agencies and other entities to ensure to the greatest extent
196 possible that agriculture and aquaculture producers in this
197 state have access to the maximum financial assistance available
198 following an emergency ~~a natural disaster~~. The coordination must
199 endeavor to ensure that there is no duplication of financial
200 assistance between the loan program and other funding sources,

201 such as any federal or other state programs, including public
 202 assistance requests to the Federal Emergency Management Agency
 203 or financial assistance from the United States Department of
 204 Agriculture, which could render the approved applicant
 205 ineligible for other financial assistance.

206 (8) PUBLIC RECORDS EXEMPTION.—

207 (a) The following information held by the department
 208 pursuant to its administration of the program is exempt from s.
 209 119.07(1) and s. 24(a), Art. I of the State Constitution:

- 210 1. Tax returns.
- 211 2. Credit history information, credit reports, and credit
 212 scores.

213 (b) This subsection does not prohibit the disclosure of
 214 information held by the department pursuant to its
 215 administration of the program in an aggregated and anonymized
 216 format.

217 (c) This subsection is subject to the Open Government
 218 Sunset Review Act in accordance with s. 119.15 and shall stand
 219 repealed on October 2, 2029, unless reviewed and saved from
 220 repeal through reenactment by the Legislature.

221 (9) RULES.—The department shall adopt rules to implement
 222 this section.

223 (10) REPORTS.—By December 1, 2024, and each December 1
 224 thereafter, the department shall provide a report on program
 225 activities during the previous fiscal year to the President of

226 the Senate and the Speaker of the House of Representatives. The
 227 report must include information on noticed application periods,
 228 the number and value of loans awarded under the program for each
 229 application period, the number and value of loans outstanding,
 230 the number and value of any loan repayments received, and an
 231 anticipated repayment schedule for all loans.

232 (11) SUNSET.—This section expires July 1, 2043, unless
 233 reviewed and saved from repeal through reenactment by the
 234 Legislature.

235 **Section 2. Section 570.823, Florida Statutes, is created**
 236 **to read:**

237 570.823 Silviculture Emergency Recovery Program.—

238 (1) DEFINITIONS.—As used in this section, the term:

239 (a) "Bona fide farm operation" means a farm operation
 240 engaged in a good faith commercial agricultural use of land on
 241 land classified as agricultural pursuant to s. 193.461 which
 242 produces agricultural products within the definition of
 243 agriculture under s. 570.02.

244 (b) "Declared emergency" means an emergency for which a
 245 state of emergency is declared pursuant to s. 252.36 or s.
 246 570.07(21).

247 (c) "Program" means the Silviculture Emergency Recovery
 248 Program.

249 (2) USE OF GRANT FUNDS; GRANT TERMS.—

250 (a) The Silviculture Emergency Recovery Program is

251 established within the department to administer a grant program
252 to assist timber land owners whose timber land was damaged as a
253 result of a declared emergency. Grants provided to eligible
254 timber land owners must be used for:

255 1. Timber stand restoration, including downed tree removal
256 on land where the landowner will retain the existing trees on
257 site which are lightly damaged or completely undamaged;

258 2. Site preparation and tree replanting; or

259 3. Road and trail clearing on private timber lands to
260 provide emergency access and facilitate salvage operations.

261 (b) Only timber land located on lands classified as
262 agricultural lands under s. 193.461 are eligible for the
263 program.

264 (c) The department shall coordinate with state agencies
265 and other entities to ensure that, to the greatest extent
266 possible, timber land owners have access to the maximum
267 financial assistance available following a specified declared
268 emergency. The coordination must endeavor to ensure that there
269 is no duplication of financial assistance between these funds
270 and other funding sources, such as any federal or other state
271 programs, including public assistance requests to the Federal
272 Emergency Management Agency or financial assistance from the
273 United States Department of Agriculture, which would render the
274 approved applicant ineligible for other financial assistance.

275 (d) The department may adopt rules to implement this

276 section, including emergency rules. Notwithstanding any other
277 provision of law, emergency rules adopted pursuant to this
278 subsection are effective for 6 months after adoption and may be
279 renewed during the pendency of procedures to adopt permanent
280 rules addressing the subject of the emergency rules.

281 **Section 3. Section 570.831, Florida Statutes, is created**
282 **to read:**

283 570.831 Citrus research and field trial program; CRDF
284 Foundation.—

285 (1) LEGISLATIVE INTENT.—The Legislature recognizes that
286 the citrus industry faces adversity from natural disasters,
287 invasive species, and citrus diseases. The Legislature has
288 funded research to help combat invasive pests and diseases and
289 finds that there is a need for comprehensive field testing of
290 best management practices for such research. The Legislature
291 finds that additional research provided by the CRDF Foundation
292 would aid the state in further development of best management
293 practices.

294 (2) DEFINITION.—As used in this section, the term "CRDF
295 Foundation" means the Citrus Research and Development
296 Foundation, Inc., as provided in s. 573.112(7).

297 (3) DUTIES OF THE FOUNDATION.—The CRDF Foundation shall
298 work in coordination with the department to provide support for
299 the comprehensive field testing of best management practices for
300 research on combatting invasive citrus pests and diseases.

301 (a) The CRDF Foundation shall direct and manage a broad
302 commercial-scale field trial program to determine the efficacy
303 of various citrus disease treatments, collect data on results of
304 commercial-scale field trials, and create an integrated data
305 management system.

306 (b) The department shall assist the CRDF Foundation in the
307 execution of the foundation's responsibilities, including, but
308 not limited to, securing funding, subject to the requirements of
309 s. 216.177, for the costs and expenses of administration.

310 **Section 4.** This act shall take effect July 1, 2025.