

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

---

1 Committee/Subcommittee hearing bill: Commerce Committee  
2 Representative Tuck offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 **Section 1. Paragraph (m) of subsection (2) of section**  
7 **110.205, Florida Statutes, is amended to read:**

8 110.205 Career service; exemptions.—

9 (2) EXEMPT POSITIONS.—The exempt positions that are not  
10 covered by this part include the following:

11 (m) All assistant division director, deputy division  
12 director, and bureau chief positions in any department, and  
13 those positions determined by the department to have managerial  
14 responsibilities comparable to such positions, which include,  
15 but are not limited to:

16 1. Positions in The Department of Health and the

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17 Department of Children and Families which are assigned primary  
18 duties of serving as the superintendent or assistant  
19 superintendent of an institution.

20 2. Positions in The Department of Corrections which are  
21 assigned primary duties of serving as the warden, assistant  
22 warden, colonel, or major of an institution or that are assigned  
23 primary duties of serving as the circuit administrator or deputy  
24 circuit administrator.

25 3. Positions in The Department of Transportation which are  
26 assigned primary duties of serving as regional toll managers and  
27 managers of offices, as specified in s. 20.23(3)(b) and (4)(c).

28 4. Positions in The Department of Environmental Protection  
29 which are assigned the duty of an Environmental Administrator or  
30 program administrator.

31 5. Positions in The Department of Health which are  
32 assigned the duties of Environmental Administrator, Assistant  
33 County Health Department Director, and County Health Department  
34 Financial Administrator.

35 6. Positions in The Department of Highway Safety and Motor  
36 Vehicles which are assigned primary duties of serving as  
37 captains in the Florida Highway Patrol.

38 7. Positions in the Department of Agriculture and Consumer  
39 Services which are assigned primary duties of serving as  
40 captains or majors in the Office of Agricultural Law  
41 Enforcement.

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42  
43 Unless otherwise fixed by law, the department shall set the  
44 salary and benefits of the positions listed in this paragraph in  
45 accordance with the rules established for the Selected Exempt  
46 Service.

47 **Section 2. Paragraphs (a) through (d) of subsection (2) of**  
48 **section 163.3162, Florida Statutes, are redesignated as**  
49 **paragraphs (b) through (e), respectively, new paragraph (a) and**  
50 **paragraphs (f) and (g) are added to that subsection, and**  
51 **subsections (5), (6), and (7) are added to that section, to**  
52 **read:**

53 163.3162 Agricultural Lands and Practices.—

54 (2) DEFINITIONS.—As used in this section, the term:

55 (a) "Department" means the Department of Agriculture and  
56 Consumer Services.

57 (f) "Housing site" means the totality of development  
58 supporting authorized housing, including buildings, mobile  
59 homes, barracks, dormitories used as living quarters, parking  
60 areas, common areas such as athletic fields or playgrounds,  
61 storage structures, and other related structures.

62 (g) "Legally verified agricultural worker" means a person  
63 who:

64 1. Is lawfully present in the United States;

65 2. Meets the definition of eligible worker pursuant to 29  
66 C.F.R. s. 502.10;

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67 3. Has been verified through the process provided in s.  
68 448.095(2) and is authorized to work at the time of employment;

69 4. Is seasonally or annually employed in a bona fide  
70 agricultural production;

71 5. Remains lawfully present and authorized to work  
72 throughout the duration of that employment; and

73 6. Is not an unauthorized alien as defined in s.  
74 448.095(1).

75 (5) HOUSING FOR LEGALLY VERIFIED AGRICULTURAL WORKERS.—

76 (a) A governmental entity may not adopt or enforce any  
77 legislation, regulation, or ordinance to inhibit the  
78 construction or installation of housing for legally verified  
79 agricultural workers on land classified as agricultural land  
80 pursuant to s. 193.461 which is operated as a bona fide farm  
81 except as provided in this subsection.

82 (b) Construction or installation of housing units for  
83 legally verified agricultural workers on parcels of land  
84 classified as agricultural land under s. 193.461 must satisfy  
85 all of the following criteria:

86 1. The dwelling units must meet federal, state, and local  
87 building standards, including standards of the Department of  
88 Health adopted pursuant to ss. 381.008-381.00897 and federal  
89 standards for H-2A visa housing. If a written notice of intent  
90 is required to be submitted to the Department of Health pursuant  
91 to s. 381.0083, the appropriate governmental entity with

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92 jurisdiction over the agricultural lands may also require  
93 submittal of a copy of the written notice.

94 2. The housing site must be maintained in a neat, orderly,  
95 and safe manner.

96 3. All structures containing dwelling units must be  
97 located a minimum of 10 feet apart.

98 4. The square footage of the housing site's climate-  
99 controlled facilities may not exceed 1.5 percent of the  
100 property's area or 35,000 square feet, whichever is less.

101 5. A housing site must provide front, side, and rear yard  
102 setbacks of at least 50 feet. However, an internal project  
103 driveway may be located in the required yard space if the yard  
104 is adjacent to a public roadway or to property that is under  
105 common ownership with the housing site.

106 6. A housing site may not be located less than 100 feet  
107 from a property line adjacent to property zoned for residential  
108 use. If the housing site is located less than 250 feet from any  
109 property line, screening must be provided between the housing  
110 site and any residentially developed adjacent parcels that are  
111 under different ownership. The screening may be designed in any  
112 of the following ways:

113 a. Evergreen plants that, at the time of planting, are at  
114 least 6 feet in height and provide an overall screening opacity  
115 of 75 percent;

116 b. A masonry wall at least 6 feet in height and finished

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117 on all sides with brick, stone, or painted or pigmented stucco;

118 c. A solid wood or PVC fence at least 6 feet in height  
119 with the finished side of the fence facing out;

120 d. A row of evergreen shade trees that, at the time of  
121 planting, are at least 10 feet in height, a minimum of 2-inch  
122 caliper, and spaced no more than 20 feet apart; or

123 e. A berm made with a combination of the materials listed  
124 in sub-subparagraphs a.-d., which is at least 6 feet in height  
125 and provides an overall screening opacity of 75 percent at the  
126 time of installation.

127 7. All access driveways that serve the housing site must  
128 be made of packed shell, gravel, or a similar material that will  
129 provide a relatively dust-free surface.

130 (c) Any local ordinance adopted pursuant to this  
131 subsection must comply with all state and federal regulations  
132 for migrant farmworker housing, as applicable, including rules  
133 adopted by the Department of Health pursuant to ss. 381.008-  
134 381.00897 and federal regulations under the Migrant and Seasonal  
135 Agricultural Worker Protection Act or the H-2A visa program. A  
136 governmental entity may adopt local government land use  
137 regulations that are less restrictive than this subsection, but  
138 which still meet regulations established by the Department of  
139 Health pursuant to ss. 381.008-381.00897 and federal regulations  
140 under the Migrant and Seasonal Agricultural Worker Protection  
141 Act or the H-2A visa program. An ordinance adopted pursuant to

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142 this paragraph may not conflict with the definition and  
143 requirements of a legally verified agricultural worker.

144 (d) Beginning July 1, 2025, a property owner must maintain  
145 records of all approved permits, including successor permits,  
146 for migrant labor camps or residential migrant housing as  
147 required under s. 381.0081. A property owner must maintain such  
148 records for at least 3 years and make the records available for  
149 inspection within 14 days after receipt of a request for records  
150 by a governmental entity.

151 (e) A housing site may not continue to be used and may be  
152 required to be removed under the following circumstances:

153 1. If, for any reason, a housing site is not being used  
154 for legally verified agricultural workers for longer than 365  
155 days, any structure used as living quarters must be removed from  
156 the housing site within 180 days after receipt of written  
157 notification from the county unless the property owner can  
158 demonstrate that use of the site for housing legally verified  
159 agricultural workers will occur within 90 days after the written  
160 notification.

161 2. If the property on which the housing site is located  
162 ceases to be classified as agricultural land pursuant to s.  
163 193.461.

164 3. If the permit authorized by the Department of Health  
165 for the housing site is revoked, all structures must be removed  
166 from the housing site within 180 days after receipt of written

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167 notification from the county unless the permit is reinstated by  
168 the Department of Health.

169 4. If a housing site is found to be occupied by any person  
170 who does not meet the definition of a legally verified  
171 agricultural worker, or is otherwise unlawfully present in the  
172 United States. A property owner who violates this subparagraph  
173 is subject to a Class I fine pursuant to s. 570.971, not to  
174 exceed \$1,000, for the first violation, and a Class II fine, not  
175 to exceed \$5,000, for any subsequent violations. The fines shall  
176 be collected by the clerk of the court of the county in which  
177 the violation occurred.

178 (f) Notwithstanding this subsection, the construction or  
179 installation of housing for legally verified agricultural  
180 workers in the Florida Keys Area of Critical State Concern and  
181 the City of Key West Area of Critical State Concern is subject  
182 to the permit allocation systems of the Florida Keys Area of  
183 Critical State Concern and the City of Key West Area of Critical  
184 State Concern, respectively.

185 (g) A housing site that was constructed and in use before  
186 July 1, 2024, may continue to be used, and the property owner  
187 may not be required by a governmental entity to make changes to  
188 meet the requirements of this subsection, unless the housing  
189 site will be enlarged, remodeled, renovated, or rehabilitated.  
190 The property owner of a housing site authorized under this  
191 paragraph must provide regular maintenance and repair, including

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192 compliance with health and safety regulations and maintenance  
193 standards, for such housing site to ensure the health, safety,  
194 and habitability of the housing site.

195 (6) DATA COLLECTION.—The department shall adopt rules  
196 providing for:

197 (a) A method for governmental entities to submit reports  
198 of property owners who have a housing site for legally verified  
199 agriculture workers on lands classified as agricultural land  
200 pursuant to s. 193.461, as provided in this section.

201 (b) A method for persons to submit complaints for review  
202 and investigation by the department.

203  
204 Governmental entities shall provide this information quarterly  
205 to the department in a format and timeframe prescribed by rule.

206 (7) ENFORCEMENT.—

207 (a) In addition to the enforcement methods of employment  
208 verification outlined in s. 448.095, the department shall  
209 enforce the requirements of subsection (5). Enforcement includes  
210 completing routine inspections based on a random sample of data  
211 collected by governmental entities and submitted to the  
212 department, the investigation and review of complaints, and the  
213 enforcement of violations.

214 (b) The department shall submit the information collected  
215 to the State Board of Immigration Enforcement on a quarterly  
216 basis, except that the first quarter shall begin 60 days after

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217 the first quarterly data report under subsection (6) by a  
218 governmental entity is received and reviewed by the department.

219 **Section 3. Subsection (3) of section 201.25, Florida**  
220 **Statutes, is amended to read:**

221 201.25 Tax exemptions for certain loans.—There shall be  
222 exempt from all taxes imposed by this chapter:

223 (3) Any loan made by the Agriculture and Aquaculture  
224 Producers Emergency Natural Disaster Recovery Loan Program  
225 pursuant to s. 570.822.

226 **Section 4. Subsection (19) is added to section 253.0341,**  
227 **Florida Statutes, to read:**

228 253.0341 Surplus of state-owned lands.—

229 (19) Notwithstanding any other law or rule, the Department  
230 of Agriculture and Consumer Services may surplus lands acquired  
231 pursuant to s. 366.20 which are determined to be suitable for  
232 bona fide agricultural production, as defined in s. 193.461. The  
233 Department of Agriculture and Consumer Services shall consult  
234 with the Department of Environmental Protection in the process  
235 of making such determination. In the event that lands acquired  
236 pursuant to s. 366.20, which are determined to be suitable for  
237 bona fide agricultural production are surplus, the Department  
238 of Agriculture and Consumer Services must retain a rural-lands-  
239 protection easements pursuant to s. 570.71(3), and all proceeds  
240 must be deposited into the Incidental Trust Fund within the  
241 Department of Agriculture and Consumer Services for less than

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242 fee simple land acquisition pursuant to ss. 570.71 and 570.715.  
243 By January 1, 2026, and each January 1 thereafter, the  
244 Department of Agriculture and Consumer Services shall provide a  
245 report of lands surplusd pursuant to this subsection to the  
246 board.

247 (a) Any lands designated as a state forest, state park, or  
248 wildlife management area are ineligible to be surplusd pursuant  
249 to this subsection.

250 (b) This subsection is retroactive to January 1, 2009.

251 **Section 5. Paragraphs (a) through (d) and (e) of**  
252 **subsection (2) of section 330.41, Florida Statutes, are**  
253 **redesignated as paragraphs (b) through (e) and (j),**  
254 **respectively, subsection (6) is renumbered as subsection (8),**  
255 **paragraph (d) of subsection (4) of that section is amended, a**  
256 **new paragraph (a) and paragraphs (f) through (i) are added to**  
257 **subsection (2), and new subsections (6) and (7) are added to**  
258 **that section, to read:**

259 330.41 Unmanned Aircraft Systems Act.—

260 (2) DEFINITIONS.—As used in this act, the term:

261 (a) "Commercial property" means real property other than  
262 residential property. The term includes, but is not limited to,  
263 a property zoned multifamily residential which is comprised of  
264 five or more dwelling units, and real property used for  
265 commercial, industrial, or agricultural purposes.

266 (f) "Private property" means any residential or commercial

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267 property.

268 (g) "Property owner" means the owner or owners of record  
269 of real property. The term includes real property held in trust  
270 for the benefit of one or more individuals, in which case the  
271 individual or individuals may be considered as the property  
272 owner or owners, provided that the trustee provides written  
273 consent. The term does not include persons renting, using,  
274 living, or otherwise occupying real property.

275 (h) "Residential property" means real property zoned as  
276 residential or multifamily residential and composed of four or  
277 fewer dwelling units.

278 (i) "Sport shooting and training range" has the same  
279 meaning as in s. 790.333(3)(h).

280 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

281 (d) This subsection and paragraph (2)(b) ~~paragraph (2)(a)~~  
282 shall sunset 60 days after the date that a process pursuant to  
283 s. 2209 of the FAA Extension, Safety and Security Act of 2016  
284 becomes effective.

285 (6) PROTECTION OF AGRICULTURAL LANDS.—

286 (a) A person may not knowingly or willfully do any of the  
287 following on lands classified as agricultural lands pursuant to  
288 s. 193.461:

289 1. Operate a drone.

290 2. Allow a drone to make contact with any person or object  
291 on the premises of or within the boundaries of such lands.

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292 3. Allow a drone to come within a distance close enough to  
293 such lands to interfere with or cause a disturbance to  
294 agricultural production.

295 (b) A person who violates paragraph (a) commits a  
296 misdemeanor of the second degree, punishable as provided in s.  
297 775.082 or s. 775.083. A person who commits a second or  
298 subsequent violation commits a misdemeanor of the first degree,  
299 punishable as provided in s. 775.082 or s. 775.083.

300 (c) This subsection does not apply to actions identified  
301 in paragraph (a) which are committed by:

302 1. The owner of the agricultural lands;

303 2. A person acting under the prior written consent of the  
304 owner of the agricultural lands; or

305 3. A person or entity acting in compliance with the  
306 provisions of s. 934.50.

307 (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING  
308 LANDS.—

309 (a) A person may not knowingly or willfully allow a drone  
310 to make contact with private property, state wildlife management  
311 lands, or a sport shooting and training range or any person or  
312 object on the premises of or within such property with the  
313 intent to harass.

314 (b) A person who violates paragraph (a) commits a  
315 misdemeanor of the second degree, punishable as provided in s.  
316 775.082 or s. 775.083. A person who commits a second or

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317 subsequent violation commits a misdemeanor of the first degree,  
318 punishable as provided in s. 775.082 or s. 775.083.

319 (c) A person who violates paragraph (a) and records video  
320 of the private property, state wildlife management lands, or  
321 sport shooting and training range, including any person or  
322 object on the premises of or within the private property, state  
323 wildlife management lands, or sport shooting and training range,  
324 commits a misdemeanor of the first degree, punishable as  
325 provided in s. 775.082 or s. 775.083. A person who commits a  
326 second or subsequent violation commits a felony of the third  
327 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
328 775.084.

329 (d) This subsection does not apply to actions identified  
330 in paragraph (a) which are committed by:

331 1. The owner of the private property or sport shooting and  
332 training range;

333 2. A person acting under the prior written consent of the  
334 owner of the private property or sport shooting and training  
335 range; or

336 3. A person or entity acting in compliance with the  
337 provisions of s. 934.50.

338 **Section 6. Effective July, 31 2026, section 366.20,**  
339 **Florida Statutes, is created to read:**

340 366.20 Sale and management of lands owned by electric  
341 utilities.-

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342 (1) Lands acquired by an electric utility, as defined in  
343 s. 366.02(4), on or after January 1, 2009, which have been  
344 classified as agricultural lands pursuant to s. 193.461 at any  
345 time in the 5 years preceding the acquisition of the land by the  
346 electric utility must be offered for fee simple acquisition to  
347 the Department of Agriculture and Consumer Services through the  
348 process outlined in subsection (3) before offering for sale or  
349 transferring the land to a private individual or entity.

350 (2) Lands owned by an electric utility, as defined in s.  
351 366.02(4), on or after January 1, 2009, which were classified as  
352 agricultural lands pursuant to s. 193.461 at any time in the 5  
353 years preceding the date of acquisition of the land by the  
354 electric utility must be offered for fee simple acquisition to  
355 the Department of Agriculture and Consumer Services through the  
356 process outlined in subsection (3) before offering for sale or  
357 transferring the land to a private individual or entity.

358 (3) (a) Within 30 days before offering for sale or  
359 transferring lands identified pursuant to subsection (1) or  
360 subsection (2) to a private individual or entity, an electric  
361 utility must issue a written intent to sell by certified mail to  
362 the Commissioner of Agriculture.

363 (b) Within 30 days after the date of receipt by certified  
364 mail of the written intent to sell by an electric utility, the  
365 Commissioner of Agriculture may issue a written intent to  
366 purchase by certified mail to the electric utility. If the

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367 Commissioner of Agriculture declines, or does not issue an  
368 intent to purchase within 30 days, the electric utility is  
369 released from the requirements of this section.

370 (4) Offers accepted by the Department of Agriculture and  
371 Consumer Services pursuant to paragraph (3)(b) which are  
372 received no later than 6 months before the start of the regular  
373 legislative session must be executed no later than July 31  
374 following that regular legislative session.

375 (5) The Department of Agriculture and Consumer Services  
376 shall adopt rules to implement this section.

377 **Section 7. Subsections (3) and (4) of section 366.94,**  
378 **Florida Statutes, are renumbered as subsections (4) and (5),**  
379 **respectively, subsection (2) of that section is amended, and a**  
380 **new subsection (3) is added to that section, to read:**

381 366.94 Electric vehicle charging.—

382 (2) (a) As used in this section, the term "electric vehicle  
383 charging station" means the area in the immediate vicinity of  
384 electric vehicle supply equipment and includes the electric  
385 vehicle supply equipment, supporting equipment, and associated  
386 parking spaces. The regulation of electric vehicle charging  
387 stations is preempted to the state.

388 (b) ~~(a)~~ A local governmental entity may not enact or  
389 enforce an ordinance or regulation related to electric vehicle  
390 charging stations.

391 (3) (a) ~~(b)~~ The Department of Agriculture and Consumer

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392 Services shall adopt rules to implement this subsection and to  
393 provide requirements for electric vehicle charging stations to  
394 allow for consistency for consumers and the industry.

395 (b) The department may adopt rules to protect the public  
396 health, safety, and welfare and establish standards for the  
397 placement, design, installation, maintenance, and operation of  
398 electric vehicle charging stations.

399 (c) Local governmental entities shall issue permits for  
400 electric vehicle charging stations based solely upon standards  
401 established by department rule and other applicable provisions  
402 of state law. The department shall prescribe by rule the time  
403 period for approving or denying permit applications.

404 (d) Before a charger at an electric vehicle charging  
405 station is placed into service for use by the public, the  
406 charger must be registered with the department on a form  
407 prescribed by department rule.

408 (e) The department shall have the authority to inspect  
409 electric vehicle charging stations, conduct investigations, and  
410 enforce this subsection and any rules adopted under this  
411 subsection. The department may impose one or more of the  
412 following penalties against a person who violates this  
413 subsection or any rule adopted under this subsection:

414 1. Issuance of a warning letter.

415 2. Imposition of an administrative fine in the Class II  
416 category pursuant to s. 570.971 for each violation.

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417 (f) If the department determines that an electric vehicle  
418 charging station or any associated equipment presents a threat  
419 to the public health, safety, or welfare, the department may  
420 issue an immediate final order prohibiting the use of the  
421 electric vehicle charging station or any portion thereof.

422 (g) In addition to the remedies provided in this  
423 subsection, and notwithstanding the existence of any adequate  
424 remedy at law, the department may bring an action to enjoin a  
425 violation of this subsection or rules adopted under this  
426 subsection in the circuit court of the county in which the  
427 violation occurs or is about to occur. Upon demonstration of  
428 competent and substantial evidence by the department to the  
429 court of the violation or threatened violation, the court shall  
430 immediately issue the temporary or permanent injunction sought  
431 by the department. The injunction must be issued without bond.

432 **Section 8. Subsections (10) and (11) of section 388.011,**  
433 **Florida Statutes, are renumbered as subsections (11) and (12),**  
434 **respectively, subsections (2) and (5) of that section are**  
435 **amended, and a new subsection (10) is added to that section, to**  
436 **read:**

437 388.011 Definitions.—As used in this chapter:

438 (2) "Board of commissioners" means the governing body of  
439 any mosquito control program district, and may include boards of  
440 county commissioners, city councils, municipalities, or other  
441 similar governing bodies when context so indicates.

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442 (5) "District" means any mosquito control special district  
443 established in this state by law for the express purpose of  
444 controlling arthropods within boundaries of such ~~said~~ districts.

445 (10) "Program" means any governmental jurisdiction that  
446 conducts mosquito control, whether it be a special district,  
447 county, or municipality.

448 **Section 9. Section 388.021, Florida Statutes, is amended**  
449 **to read:**

450 388.021 Creation of mosquito control special districts.—

451 (1) The abatement or suppression of arthropods, whether  
452 disease-bearing or merely pestiferous, within any or all  
453 counties of this state is advisable and necessary for the  
454 maintenance and betterment of the comfort, health, and welfare  
455 of the people thereof and is found and declared to be for public  
456 purposes. Areas where arthropods incubate, hatch, or occur in  
457 significant numbers so as to constitute a public health,  
458 welfare, or nuisance problem may be controlled or abated as  
459 provided in this chapter or the rules adopted under this chapter  
460 ~~promulgated hereunder~~. Therefore, any municipality ~~city~~, town,  
461 or county, or any portion or portions thereof, whether such  
462 portion or portions include incorporated territory or portions  
463 of two or more counties in the state, may be created into a  
464 special taxing district for the control of arthropods under the  
465 provisions of this chapter.

466 (2) It is the legislative intent that ~~those~~ mosquito

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467 control districts established prior to July 1, 1980, pursuant to  
468 the petition process contained in former s. 388.031, may  
469 continue to operate as outlined in this chapter. However, on and  
470 after that date, no mosquito control districts may be created  
471 except pursuant to s. 125.01.

472 **Section 10. Section 388.181, Florida Statutes, is amended**  
473 **to read:**

474 388.181 Power to do all things necessary.—The respective  
475 programs ~~districts~~ of the state are hereby fully authorized to  
476 do and perform all things necessary to carry out the intent and  
477 purposes of this law.

478 **Section 11. Subsections (1), (2), (4), and (5) of section**  
479 **388.201, Florida Statutes, are amended to read:**

480 388.201 Program ~~District~~ budgets; hearing.—

481 (1) The fiscal year of programs ~~districts~~ operating under  
482 ~~the provisions of~~ this chapter shall be the 12-month period  
483 extending from October 1 of one year through September 30 of the  
484 following year. The governing board of the programs ~~district~~  
485 shall before July 15 of each year complete the preparation of a  
486 tentative detailed work plan budget covering its proposed  
487 operations and requirements for arthropod control measures  
488 during the ensuing fiscal year and, for the purpose of  
489 determining eligibility for state aid, shall submit copies as  
490 may be required to the department for review and approval. The  
491 tentative detailed work plan budget must ~~shall~~ set forth,

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492 classified by account number, title and program items, and by  
493 fund from which to be paid, the proposed expenditures of the  
494 program district for construction, for acquisition of land, and  
495 other purposes, for the operation and maintenance of the  
496 program's district's works, the conduct of the program district  
497 generally, to which may be added an amount to be held as a  
498 reserve.

499 (2) The tentative detailed work plan budget must ~~shall~~  
500 also show the estimated amount which will appear at the  
501 beginning of the fiscal year as obligated upon commitments made  
502 but uncompleted, ~~There shall be shown~~ the estimated unobligated  
503 or net balance which will be on hand at the beginning of the  
504 fiscal year, and the estimated amount to be raised by county,  
505 municipality, or district taxes and from any and all other  
506 sources for meeting the program's ~~the district's~~ requirements.

507 (4) The governing board shall:

508 (a) ~~Shall~~ Consider objections filed against adoption of  
509 the tentative detailed work plan budget and in its discretion  
510 may amend, modify, or change such budget; and

511 (b) ~~Shall~~ By September 30, adopt and execute on a form  
512 furnished by the department a certified budget for the programs  
513 ~~district~~ which shall be the operating and fiscal guide for the  
514 program district. Certified copies of this budget must ~~shall~~ be  
515 submitted by September 30 to the department for approval.

516 (5) County commissioners' mosquito and arthropod control

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517 budgets or the budgets of a similar governing body of a county,  
518 city, or town must ~~shall~~ be made and adopted as prescribed by  
519 subsections (1) and (2); summary figures must ~~shall~~ be  
520 incorporated into the county budgets as prescribed by the  
521 Department of Financial Services.

522 **Section 12. Section 388.241, Florida Statutes, is amended**  
523 **to read:**

524 388.241 Board of county commissioners vested with powers  
525 and duties of board of commissioners in certain counties.—In  
526 those counties or municipalities where there has been no  
527 formation of a separate or special board of commissioners, all  
528 the rights, powers, and duties of a board of commissioners as  
529 conferred in this chapter shall be vested in the board of county  
530 commissioners or similar governing body of such ~~said~~ county or  
531 municipality.

532 **Section 13. Section 388.261, Florida Statutes, is amended**  
533 **to read:**

534 388.261 State aid to counties, municipalities, and  
535 districts for arthropod control; distribution priorities and  
536 limitations.—

537 (1) A county, municipality, or district may, without  
538 contributing matching funds, receive state funds, supplies,  
539 services, or equipment in an amount of no more than \$75,000  
540 ~~\$50,000~~ per year for up to 3 years for any new program for the  
541 control of mosquitoes and other arthropods which serves an area

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542 not previously served by the county, municipality, or district.  
543 These funds may be expended for any and all types of control  
544 measures approved by the department.

545 (2) Every county, municipality, or district budgeting  
546 local funds to be used exclusively for the control of mosquitoes  
547 and other arthropods, under a plan submitted by the county,  
548 municipality, or district and approved by the department, is  
549 eligible to receive state funds and supplies, services, and  
550 equipment on a dollar-for-dollar matching basis to the amount of  
551 local funds budgeted. If state funds appropriated by the  
552 Legislature are insufficient to grant each county, municipality,  
553 or district state funds on a dollar-for-dollar matching basis to  
554 the amount budgeted in local funds, the department must ~~shall~~  
555 distribute the funds as prescribed by rule. Such rules must  
556 ~~shall~~ provide for up to 80 percent of the funds to be  
557 distributed to programs with local funds for mosquito control  
558 budgets of less than \$1 million, if the county, municipality, or  
559 district meets the eligibility requirements. The funds must  
560 ~~shall~~ be distributed as equally as possible within the category  
561 of counties pursuant to this section. The remaining funds must  
562 ~~shall~~ be distributed as prescribed by rule among the remaining  
563 counties to support mosquito control and to support research,  
564 education, and outreach.

565 (3) Every county shall be limited to receive a total of  
566 \$120,000 of state funds, exclusive of state funds brought

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567 forward, during any one year.

568 (4) Up to 20 percent of the annual funds appropriated to  
569 local governments for arthropod control may be used for  
570 arthropod control research or demonstration projects as approved  
571 by the department.

572 (5) If more than one program ~~local mosquito control agency~~  
573 exists in a county or municipality, the funds must ~~shall~~ be  
574 prorated between the programs ~~agencies~~ based on the population  
575 served by each program ~~agency~~.

576 (6) The Commissioner of Agriculture may exempt counties,  
577 municipalities, or districts from the requirements in subsection  
578 (1) ~~or~~ subsection (2), ~~or subsection (3)~~ when the department  
579 determines state funds, supplies, services, or equipment are  
580 necessary for the immediate control of mosquitoes and other  
581 arthropods that pose a threat to human or animal health.

582 (7) The department may use state funds appropriated for a  
583 county, municipality, or district under subsection (1) or  
584 subsection (2) to provide state mosquito or other arthropod  
585 control equipment, supplies, or services when requested by a  
586 county, municipality, or district eligible to receive state  
587 funds under s. 388.271.

588 (8) The department is authorized to use up to 5 percent of  
589 the funds appropriated annually by the Legislature under this  
590 section to provide technical assistance to the counties,  
591 municipalities, or districts, or to purchase equipment,

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592 supplies, or services necessary to administer the provisions of  
593 this chapter.

594 **Section 14. Subsections (1) and (2) of section 388.271,**  
595 **Florida Statutes, are amended to read:**

596 388.271 Prerequisites to participation.—

597 (1) When state funds are involved, it is the duty of the  
598 department to guide, review, approve, and coordinate the  
599 activities of all county and municipal governments and special  
600 districts receiving state funds in furtherance of the goal of  
601 integrated arthropod control. Each program ~~county~~ eligible to  
602 participate may, and each district must, begin participation on  
603 October 1 of any year by filing with the department not later  
604 than July 15 a tentative integrated arthropod management plan  
605 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for  
606 the control of arthropods. Following approval of the plan and  
607 budget by the department, a copy ~~two copies~~ of the program's  
608 ~~county's or district's~~ certified budget based on the approved  
609 integrated arthropod management ~~work plan~~ and detailed ~~work plan~~  
610 budget must ~~shall~~ be submitted to the department by September 30  
611 ~~following~~. State funds, supplies, and services must ~~shall~~ be  
612 made available to such program ~~county or district~~ by and through  
613 the department ~~immediately~~ upon release of funds by the  
614 Executive Office of the Governor.

615 (2) All purchases of supplies, materials, and equipment by  
616 programs ~~must~~ ~~counties or districts~~ shall be made in accordance

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617 with the laws governing purchases by boards of county  
618 commissioners or similar governing bodies, except that programs  
619 ~~districts~~ with special laws relative to competitive bidding  
620 shall make purchases in accordance therewith.

621 **Section 15. Subsections (1) and (3) of section 388.281,**  
622 **Florida Statutes, are amended to read:**

623 388.281 Use of state matching funds.—

624 (1) All funds, supplies, and services released to programs  
625 under this chapter must ~~counties and districts hereunder shall~~  
626 be used in accordance with the integrated arthropod management  
627 ~~detailed work~~ plan and certified budget approved by both the  
628 department and the board of commissioners or an appropriate  
629 representative county or district. The integrated arthropod  
630 management plan and budget may be amended at any time upon prior  
631 approval of the department.

632 (3) In any program ~~county or district~~ where the arthropod  
633 problem has been eliminated, or reduced to such an extent that  
634 it does not constitute a health, comfort, or economic problem as  
635 determined by the department, the maximum amount of state funds  
636 available under this chapter shall be reduced to the amount  
637 necessary to meet actual need.

638 **Section 16. Subsections (1) and (2) of section 388.291,**  
639 **Florida Statutes, are amended to read:**

640 388.291 Source reduction measures; supervision by  
641 department.—

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642 (1) Any program ~~county or district~~ may perform source  
643 reduction measures in conformity with good engineering practices  
644 in any area, provided that the department cooperating with the  
645 county, municipality, or district has approved the operating or  
646 construction plan as outlined in the integrated arthropod  
647 management plan and that it has been determined by criteria  
648 contained in rule that the area or areas to be controlled would  
649 produce arthropods in significant numbers to constitute a health  
650 or nuisance problem.

651 (2) The program ~~county or district~~ shall manage the  
652 detailed business affairs and supervise the said work, and the  
653 department shall advise the programs ~~districts~~ as to the best  
654 and most effective measures to be used in bringing about better  
655 temporary control and the permanent elimination of breeding  
656 conditions. The department may at its discretion discontinue any  
657 state aid provided under this chapter if ~~hereunder in the event~~  
658 it finds the jointly agreed upon program is not being followed  
659 or is not efficiently and effectively administered.

660 **Section 17. Section 388.301, Florida Statutes, is amended**  
661 **to read:**

662 388.301 Payment of state funds; supplies and services.—  
663 State funds shall be payable ~~quarterly~~, in accordance with the  
664 rules of the department, upon requisition by the department to  
665 the Chief Financial Officer. The department is authorized to  
666 furnish insecticides, chemicals, materials, equipment, vehicles,

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667 and personnel in lieu of state funds where mass purchasing may  
668 save funds for the state, or where it would be more practical  
669 and economical to use equipment, supplies, and services between  
670 two or more programs ~~counties or districts~~.

671 **Section 18. Section 388.311, Florida Statutes, is amended**  
672 **to read:**

673 388.311 Carry over of state funds and local funds.—State  
674 and local funds budgeted for the control of mosquitoes and other  
675 arthropods shall be carried over at the end of the program's  
676 ~~county or district's~~ fiscal year, and rebudgeted for such  
677 control measures the following fiscal year.

678 **Section 19. Section 388.321, Florida Statutes, is amended**  
679 **to read:**

680 388.321 Equipment to become property of a program ~~the~~  
681 ~~county or district~~.—All equipment purchased under this chapter  
682 with state funds made available directly to a program ~~the county~~  
683 ~~or district~~ shall become the property of the program ~~county or~~  
684 ~~district~~ unless otherwise provided, and may be traded in on  
685 other equipment, or sold, when no longer needed by the program  
686 ~~county or district~~.

687 **Section 20. Section 388.322, Florida Statutes, is amended**  
688 **to read:**

689 388.322 Record and inventory of certain property.—A record  
690 and inventory of certain property purchased with state funds for  
691 arthropod control use owned by the program ~~must~~ ~~district shall~~

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692 be maintained in accordance with s. 274.02.

693 **Section 21. Section 388.323, Florida Statutes, is amended**  
694 **to read:**

695 388.323 Disposal of surplus property.—Surplus property  
696 shall be disposed of according to the provisions set forth in s.  
697 274.05 with the following exceptions:

698 (1) Serviceable equipment purchased using state funds for  
699 arthropod control use no longer needed by a program must ~~county~~  
700 ~~or district shall~~ first be offered to any ~~or all~~ other programs  
701 ~~counties or districts~~ engaged in arthropod control at a price  
702 established by the board of commissioners owning the equipment.

703 (2) The alternative procedure for disposal of surplus  
704 property, as prescribed in s. 274.06, must ~~shall~~ be followed if  
705 it is determined that no other program ~~county or district~~  
706 engaged in arthropod control has need for the equipment.

707 (3) All proceeds from the sale of any real or tangible  
708 personal property owned by the program and purchased using state  
709 funds ~~county or district~~ shall be deposited in the program's  
710 ~~county's or district's~~ state fund account unless otherwise  
711 specifically designated by the department.

712 **Section 22. Section 388.341, Florida Statutes, is amended**  
713 **to read:**

714 388.341 Reports of expenditures and accomplishments.—Each  
715 program receiving state aid ~~county and district participating~~  
716 ~~under the provisions of~~ this chapter shall within 30 days after

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717 the end of each month submit to the department a monthly report  
718 for the preceding month of expenditures from all funds for  
719 arthropod control, and each program participating under this  
720 chapter shall provide such reports of activities and  
721 accomplishments as may be required by the department.

722 **Section 23. Section 388.351, Florida Statutes, is amended**  
723 **to read:**

724 388.351 Transfer of equipment, personnel, and supplies  
725 during an emergency.—The department, upon notifying a program  
726 ~~county or district~~ and obtaining its approval, is authorized to  
727 transfer equipment, materials, and personnel from one program  
728 ~~district~~ to another in the event of an emergency brought about  
729 by an arthropod-borne epidemic or other disaster requiring  
730 emergency control.

731 **Section 24. Subsection (7) of section 388.361, Florida**  
732 **Statutes, is amended to read:**

733 388.361 Department authority and rules; administration.—

734 (7) The department shall have the authority to collect,  
735 detect, suppress, and control mosquitoes and other arthropods  
736 that are determined by the State Health Officer to pose a threat  
737 to public health, or determined by the Commissioner of  
738 Agriculture to pose a threat to animal health, wherever they may  
739 occur on public or private land in this state, and to do all  
740 things necessary in the exercise of such authority. Before ~~Prior~~  
741 ~~to~~ the start of treatments for the control of mosquitoes or

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742 other arthropods, the department shall consult with the mosquito  
743 control programs ~~districts~~ in the proposed treatment areas, the  
744 Department of Health, the Department of Environmental  
745 Protection, and the Fish and Wildlife Conservation Commission  
746 regarding the proposed locations, dates, and methods to be used.

747 **Section 25. Subsections (2) and (3) of section 388.3711,**  
748 **Florida Statutes, are amended to read:**

749 388.3711 Enforcement.—

750 (2) The department may issue a written warning, impose a  
751 fine; deny, suspend, or revoke any license or certification, or  
752 the disbursal of state aid; or deny participation, in accordance  
753 with the provisions of chapter 120, upon any one or more of the  
754 following grounds as may be applicable:

755 (a) Violation of any rule of the department or provision  
756 of this chapter.

757 (b) Violation of FIFRA or any relevant EPA rule or  
758 regulation pertaining to the use of arthropod control pesticides  
759 by the licensee.

760 (c) Failure to give the department, or any authorized  
761 representative thereof, true information upon request regarding  
762 methods and materials used, work performed, or other information  
763 essential to the administration of this chapter.

764 (3) The department may, if it finds a violation is of such  
765 nature or circumstances that imposition of a fine, or denial,  
766 revocation, or suspension of a certification or license or

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767 disbursal of state aid would be detrimental to the public or be  
768 unnecessarily harsh under the circumstances, in its discretion,  
769 place the offending party on probation for a period of not more  
770 than 2 years. If the department determines that the terms of  
771 such probation have been violated, it may reinstitute license or  
772 certification or state aid denial, suspension, or revocation  
773 proceedings.

774 **Section 26. Section 388.381, Florida Statutes, is amended**  
775 **to read:**

776 388.381 Cooperation by programs ~~counties and district.~~—Any  
777 program conducting county or district carrying on an arthropod  
778 control ~~program~~ may cooperate with another county, district, or  
779 municipality in carrying out work ~~a program~~ for the control of  
780 mosquitoes and other arthropods, by agreement as to the program  
781 and reimbursement thereof, when approved by the department.

782 **Section 27. Section 388.391, Florida Statutes, is amended**  
783 **to read:**

784 388.391 Control measures in municipalities and portions of  
785 counties located outside boundaries of programs ~~districts.~~—Any  
786 program ~~district~~ whose operation is limited to a portion of the  
787 county in which it is located may perform any control measures  
788 authorized by this chapter in any municipality located in the  
789 same county or in any portions of the same county, where there  
790 is no established program ~~district~~, when requested to do so by  
791 the municipality or county, pursuant to s. 388.381.

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792           **Section 28. Section 388.401, Florida Statutes, is amended**  
793 **to read:**

794           388.401 Penalty for damage to property or operations.—  
795 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of  
796 any program county or district created under this or other  
797 chapters, or any works constructed, maintained, or controlled by  
798 such program county or district, or who obstructs ~~shall obstruct~~  
799 or causes ~~cause~~ to be obstructed any of the operations of such  
800 program county or district, or who ~~shall~~ knowingly or willfully  
801 violates ~~violate~~ any provisions of this chapter or any rule or  
802 regulation adopted ~~promulgated~~ by any board of commissioners of  
803 any program, commits ~~county or district~~ shall be guilty of a  
804 misdemeanor of the second degree, punishable as provided in s.  
805 775.082 or s. 775.083.

806           **Section 29. Paragraph (a) of subsection (2) of section**  
807 **388.46, Florida Statutes, is amended to read:**

808           388.46 Florida Coordinating Council on Mosquito Control;  
809 establishment; membership; organization; responsibilities.—

810           (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

811           (a) *Membership.*—The Florida Coordinating Council on  
812 Mosquito Control shall be composed ~~comprised~~ of the following  
813 representatives or their authorized designees:

- 814           1. The Secretary of Environmental Protection.
- 815           2. The State Surgeon General.
- 816           3. The executive director of the Fish and Wildlife

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- 817 Conservation Commission.
- 818 4. The state epidemiologist.
- 819 5. The Commissioner of Agriculture.
- 820 6. The Board of Trustees of the Internal Improvement Trust
- 821 Fund.
- 822 7. Representatives from:
- 823 a. The University of Florida, Institute of Food and
- 824 Agricultural Sciences, Florida Medical Entomological Research
- 825 Laboratory.
- 826 b. The United States Environmental Protection Agency.
- 827 c. The United States Department of Agriculture, Center of
- 828 Medical, Agricultural, and Veterinary Entomology Insects
- 829 Affecting Man Laboratory.
- 830 d. The United States Fish and Wildlife Service.
- 831 8. Four ~~Two~~ mosquito control directors to be nominated by
- 832 the Florida Mosquito Control Association, two representatives of
- 833 Florida environmental groups, and two private citizens who are
- 834 property owners whose lands are regularly subject to mosquito
- 835 control operations, to be appointed to 4-year terms by the
- 836 Commissioner of Agriculture and serve until his or her successor
- 837 is appointed.

838 **Section 30. Paragraph (d) of subsection (7) of section**

839 **403.067, Florida Statutes, is amended to read:**

840 403.067 Establishment and implementation of total maximum

841 daily loads.-

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842 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND  
843 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

844 (d) *Enforcement and verification of basin management*  
845 *action plans and management strategies.—*

846 1. Basin management action plans are enforceable pursuant  
847 to this section and ss. 403.121, 403.141, and 403.161.

848 Management strategies, including best management practices and  
849 water quality monitoring, are enforceable under this chapter.

850 2. No later than January 1, 2017:

851 a. The department, in consultation with the water  
852 management districts and the Department of Agriculture and  
853 Consumer Services, shall initiate rulemaking to adopt procedures  
854 to verify implementation of water quality monitoring required in  
855 lieu of implementation of best management practices or other  
856 measures pursuant to sub-subparagraph (b)2.g.;

857 b. The department, in consultation with the water  
858 management districts and the Department of Agriculture and  
859 Consumer Services, shall initiate rulemaking to adopt procedures  
860 to verify implementation of nonagricultural interim measures,  
861 best management practices, or other measures adopted by rule  
862 pursuant to subparagraph (c)1.; and

863 c. The Department of Agriculture and Consumer Services, in  
864 consultation with the water management districts and the  
865 department, shall initiate rulemaking to adopt procedures to  
866 verify implementation of agricultural interim measures, best

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867 management practices, or other measures adopted by rule pursuant  
868 to subparagraph (c)2.

869

870 The rules required under this subparagraph shall include  
871 enforcement procedures applicable to the landowner, discharger,  
872 or other responsible person required to implement applicable  
873 management strategies, including best management practices or  
874 water quality monitoring as a result of noncompliance.

875 3. At least every 2 years, the Department of Agriculture  
876 and Consumer Services shall perform onsite inspections of each  
877 agricultural producer that enrolls in a best management  
878 practice, except those enrolled by rule in subparagraph 4., to  
879 ensure that such practice is being properly implemented. Such  
880 verification must include a collection and review of the best  
881 management practice documentation from the previous 2 years  
882 required by rules adopted pursuant to subparagraph (c)2.,  
883 including, but not limited to, nitrogen and phosphorus  
884 ~~fertilizer~~ application records, which must be collected and  
885 retained pursuant to subparagraphs (c)3., 4., and 6. The  
886 Department of Agriculture and Consumer Services shall initially  
887 prioritize the inspection of agricultural producers located in  
888 the basin management action plans for Lake Okeechobee, the  
889 Indian River Lagoon, the Caloosahatchee River and Estuary, and  
890 Silver Springs.

891 4. The Department of Agriculture and Consumer Services is

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892 authorized to adopt rules establishing an enrollment in best  
893 management practices by rule process that agricultural pollutant  
894 sources and agricultural producers may use in lieu of the best  
895 management practices adopted in paragraph (c) and identify best  
896 management practices for landowners of parcels which meet all of  
897 the following requirements:

898 a. A parcel not more than 25 acres in size.

899 b. A parcel designated as agricultural land use by the  
900 county in which it is located or the parcel is granted  
901 agricultural tax classification by the county property appraiser  
902 of the county in which it is located.

903 c. A parcel with water use not exceeding 100,000 gallons  
904 per day on average unless the entire use is met using recycled  
905 water from wet detention treatment ponds or reuse water.

906 d. A parcel where the agricultural activity on the parcel  
907 is not a vegetable crop, an agronomic crop, a nursery, or a  
908 dairy operation.

909 e. A parcel not abutting an impaired water body identified  
910 in subsection (4).

911 f. A parcel not part of a larger operation that is  
912 enrolled in the Department of Agriculture and Consumer Services  
913 best management practices or conducting water quality monitoring  
914 prescribed by the department or a water management district.

915

916 Such requirements must specify design or performance criteria

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917 that, if applied, would result in compliance with appropriate  
918 water quality standards. The Department of Agriculture and  
919 Consumer Services is authorized to adopt additional eligibility  
920 criteria for landowners or producers to use enrollment by rule  
921 and to revoke enrollment by rule.

922 5. The Department of Agriculture and Consumer Services  
923 shall annually perform onsite inspections of 20 percent for all  
924 enrollments that meet the qualifications pursuant to  
925 subparagraph 4. by rule within basin management action plan  
926 areas, to ensure that practices are being properly implemented.  
927 Such inspections must include a collection and review of the  
928 identified best management practice documentation from the  
929 previous 2 years required by rules adopted pursuant to  
930 subparagraph (c)2. All agricultural producers enrolled by rule  
931 in a best management practice must annually submit nutrient  
932 records, including nitrogen and phosphorus application records  
933 for the previous calendar year, to the Department of Agriculture  
934 and Consumer Services as required by rules adopted pursuant to  
935 subparagraph (c)2. The Department of Agriculture and Consumer  
936 Services shall collect and retain these nutrient records  
937 pursuant to subparagraphs (c)3., 4., and 6.

938 **Section 31. Subsection (19) is added to section 403.852,**  
939 **Florida Statutes, to read:**

940 403.852 Definitions; ss. 403.850-403.864.—As used in ss.  
941 403.850-403.864:

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942 (19) "Water quality additive" means any chemical,  
943 additive, or substance that is used in a public water system for  
944 the purpose of:

945 (a) Meeting or surpassing primary or secondary drinking  
946 water standards;

947 (b) Preventing, reducing, or removing contaminants; or

948 (c) Improving water quality.

949 **Section 32. Subsection (8) is added to section 403.859,**  
950 **Florida Statutes, to read:**

951 403.859 Prohibited acts.—The following acts and the  
952 causing thereof are prohibited and are violations of this act:

953 (8) The use of any additive in a public water system that  
954 does not meet the definition of a water quality additive as  
955 defined in s. 403.852(19).

956 **Section 33. Subsection (10) of section 482.111, Florida**  
957 **Statutes, is amended to read:**

958 482.111 Pest control operator's certificate.—

959 (10) In order to renew a certificate, the  
960 certificateholder must complete 2 hours of approved continuing  
961 education on legislation, safety, pesticide labeling, and  
962 integrated pest management and 2 hours of approved continuing  
963 education in each category of her or his certificate or must  
964 pass an examination that the department shall provide in person  
965 and remotely through a third-party vendor. The third-party  
966 vendor may collect and retain a convenience fee given by the

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967 ~~department~~. The department may not renew a certificate if the  
968 continuing education or examination requirement is not met.

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

971 1. The law and rules of this state pertaining to pest  
972 control.

973 2. Precautions necessary to safeguard life, health, and  
974 property in the conducting of pest control and the application  
975 of pesticides.

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

978 4. Current accepted industry practices in the conducting  
979 of fumigation, termites and other wood-destroying organisms pest  
980 control, lawn and ornamental pest control, and household pest  
981 control.

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

985 6. Integrated pest management.

986 (b) The certificateholder must submit with her or his  
987 application for renewal a statement certifying that she or he  
988 has completed the required number of hours of continuing  
989 education. The statement must be on a form prescribed by the  
990 department and must identify at least the date, location,  
991 provider, and subject of the training and must provide such

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992 other information as required by the department.

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

995 **Section 34. Subsection (1) of section 482.141, Florida**  
996 **Statutes, is amended to read:**

997 482.141 Examinations.—

998 (1) Each individual seeking certification must  
999 satisfactorily pass an examination which must be written but  
1000 ~~which~~ may include practical demonstration. The department shall  
1001 provide in-person and remote testing through a third-party  
1002 vendor. A third-party vendor may collect and retain a  
1003 convenience fee hold at least two examinations each year. An  
1004 applicant may seek certification in one or more categories.

1005 **Section 35. Paragraph (b) of subsection (1) of section**  
1006 **482.155, Florida Statutes, is amended to read:**

1007 482.155 Limited certification for governmental pesticide  
1008 applicators or private applicators.—

1009 (1)

1010 (b) A person seeking limited certification under this  
1011 subsection must pass an examination that the department shall  
1012 provide in person and remotely through a third-party vendor. The  
1013 third-party vendor may collect and retain a convenience fee  
1014 ~~given or approved by the department.~~ Each application for  
1015 examination must be accompanied by an examination fee set by the  
1016 department, in an amount of not more than \$150 or less than \$50;

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1017 and a recertification fee of \$25 every 4 years. Until rules  
1018 setting these fees are adopted by the department, the  
1019 examination fee is \$50. Application for recertification must be  
1020 accompanied by proof of having completed 4 classroom hours of  
1021 acceptable continuing education. The limited certificate expires  
1022 4 years after the date of issuance. If the certificateholder  
1023 fails to renew his or her certificate and provide proof of  
1024 completion of the required continuing education units within 60  
1025 days after the expiration date, the certificateholder may be  
1026 recertified only after reexamination. The department shall make  
1027 available ~~provide~~ the appropriate reference material ~~and make~~  
1028 ~~the examination readily accessible and available to all~~  
1029 ~~applicants at least quarterly or as necessary in each county.~~

1030 **Section 36. Subsection (2) of section 482.156, Florida**  
1031 **Statutes, is amended to read:**

1032 482.156 Limited certification for commercial landscape  
1033 maintenance personnel.—

1034 (2) (a) A person seeking limited certification under this  
1035 section must pass an examination that the department shall  
1036 provide in person and remotely through a third-party vendor. The  
1037 third-party vendor may collect and retain a convenience fee  
1038 ~~given by the department.~~ Each application for examination must  
1039 be accompanied by an examination fee set by rule of the  
1040 department, in an amount of not more than \$150 or less than \$50.  
1041 Before the department issues a limited certification under this

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1042 section, each person applying for the certification must furnish  
1043 proof of having a certificate of insurance which states that the  
1044 employer meets the requirements for minimum financial  
1045 responsibility for bodily injury and property damage required by  
1046 s. 482.071(4).

1047 (b) The department shall make available ~~provide~~ the  
1048 appropriate reference materials for the examination and provide  
1049 in-person and remote testing through a third-party vendor. A  
1050 third-party vendor may collect and retain a convenience fee ~~make~~  
1051 ~~the examination readily accessible and available to applicants~~  
1052 ~~at least quarterly or as necessary in each county.~~

1053 **Section 37. Subsection (2) of section 482.157, Florida**  
1054 **Statutes, is amended to read:**

1055 482.157 Limited certification for commercial wildlife  
1056 management personnel.—

1057 (2) The department shall issue a limited certificate to an  
1058 applicant who:

1059 (a) Submits an application and examination fee of at least  
1060 \$150, but not more than \$300, as prescribed by the department by  
1061 rule;

1062 (b) Passes an examination that the department shall  
1063 provide in person and remotely through a third-party vendor. The  
1064 third-party vendor may collect and retain a convenience fee  
1065 ~~administered by the department.~~ The department shall make  
1066 available ~~provide~~ the appropriate study materials for the

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1067 ~~examination and make the examination readily available to~~  
1068 ~~applicants in each county as necessary, but not less frequently~~  
1069 ~~than quarterly; and~~

1070 (c) Provides proof, including a certificate of insurance,  
1071 that the applicant has met the minimum bodily injury and  
1072 property damage insurance requirements in s. 482.071(4).

1073 **Section 38. Paragraph (m) is added to subsection (1) of**  
1074 **section 482.161, Florida Statutes, to read:**

1075 482.161 Disciplinary grounds and actions; reinstatement.—

1076 (1) The department may issue a written warning to or  
1077 impose a fine against, or deny the application for licensure or  
1078 licensure renewal of, a licensee, certified operator, limited  
1079 certificateholder, identification cardholder, or special  
1080 identification cardholder or any other person, or may suspend,  
1081 revoke, or deny the issuance or renewal of any license,  
1082 certificate, limited certificate, identification card, or  
1083 special identification card that is within the scope of this  
1084 chapter, in accordance with chapter 120, upon any of the  
1085 following grounds:

1086 (m) Upon the issuance of a final order imposing civil  
1087 penalties under subsection 14(a) of the Federal Insecticide,  
1088 Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction  
1089 under subsection 14(b) of FIFRA.

1090 **Section 39. Subsection (2) of section 487.044, Florida**  
1091 **Statutes, is amended to read:**

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1092 487.044 Certification; examination.—

1093 (2) The department shall require each applicant for a  
1094 certified applicator's license to demonstrate competence by a  
1095 written or oral examination in which the applicant must  
1096 demonstrate adequate knowledge concerning the proper use and  
1097 application of restricted-use pesticides in each classification  
1098 for which application for license is made. The department shall  
1099 provide in-person and remote testing through a third-party  
1100 vendor. A third-party vendor may collect and retain a  
1101 convenience fee. The examination may be prepared, administered,  
1102 and evaluated by the department. Each applicant for a certified  
1103 applicator's license must ~~shall~~ demonstrate minimum competence  
1104 as to:

1105 (a) The proper use of the equipment.

1106 (b) The environmental hazards that may be involved in  
1107 applying restricted-use pesticides.

1108 (c) Calculating the concentration of restricted-use  
1109 pesticides to be used in particular circumstances.

1110 (d) Identification of common pests to be controlled and  
1111 the damages caused by such pests.

1112 (e) Protective clothing and respiratory equipment required  
1113 during the handling and application of restricted-use  
1114 pesticides.

1115 (f) General precautions to be followed in the disposal of  
1116 containers, as well as the cleaning and decontamination of the

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1117 equipment which the applicant proposes to use.

1118 (g) Applicable state and federal pesticide laws, rules,  
1119 and regulations.

1120 (h) General safety precautions.

1121 **Section 40. Subsection (6) is added to section 487.175,**  
1122 **Florida Statutes, to read:**

1123 487.175 Penalties; administrative fine; injunction.—

1124 (6) Licensure may be suspended, revoked, or denied by the  
1125 department, upon the issuance of a final order to a licensee  
1126 imposing civil penalties under subsection 14(a) of the Federal  
1127 Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a  
1128 criminal conviction under subsection 14(b) of FIFRA.

1129 **Section 41. Subsections (13) through (28) of section**  
1130 **496.404, Florida Statutes, are renumbered as subsections (15)**  
1131 **through (30), respectively, and new subsections (13) and (14)**  
1132 **are added to that section, to read:**

1133 496.404 Definitions.—As used in ss. 496.401-496.424, the  
1134 term:

1135 (13) "Foreign country of concern" has the same meaning as  
1136 in s. 286.101(1)(b).

1137 (14) "Foreign source of concern" means any of the  
1138 following:

1139 (a) The government or any official of the government of a  
1140 foreign country of concern;

1141 (b) A political party or member of a political party or

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1142 any subdivision of a political party in a foreign country of  
1143 concern;

1144 (c) A partnership, an association, a corporation, an  
1145 organization, or other combination of persons organized under  
1146 the laws of or having its principal place of business in a  
1147 foreign country of concern, or a subsidiary of such entity;

1148 (d) Any person who is domiciled in a foreign country of  
1149 concern and is not a citizen or lawful permanent citizen of the  
1150 United States;

1151 (e) An agent, including a subsidiary or an affiliate of a  
1152 foreign legal entity, acting on behalf of a foreign source of  
1153 concern; or

1154 (f) An entity in which a person, entity, or collection of  
1155 persons or entities described in paragraphs (a)-(e) has a  
1156 controlling interest. As used in this paragraph, the term  
1157 "controlling interest" means the possession of the power to  
1158 direct or cause the direction of the management or policies of  
1159 an entity, whether through ownership of securities, by contract,  
1160 or otherwise. A person or an entity that directly or indirectly  
1161 has the right to vote 25 percent or more of the voting interest  
1162 of the company or is entitled to 25 percent or more of its  
1163 profits is presumed to possess a controlling interest.

1164 **Section 42. Paragraphs (d) through (g) of subsection (2)**  
1165 **of section 496.405, Florida Statutes, are redesignated as**  
1166 **paragraphs (f) through (i), respectively, new paragraphs (d) and**

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1167 **(e) are added to that subsection, subsection (11) is added to**  
1168 **that section, and subsection (1) and paragraph (b) of subsection**  
1169 **(7) of that section are amended, to read:**

1170 496.405 Registration statements by charitable  
1171 organizations and sponsors.-

1172 (1) A charitable organization or sponsor, unless exempted  
1173 pursuant to s. 496.406, which intends to solicit contributions  
1174 in or from this state by any means or have funds solicited on  
1175 its behalf by any other person, charitable organization,  
1176 sponsor, commercial co-venturer, or professional solicitor, or  
1177 that participates in a charitable sales promotion or sponsor  
1178 sales promotion, must, before engaging in any of these  
1179 activities, file an initial registration statement, which  
1180 includes an attestation statement, and a renewal statement  
1181 annually thereafter, with the department.

1182 (a) Except as provided in paragraph (b), any changes in  
1183 the information submitted on the initial registration statement  
1184 or the last renewal statement must be updated annually on a  
1185 renewal statement provided by the department on or before the  
1186 date that marks 1 year after the date the department approved  
1187 the initial registration statement as provided in this section.  
1188 The department shall annually provide a renewal statement to  
1189 each registrant by mail or by electronic mail at least 30 days  
1190 before the renewal date.

1191 (b) Any changes to the information submitted to the

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1192 department pursuant to paragraph (2) (f) ~~(2) (d)~~ on the initial  
1193 registration statement, which includes an attestation statement,  
1194 or the last renewal statement must be reported to the department  
1195 on a form prescribed by the department within 10 days after the  
1196 change occurs.

1197 (c) A charitable organization or sponsor that is required  
1198 to file an initial registration statement or annual renewal  
1199 statement may not, before approval of its statement by the  
1200 department in accordance with subsection (7), solicit  
1201 contributions or have contributions solicited on its behalf by  
1202 any other person, charitable organization, sponsor, commercial  
1203 co-venturer, or professional solicitor or participate in a  
1204 charitable sales promotion or sponsor sales promotion.

1205 (d) The registration of a charitable organization or  
1206 sponsor may not continue in effect and shall expire without  
1207 further action of the department under either of the following  
1208 circumstances:

1209 1. After the date the charitable organization or sponsor  
1210 should have filed, but failed to file, its renewal statement in  
1211 accordance with this section.

1212 2. For failure to provide a financial statement within any  
1213 extension period provided under s. 496.407.

1214 (2) The initial registration statement must be submitted  
1215 on a form prescribed by the department, signed by an authorized  
1216 official of the charitable organization or sponsor who shall

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1217 certify that the registration statement is true and correct, and  
1218 include the following information or material:

1219 (d) An attestation statement, which must be submitted on a  
1220 form prescribed by the department and signed by an authorized  
1221 official of the charitable organization, who shall certify and  
1222 attest that the charitable organization, if engaged in  
1223 activities that would require registration pursuant to chapter  
1224 106 is registered with the Department of State, pursuant to  
1225 chapter 106.

1226 (e) An attestation statement on a form prescribed by the  
1227 department, signed by an authorized official of the charitable  
1228 organization, who shall certify and attest that the charitable  
1229 organization, if prohibited by applicable federal or state law,  
1230 is not engaged in activities that would require registration  
1231 with the Department of State pursuant to chapter 106.

1232 (7)

1233 (b) If a charitable organization or sponsor discloses  
1234 information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~  
1235 in the initial registration statement or annual renewal  
1236 statement, the time limits set forth in paragraph (a) are  
1237 waived, and the department shall process such initial  
1238 registration statement or annual renewal statement in accordance  
1239 with the time limits set forth in chapter 120. The registration  
1240 of a charitable organization or sponsor shall be automatically  
1241 suspended for failure to disclose any information specified in

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1242 subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the  
1243 required information is submitted to the department.

1244 (11) The department may investigate and refer a charitable  
1245 organization or sponsor to the Florida Elections Commission for  
1246 investigation of violations pursuant to chapters 104 and 106.

1247 **Section 43. Subsection (20) is added to section 496.415,**  
1248 **Florida Statutes, to read:**

1249 496.415 Prohibited acts.—It is unlawful for any person in  
1250 connection with the planning, conduct, or execution of any  
1251 solicitation or charitable or sponsor sales promotion to:

1252 (20) Solicit or accept contributions or anything of value  
1253 from a foreign source of concern.

1254 (a) The first violation of this subsection is considered  
1255 involuntary, and shall result in no punitive action from the  
1256 department if a charitable organization satisfies all of the  
1257 following requirements:

1258 1. Provides the department with a solicitation or  
1259 contribution form containing an attestation from such foreign  
1260 source or country of concern in which the person, country, or  
1261 entity falsely certifies that they are not a foreign country of  
1262 concern as defined in s. 496.404(13) or a foreign source of  
1263 concern as defined in s. 496.404(14).

1264 2. Provides the department with a copy of a refund to the  
1265 foreign source or country of concern within 30 days after  
1266 notification by the department of the prohibited act.

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1267 3. Provides the department with a plan of action to  
1268 prevent the acceptance of contributions from a foreign country  
1269 or source of concern in future solicitation activities by the  
1270 charitable organization.

1271 (b) A second or subsequent violation of this subsection is  
1272 considered voluntary, and the charitable organization or sponsor  
1273 is subject to the penalties specified in s. 496.419(5) at the  
1274 discretion of the department.

1275 **Section 44. Section 496.417, Florida Statutes, is amended**  
1276 **to read:**

1277 496.417 Criminal penalties.—Except as otherwise provided  
1278 in ss. 496.401-496.424, and in addition to any administrative or  
1279 civil penalties, any person who willfully and knowingly violates  
1280 ss. 496.401-496.424 commits a felony of the third degree,  
1281 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
1282 For a second or subsequent conviction, such violation  
1283 constitutes a felony of the second degree, punishable as  
1284 provided in s. 775.082, s. 775.083, or s. 775.084. The  
1285 department may also investigate and refer a charitable  
1286 organization or sponsor to the Florida Elections Commission for  
1287 investigation of violations pursuant to chapters 104 and 106.

1288 **Section 45. Subsection (11) is added to section 496.419,**  
1289 **Florida Statutes, to read:**

1290 496.419 Powers of the department.—

1291 (11) A charitable organization or sponsor whose

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1292 registration is denied or revoked for submitting a false  
1293 attestation required pursuant to s. 496.405(2)(d) or (2)(e) is  
1294 subject to the penalties specified in subsection (5) at the  
1295 discretion of the department.

1296 **Section 46. Section 496.431, Florida Statutes, is created**  
1297 **to read:**

1298 496.431 Honest Services Registry.—

1299 (1) The department shall create the Honest Services  
1300 Registry to provide the residents of this state with the  
1301 information necessary to make an informed choice when deciding  
1302 which charitable organizations to support.

1303 (2) To be included on the Honest Services Registry, a  
1304 charitable organization must, at a minimum, submit to the  
1305 department an attestation statement on a form prescribed by the  
1306 department, verified as provided in s. 92.525, attesting to all  
1307 of the following:

1308 (a) That the organization does not solicit or accept,  
1309 directly or indirectly, contributions, funding, support, or  
1310 services from a foreign source of concern.

1311 (b) That the organization's messaging and content are not  
1312 directly or indirectly produced or influenced by a foreign  
1313 source of concern.

1314 (3) The department shall publish the Honest Services  
1315 Registry on the department's website.

1316 (4) The department shall adopt rules to implement this

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1317 section.

1318 **Section 47. Paragraph (j) of subsection (1) of section**  
1319 **500.03, Florida Statutes, is amended to read:**

1320 500.03 Definitions; construction; applicability.—

1321 (1) For the purpose of this chapter, the term:

1322 (j) "Cottage food product" means food that is not time or  
1323 temperature controlled for safety or a potentially hazardous  
1324 food as defined by department rule which is sold by a cottage  
1325 food operation in accordance with s. 500.80.

1326 **Section 48. Paragraphs (a) and (b) of subsection (1) of**  
1327 **section 500.12, Florida Statutes, are amended to read:**

1328 500.12 Food permits; building permits.—

1329 (1)(a) A food permit from the department is required of  
1330 any person or business that ~~who~~ operates a food establishment,  
1331 except:

1332 1. Persons or businesses operating minor food outlets that  
1333 sell food that is commercially prepackaged, not potentially  
1334 hazardous, not age restricted, and not time or temperature  
1335 controlled for safety, if the shelf space for those items does  
1336 not exceed 12 total linear feet and no other food is sold by the  
1337 person or business minor food outlet.

1338 2. Persons subject to continuous, onsite federal or state  
1339 inspection.

1340 3. Persons selling only legumes in the shell, either  
1341 parched, roasted, or boiled.

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1342 4. Persons selling sugar cane or sorghum syrup that has  
1343 been boiled and bottled on a premise located within this state.  
1344 Such bottles must contain a label listing the producer's name  
1345 and street address, all added ingredients, the net weight or  
1346 volume of the product, and a statement that reads, "This product  
1347 has not been produced in a facility permitted by the Florida  
1348 Department of Agriculture and Consumer Services."

1349 (b) Each food establishment regulated under this chapter  
1350 must apply for and receive a food permit before operation  
1351 begins. An application for a food permit from the department  
1352 must be accompanied by a fee in an amount determined by  
1353 department rule. The department shall adopt by rule a schedule  
1354 of fees to be paid by each food establishment as a condition of  
1355 issuance or renewal of a food permit. Such fees may not exceed  
1356 \$650 and must be used solely for the recovery of costs for the  
1357 services provided, except that the fee accompanying an  
1358 application for a food permit for operating a bottled water  
1359 plant may not exceed \$1,000 and the fee accompanying an  
1360 application for a food permit for operating a packaged ice plant  
1361 may not exceed \$250. The fee for operating a bottled water plant  
1362 or a packaged ice plant must be set by rule of the department.  
1363 Food permits are not transferable from one person or physical  
1364 location to another. Food permits must be renewed in accordance  
1365 with subparagraphs 1.-3. If an application for renewal of a food  
1366 permit is not received by the department on or before its due

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1367 date, a late fee not exceeding \$100 must be paid in addition to  
1368 the food permit fee before the department may issue the food  
1369 permit. The moneys collected must be deposited in the General  
1370 Inspection Trust Fund.

1371 1. A food permit issued to a new food establishment ~~on or~~  
1372 ~~after September 1, 2023,~~ is valid for 1 calendar year after the  
1373 date of issuance and must be renewed annually on or before that  
1374 date thereafter.

1375 2. ~~Effective January 1, 2024,~~ A food permit issued before  
1376 September 1, 2023, expires on the month and day the initial  
1377 permit was issued to the food establishment and must be renewed  
1378 annually on or before that date thereafter. The department may  
1379 charge a prorated permit fee for purposes of this subparagraph.

1380 3. The department may establish a single permit renewal  
1381 date for multiple food establishments owned by the same entity  
1382 ~~The owner of 100 or more permitted food establishment locations~~  
1383 ~~may elect to set the expiration of food permits for such~~  
1384 ~~establishments as December 31 of each calendar year.~~

1385 **Section 49. Section 500.166, Florida Statutes, is amended**  
1386 **to read:**

1387 500.166 Records of interstate shipment.—For the purpose of  
1388 enforcing this chapter, carriers engaged in interstate commerce  
1389 and persons receiving food in interstate commerce shall retain  
1390 all records for 3 years from the date of the record showing the  
1391 movement in interstate commerce of any food, and the quantity,



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1392 shipper and consignee thereof and, upon the request by an  
1393 officer or employee duly designated by the department, permit  
1394 the officer or employee to have access to and to copy all  
1395 records showing the movement in interstate commerce of any food,  
1396 and the quantity, shipper, and consignee thereof.

1397 **Section 50. Subsection (1) of section 500.172, Florida**  
1398 **Statutes, is amended to read:**

1399 500.172 Embargoing, detaining, destroying of food, food  
1400 processing equipment, or areas that are in violation.—

1401 (1) When the department, or its duly authorized agent who  
1402 has received appropriate education and training regarding the  
1403 legal requirements of this chapter, finds or has probable cause  
1404 to believe that any food, food processing equipment, food  
1405 processing area, or food storage area is in violation of this  
1406 chapter or any rule adopted under this chapter so as to be  
1407 dangerous, unwholesome, mislabeled, fraudulent, or insanitary  
1408 within the meaning of this chapter, an agent of the department  
1409 may issue and enforce a stop-sale, stop-use, removal, or hold  
1410 order, which order gives notice that such article, processing  
1411 equipment, processing area, or storage area is or is suspected  
1412 of being in violation and has been detained or embargoed and  
1413 which order warns all persons not to remove, use, or dispose of  
1414 such article, processing equipment, processing area, or storage  
1415 area by sale or otherwise until permission for removal, use, or  
1416 disposal is given by the department or the court. The department

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1417 is authorized to enter into a written agreement with the owner  
1418 of such food, food processing equipment, food processing area,  
1419 or food storage area, or otherwise facilitate the destruction of  
1420 any article found or suspected by the department to be in  
1421 violation of this section. A person may not remove, use, or  
1422 dispose of such detained or embargoed article, processing  
1423 equipment, processing area, or storage area by sale or otherwise  
1424 without such permission from or in accordance with a written  
1425 agreement with the department.

1426 **Section 51. Section 500.75, Florida Statutes, is created**  
1427 **to read:**

1428 500.75 Mushroom spores and mycelium; offenses.—It is  
1429 unlawful to transport or offer to transport, import into this  
1430 state, sell or offer for sale, furnish, or give away spores or  
1431 mycelium capable of producing mushrooms or other material which  
1432 will contain a controlled substance, including psilocybin or  
1433 psilocyn, during its lifecycle. A person who violates this  
1434 section commits a misdemeanor of the first degree, punishable as  
1435 provided in s. 775.082 or s. 775.083.

1436 **Section 52. Section 500.93, Florida Statutes, is created**  
1437 **to read:**

1438 500.93 Mislabeling of plant-based products as milk, meat,  
1439 poultry, or eggs.—

1440 (1) As used in this section, the term:

1441 (a) "Egg" and "egg product" have the same meanings as in

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1442 21 U.S.C. s. 1033 and the Egg Products Inspection Act.

1443 (b) "FDA" means the United States Food and Drug  
1444 Administration.

1445 (c) "Meat" has the same meaning as in 9 C.F.R. s. 301.2  
1446 and the Federal Meat Inspection Act.

1447 (d) "Milk" has the same meaning as in 21 C.F.R. s. 131.110  
1448 and the Grade "A" pasteurized milk ordinance.

1449 (e) "Poultry" and "poultry product" have the same meanings  
1450 as in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

1451 (2)(a) In accordance with the established standard of  
1452 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade  
1453 "A" pasteurized milk ordinance, the department shall adopt rules  
1454 to enforce the FDA's standard of identity for milk, as adopted  
1455 in state law, to prohibit the sale of plant-based products  
1456 mislabeled as milk in this state.

1457 (b) This subsection is effective upon the enactment into  
1458 law of a mandatory labeling requirement to prohibit the sale of  
1459 plant-based products mislabeled as milk that is consistent with  
1460 this section by any 11 of the group of 14 states composed of  
1461 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,  
1462 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,  
1463 Texas, Virginia, and West Virginia.

1464 (3)(a) In accordance with the established standard of  
1465 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal  
1466 Meat Inspection Act, and both poultry and poultry products

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1467 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection  
1468 Act, the department shall adopt rules to enforce the FDA's  
1469 standard of identity for meat, poultry, and poultry products as  
1470 adopted in this section, to prohibit the sale of plant-based  
1471 products mislabeled as meat, poultry, or poultry products in  
1472 this state.

1473 (b) This subsection is effective upon the enactment into  
1474 law of a mandatory labeling requirement to prohibit the sale of  
1475 plant-based products mislabeled as meat, poultry, or poultry  
1476 products which is consistent with this section by any 11 of the  
1477 group of 14 states composed of Alabama, Arkansas, Florida,  
1478 Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,  
1479 South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1480 (4) (a) In accordance with the established standard of  
1481 identity for eggs and egg products defined in 21 U.S.C. s. 1033  
1482 and the Egg Products Inspection Act, the department shall adopt  
1483 rules to enforce the FDA's standard of identity for eggs and egg  
1484 products, as adopted in state law, to prohibit the sale of  
1485 plant-based products mislabeled as egg or egg products in this  
1486 state.

1487 (b) This subsection is effective upon the enactment into  
1488 law of a mandatory labeling requirement to prohibit the sale of  
1489 plant-based products mislabeled as egg or egg products that is  
1490 consistent with this section by any 11 of the group of 14 states  
1491 composed of Alabama, Arkansas, Florida, Georgia, Kentucky,

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1492 Louisiana, Maryland, Mississippi, Oklahoma, South Carolina,  
1493 Tennessee, Texas, Virginia, and West Virginia.

1494 (5) The Department of Agriculture and Consumer Services  
1495 shall notify the Division of Law Revision upon the enactment  
1496 into law by any 11 of the group of 14 states composed of  
1497 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,  
1498 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,  
1499 Texas, Virginia, and West Virginia of the mandatory labeling  
1500 requirements pursuant to subsections (2) and (3).

1501 (6) The department shall adopt rules to implement this  
1502 section.

1503 (7) This section does not limit the department's authority  
1504 to enforce its laws and regulations.

1505 **Section 53.** Section 501.135, Florida Statutes, is  
1506 repealed.

1507 **Section 54. Subsection (1) of section 501.912, Florida**  
1508 **Statutes, is amended to read:**

1509 501.912 Definitions.—As used in ss. 501.91-501.923:

1510 (1) "Antifreeze" means any substance or preparation,  
1511 including, but not limited to, coolant, antifreeze-coolant,  
1512 antifreeze and summer coolant, or summer coolant, that is sold,  
1513 distributed, or intended for use:

1514 (a) As the cooling liquid, or to be added to the cooling  
1515 liquid, in the cooling system of ~~internal combustion engines of~~  
1516 motor vehicles to prevent freezing of the cooling liquid or to

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1517 lower its freezing point; or

1518 (b) To raise the boiling point of water, aid in vehicle  
1519 component cooling, or for the prevention of engine overheating,  
1520 whether or not the liquid is used as a year-round cooling system  
1521 fluid.

1522 **Section 55. Section 525.19, Florida Statutes, is created**  
1523 **to read:**

1524 525.19 Petroleum registration.—

1525 (1) The department shall create an annual petroleum  
1526 registration program for petroleum owners or operators and shall  
1527 adopt rules detailing the requirements for such registration  
1528 that include, at minimum:

1529 (a) Name of the petroleum owner or operator;

1530 (b) Address of the petroleum owner or operator;

1531 (c) Phone number of the petroleum owner or operator;

1532 (d) E-mail address of the petroleum owner or operator;

1533 (e) Requirements for the transfer switch;

1534 (f) Fuel and petroleum infrastructure; and

1535 (g) Fuel and petroleum inventory and delivery information.

1536 (2) The registration program must be free for all  
1537 registrants.

1538 (3) The department has the authority to require  
1539 registrants to provide updates related to the status of  
1540 infrastructure, inventory, and delivery information during a  
1541 state of emergency as declared by an executive order issued by

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1542 the Governor.

1543 **Section 56. Section 526.147, Florida Statutes, is created**  
1544 **to read:**

1545 526.147 Florida Retail Fuel Transfer Switch Modernization  
1546 Grant Program.—

1547 (1) (a) There is created, subject to appropriation, the  
1548 Florida Retail Fuel Transfer Switch Modernization Grant Program  
1549 within the Department of Agriculture and Consumer Services.

1550 (b) The grant program shall provide grant funds, not to  
1551 exceed \$10,000 per retail fuel facility, to be used for  
1552 installation and equipment costs related to installing or  
1553 modernizing transfer switch infrastructure at retail fuel  
1554 facilities to allow for the continuity of fueling operations  
1555 under generated power.

1556 (c) The department shall award funds based upon the  
1557 following criteria:

1558 1. Up to \$10,000, of costs for transfer switch purchase  
1559 and installation for retail fuel locations in fiscally  
1560 constrained counties as designated under s. 218.67(1).

1561 2. Up to \$5,000, of costs for transfer switch purchase and  
1562 installation for all other retail fuel locations.

1563 (d) Retail fuel facilities which are awarded grant funds  
1564 must comply with s. 526.143 and must install a transfer switch  
1565 capable of operating all fuel pumps, dispensing equipment, life  
1566 safety systems, and payment acceptance equipment using an

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1567 alternative generated power source.

1568 (e) Before being awarded funding from the department,  
1569 retail fuel facilities must provide documentation on transfer  
1570 switch installation and required generator sizing to the  
1571 department.

1572 (f) Marinas and fueling facilities with fewer than four  
1573 fueling positions are excluded from being awarded funding  
1574 through this program.

1575 (g) Fueling facilities subject to s. 526.143(2) are  
1576 excluded from being awarded funding through this program.

1577 (2) The department, in consultation with the Division of  
1578 Emergency Management, shall adopt rules to implement and  
1579 administer this section, including establishing grant  
1580 application processes for the Florida Retail Fuel Transfer  
1581 Switch Modernization Grant Program. The rules must include  
1582 application deadlines and establish the supporting documentation  
1583 necessary to be provided to the department.

1584 **Section 57. Section 531.48, Florida Statutes, is amended**  
1585 **to read:**

1586 531.48 Declarations of unit price on random packages.—In  
1587 addition to the declarations required by s. 531.47, any package  
1588 being one of a lot containing random weights of the same  
1589 commodity must ~~and bearing the total selling price of the~~  
1590 ~~package shall~~ bear on the outside of the package a plain and  
1591 conspicuous declaration of the price per single unit of weight

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1592 and the total retail price of the package, as defined by  
1593 department rule.

1594 **Section 58. Section 531.49, Florida Statutes, is amended**  
1595 **to read:**

1596 531.49 Advertising packages for sale.—~~Whenever~~ A packaged  
1597 commodity ~~is advertised in any manner with the retail price~~  
1598 ~~stated, there shall be~~ closely and conspicuously associated with  
1599 the retail price must have a declaration of quantity as is  
1600 required by law or rule to appear on the package.

1601 **Section 59. Subsection (10) of section 564.06, Florida**  
1602 **Statutes, is amended to read:**

1603 564.06 Excise taxes on wines and beverages.—

1604 (10) Fifty percent of all revenues collected from the  
1605 excise taxes imposed by this section on wine produced by  
1606 manufacturers in this state from products grown in the state  
1607 must be deposited into the Florida Wine Viticulture Trust Fund  
1608 established pursuant to s. 599.012.

1609 **Section 60. Subsections (44), (45), and (46) of section**  
1610 **570.07, Florida Statutes, are renumbered as subsections (47),**  
1611 **(48), and (49), respectively, and new subsections (44), (45),**  
1612 **and (46) are added to that section, to read:**

1613 570.07 Department of Agriculture and Consumer Services;  
1614 functions, powers, and duties.—The department shall have and  
1615 exercise the following functions, powers, and duties:

1616 (44) (a) To foster and encourage the employment and

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1617 retention of qualified veterinary pathologists. The department  
1618 may reimburse the educational expenses of qualified veterinary  
1619 pathologists who enter into an agreement with the department to  
1620 retain employment for a specified period of time.

1621 (b) The department shall adopt rules to administer this  
1622 subsection.

1623 (45) Subject to appropriation, to extend state and  
1624 national Future Farmers of America opportunities to any public  
1625 school student enrolled in agricultural education, at little or  
1626 no cost to the student or school district, and to support  
1627 statewide Future Farmers of America programming that helps such  
1628 students develop their potential for premier leadership,  
1629 personal growth, and career success.

1630 (46) (a) Notwithstanding ss. 287.042 and 287.057, to use  
1631 contracts procured by another agency.

1632 (b) As used in this subsection, the term "agency" has the  
1633 same meaning as provided in s. 287.012.

1634 **Section 61. Subsection (2) of section 570.544, Florida**  
1635 **Statutes, is amended to read:**

1636 570.544 Division of Consumer Services; director; powers;  
1637 processing of complaints; records.—

1638 (2) The director shall supervise, direct, and coordinate  
1639 the activities of the division and shall, under the direction of  
1640 the department, enforce the provisions of ss. 366.94 and ~~ss.~~  
1641 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526,

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1642 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

1643 **Section 62. Section 570.546, Florida Statutes, is created**  
1644 **to read:**

1645 570.546 Licensing.—

1646 (1) The department is authorized to:

1647 (a) Create a process for the bulk renewal of licenses  
1648 which will allow licensees the ability, upon request, to submit  
1649 all license applications of the same type, notwithstanding any  
1650 provisions of law applicable to each application process.

1651 (b) Create a process that will allow licensees, upon  
1652 request, to align the expiration dates of licenses within a  
1653 statutory program.

1654 (c) Change the expiration dates for current licensees for  
1655 the purpose of reducing large numbers of license expirations  
1656 that occur during the same month.

1657 (2) The department shall prorate any licensing fee for  
1658 which the term of the license was reduced for the purposes of  
1659 alignment.

1660 (3) The department shall adopt rules to implement this  
1661 section.

1662 **Section 63. Section 570.694, Florida Statutes, is created**  
1663 **to read:**

1664 570.694 Florida Aquaculture Foundation.—

1665 (1) The Florida Aquaculture Foundation is established as a  
1666 direct-support organization within the Department of Agriculture

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1667 and Consumer Services. The purpose of the foundation is to:

1668 (a) Conduct programs and activities related to the  
1669 assistance, promotion, and furtherance of aquaculture and  
1670 aquaculture producers in this state.

1671 (b) Identify and pursue methods to provide statewide  
1672 resources and materials for these programs.

1673 (2) The foundation shall be governed by s. 570.691.

1674 (3) The department is authorized to appoint an advisory  
1675 committee adjunct to the foundation pursuant to s. 570.232.

1676 **Section 64. Section 570.822, Florida Statutes, is amended**  
1677 **to read:**

1678 570.822 Agriculture and Aquaculture Producers Emergency  
1679 ~~Natural Disaster~~ Recovery Loan Program.—

1680 (1) DEFINITIONS.—As used in this section, the term:

1681 (a) "Bona fide farm operation" means a farm operation  
1682 engaged in a good faith commercial agricultural use of land on  
1683 land classified as agricultural pursuant to s. 193.461 or on  
1684 sovereign submerged land that is leased to the applicant by the  
1685 department pursuant to s. 597.010 and that produces agricultural  
1686 products within the definition of agriculture under s. 570.02.

1687 (b) "Declared emergency ~~natural disaster~~" means an  
1688 emergency ~~a natural disaster~~ for which a state of emergency is  
1689 declared pursuant to s. 252.36 or s. 570.07(21).

1690 (c) "Department" means the Department of Agriculture and  
1691 Consumer Services.

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1692 (d) "Essential physical property" means fences; equipment;  
1693 structural production facilities, such as shade houses and  
1694 greenhouses; or other agriculture or aquaculture facilities or  
1695 infrastructure.

1696 (e) "Program" means the Agriculture and Aquaculture  
1697 Producers Emergency ~~Natural Disaster~~ Recovery Loan Program.

1698 (2) USE OF LOAN FUNDS; LOAN TERMS.—

1699 (a) The program is established within the department to  
1700 make loans to agriculture and aquaculture producers that have  
1701 experienced damage or destruction from a declared emergency  
1702 ~~natural disaster~~. Loan funds may be used to restore, repair, or  
1703 replace essential physical property or remove vegetative debris  
1704 from essential physical property, or restock aquaculture. A  
1705 structure or building constructed using loan proceeds must  
1706 comply with storm-hardening standards for nonresidential farm  
1707 buildings as defined in s. 604.50(2). The department shall adopt  
1708 such standards by rule.

1709 (b) The department may make a low-interest or interest-  
1710 free loan to an eligible applicant. The maximum amount that an  
1711 applicant may receive during the application period for a loan  
1712 is \$500,000. An applicant may not receive more than one loan per  
1713 application period and no more than two loans per year or no  
1714 more than five loans in any 3-year period. A loan term is 10  
1715 years.

1716 (3) ELIGIBLE APPLICANTS.—To be eligible for the program,

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1717 an applicant must:

1718 (a) Own or lease a bona fide farm operation that is  
1719 located in a county named in a declared emergency ~~natural~~  
1720 ~~disaster~~ and that was damaged or destroyed as a result of such  
1721 declared emergency ~~natural~~ ~~disaster~~.

1722 (b) Maintain complete and acceptable farm records,  
1723 pursuant to criteria published by the department, and present  
1724 them as proof of production levels and bona fide farm  
1725 operations.

1726 (4) LOAN APPLICATION AND AGREEMENT.—

1727 (a) Requests for loans must be made by application to the  
1728 department. Upon a determination that funding for loans is  
1729 available, the department shall publicly notice an application  
1730 period for the declared emergency ~~natural~~ ~~disaster~~, beginning  
1731 within 60 days after the date of the declared emergency ~~natural~~  
1732 ~~disaster~~ and running up to 1 year after the date of the declared  
1733 emergency ~~natural~~ ~~disaster~~ or until all available loan funds are  
1734 exhausted, whichever occurs first. The application period may be  
1735 renewed upon a determination from the department and pursuant to  
1736 an active declared emergency.

1737 (b) An applicant must demonstrate the need for financial  
1738 assistance and an ability to repay or meet a standard credit  
1739 rating determined by the department.

1740 (c) Loans must be made pursuant to written agreements  
1741 specifying the terms and conditions agreed to by the approved

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1742 applicant and the department. The loan agreement must specify  
1743 that the loan is due upon sale if the property or other  
1744 collateral for the loan is sold.

1745 (d) An approved applicant must agree to stay in production  
1746 for the duration of the loan. A loan is not assumable.

1747 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured  
1748 by a lien, subordinate only to any mortgage held by a financial  
1749 institution as defined in s. 655.005, on property or other  
1750 collateral as set forth in the loan agreement. The specific type  
1751 of collateral required may vary depending upon the loan purpose,  
1752 repayment ability, and the particular circumstances of the  
1753 applicant. The department shall record the lien in public  
1754 records in the county where the property is located and, in the  
1755 case of personal property, perfect the security interest by  
1756 filing appropriate Uniform Commercial Code forms with the  
1757 Florida Secured Transaction Registry as required pursuant to  
1758 chapter 679.

1759 (6) LOAN REPAYMENT.—

1760 (a) A loan is due and payable in accordance with the terms  
1761 of the loan agreement.

1762 (b) The department shall defer payments for the first 3  
1763 years of the loan. After 3 years, the department shall reduce  
1764 the principal balance annually through the end of the loan term  
1765 such that the original principal balance is reduced by 30  
1766 percent. If the principal balance is repaid before the end of

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1767 the 10th year, the applicant may not be required to pay more  
1768 than 70 percent of the original principal balance. The approved  
1769 applicant must continue to be actively engaged in production in  
1770 order to receive the original principal balance reductions and  
1771 must continue to meet the loan agreement terms to the  
1772 satisfaction of the department.

1773 (c) An approved applicant may make payments on the loan at  
1774 any time without penalty. Early repayment is encouraged as other  
1775 funding sources or revenues become available to the approved  
1776 applicant.

1777 (d) All repayments of principal and interest, if  
1778 applicable, received by the department in a fiscal year must be  
1779 returned to the loan fund and made available for loans to other  
1780 applicants in the next application period.

1781 (e) The department may periodically review an approved  
1782 applicant to determine whether he or she continues to be in  
1783 compliance with the terms of the loan agreement. If the  
1784 department finds that an applicant is no longer in production or  
1785 has otherwise violated the loan agreement, the department may  
1786 seek repayment of the full original principal balance  
1787 outstanding, including any interest or costs, as applicable, and  
1788 excluding any applied or anticipated original principal balance  
1789 reductions.

1790 (f) The department may defer or waive loan payments if at  
1791 any time during the repayment period of a loan, the approved



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1792 applicant experiences a significant hardship such as crop loss  
1793 from a weather-related event or from impacts from a natural  
1794 disaster or declared emergency.

1795 (7) ADMINISTRATION.—

1796 (a) The department shall create and maintain a separate  
1797 account in the General Inspection Trust Fund as a fund for the  
1798 program. All repayments must be returned to the loan fund and  
1799 made available as provided in this section. Notwithstanding s.  
1800 216.301, funds appropriated for the loan program are not subject  
1801 to reversion. The department shall manage the fund, establishing  
1802 loan practices that must include, but are not limited to,  
1803 procedures for establishing loan interest rates, uses of  
1804 funding, application procedures, and application review  
1805 procedures. The department is authorized to contract with a  
1806 third-party administrator to administer the program and manage  
1807 the loan fund. A contract for a third-party administrator that  
1808 includes management of the loan fund must, at a minimum, require  
1809 maintenance of the loan fund to ensure that the program may  
1810 operate in a revolving manner.

1811 (b) The department shall coordinate with other state  
1812 agencies and other entities to ensure to the greatest extent  
1813 possible that agriculture and aquaculture producers in this  
1814 state have access to the maximum financial assistance available  
1815 following a declared emergency ~~natural disaster~~. The  
1816 coordination must endeavor to ensure that there is no

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1817 duplication of financial assistance between the loan program and  
1818 other funding sources, such as any federal or other state  
1819 programs, including public assistance requests to the Federal  
1820 Emergency Management Agency or financial assistance from the  
1821 United States Department of Agriculture, which could render the  
1822 approved applicant ineligible for other financial assistance.

1823 (8) PUBLIC RECORDS EXEMPTION.—

1824 (a) The following information held by the department  
1825 pursuant to its administration of the program is exempt from s.  
1826 119.07(1) and s. 24(a), Art. I of the State Constitution:

1827 1. Tax returns.

1828 2. Credit history information, credit reports, and credit  
1829 scores.

1830 (b) This subsection does not prohibit the disclosure of  
1831 information held by the department pursuant to its  
1832 administration of the program in an aggregated and anonymized  
1833 format.

1834 (c) This subsection is subject to the Open Government  
1835 Sunset Review Act in accordance with s. 119.15 and shall stand  
1836 repealed on October 2, 2029, unless reviewed and saved from  
1837 repeal through reenactment by the Legislature.

1838 (9) RULES.—The department shall adopt rules to implement  
1839 this section.

1840 (10) REPORTS.—By December 1, 2024, and each December 1  
1841 thereafter, the department shall provide a report on program

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1842 activities during the previous fiscal year to the President of  
1843 the Senate and the Speaker of the House of Representatives. The  
1844 report must include information on noticed application periods,  
1845 the number and value of loans awarded under the program for each  
1846 application period, the number and value of loans outstanding,  
1847 the number and value of any loan repayments received, and an  
1848 anticipated repayment schedule for all loans.

1849 (11) SUNSET.—This section expires July 1, 2043, unless  
1850 reviewed and saved from repeal through reenactment by the  
1851 Legislature.

1852 **Section 65. Section 570.823, Florida Statutes, is created**  
1853 **to read:**

1854 570.823 Silviculture emergency recovery program.—

1855 (1) DEFINITIONS.—As used in this section, the term:

1856 (a) "Bona fide farm operation" means a farm operation  
1857 engaged in a good faith commercial agricultural use of land on  
1858 land classified as agricultural pursuant to s. 193.461 that  
1859 produces agricultural products within the definition of  
1860 agriculture under s. 570.02.

1861 (b) "Declared emergency" means an emergency for which a  
1862 state of emergency is declared pursuant to s. 252.36 or s.  
1863 570.07(21).

1864 (c) "Department" means the Department of Agriculture and  
1865 Consumer Services.

1866 (d) "Program" means the silviculture emergency recovery

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1867 program.

1868 (2) USE OF GRANT FUNDS; GRANT TERMS.—

1869 (a) The silviculture emergency recovery program is  
1870 established within the department to administer a grant program  
1871 to assist timber landowners whose timber land was damaged as a  
1872 result of a declared emergency. Grants provided to eligible  
1873 timber landowners must be used for:

1874 1. Timber stand restoration, including downed tree removal  
1875 on land which will retain the existing trees on site which are  
1876 lightly or completely undamaged;

1877 2. Site preparation, and tree replanting; or

1878 3. Road and trail clearing on private timber lands to  
1879 provide emergency access and facilitate salvage operations.

1880 (b) Only timber land located on lands classified as  
1881 agricultural lands under s. 193.461 are eligible for the  
1882 program.

1883 (c) The department shall coordinate with state agencies  
1884 and other entities to ensure to the greatest extent possible  
1885 that timber landowners have access to the maximum financial  
1886 assistance available following a specified declared emergency.  
1887 The coordination must endeavor to ensure that there is no  
1888 duplication of financial assistance between these funds and  
1889 other funding sources, such as any federal or other state  
1890 programs, including public assistance requests to the Federal  
1891 Emergency Management Agency or financial assistance from the

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1892 United States Department of Agriculture, which would render the  
1893 approved applicant ineligible for other financial assistance.

1894 (d) The department is authorized to adopt rules to  
1895 implement this section, including emergency rules.  
1896 Notwithstanding any other provision of law, emergency rules  
1897 adopted pursuant to this subsection are effective for 6 months  
1898 after adoption and may be renewed during the pendency of  
1899 procedures to adopt permanent rules addressing the subject of  
1900 the emergency rules.

1901 **Section 66. Section 570.831, Florida Statutes, is created**  
1902 **to read:**

1903 570.831 Florida beef marketing program.—The Cattle  
1904 Enhancement Board, Inc., in coordination with the department,  
1905 shall, subject to appropriation, establish a Florida beef  
1906 marketing program to conduct research designed to expand the  
1907 uses of beef and beef products and strengthen the market  
1908 position of Florida's cattle industry through marketing  
1909 campaigns and promotions within this state and the nation.

1910 **Section 67. Subsections (2) and (5) of section 581.1843,**  
1911 **Florida Statutes, are amended to read:**

1912 581.1843 Citrus nursery stock propagation and production  
1913 and the establishment of regulated areas around citrus  
1914 nurseries.—

1915 (2) Effective January 1, 2007, it is unlawful for any  
1916 person to propagate for sale or movement any citrus nursery

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1917 stock that was not propagated or grown on a site and within a  
1918 protective structure approved by the department ~~and that is not~~  
1919 ~~at least 1 mile away from commercial citrus groves. A citrus~~  
1920 ~~nursery registered with the department prior to April 1, 2006,~~  
1921 ~~shall not be required to comply with the 1-mile setback from~~  
1922 ~~commercial citrus groves while continuously operating at the~~  
1923 ~~same location for which it was registered. However, the nursery~~  
1924 shall be required to propagate citrus within a protective  
1925 structure approved by the department. Effective January 1, 2008,  
1926 it is ~~shall be~~ unlawful to distribute any citrus nursery stock  
1927 that was not produced in a protective structure approved by the  
1928 department.

1929 ~~(5) The department shall establish regulated areas around~~  
1930 ~~the perimeter of commercial citrus nurseries that were~~  
1931 ~~established on sites after April 1, 2006, not to exceed a radius~~  
1932 ~~of 1 mile. The planting of citrus in an established regulated~~  
1933 ~~area is prohibited. The planting of citrus within a 1-mile~~  
1934 ~~radius of commercial citrus nurseries that were established on~~  
1935 ~~sites prior to April 1, 2006, must be approved by the~~  
1936 ~~department. Citrus plants planted within a regulated area prior~~  
1937 ~~to the establishment of the regulated area may remain in the~~  
1938 ~~regulated area unless the department determines the citrus~~  
1939 ~~plants to be infected or infested with citrus canker or citrus~~  
1940 ~~greening. The department shall require the removal of infected~~  
1941 ~~or infested citrus, nonapproved planted citrus, and citrus that~~

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1942 ~~has sprouted by natural means in regulated areas. The property~~  
1943 ~~owner shall be responsible for the removal of citrus planted~~  
1944 ~~without proper approval. Notice of the removal of citrus trees,~~  
1945 ~~by immediate final order of the department, shall be provided to~~  
1946 ~~the owner of the property on which the trees are located. An~~  
1947 ~~immediate final order issued by the department under this~~  
1948 ~~section shall notify the property owner that the citrus trees,~~  
1949 ~~which are the subject of the immediate final order, must be~~  
1950 ~~removed and destroyed unless the property owner, no later than~~  
1951 ~~10 days after delivery of the immediate final order, requests~~  
1952 ~~and obtains a stay of the immediate final order from the~~  
1953 ~~district court of appeal with jurisdiction to review such~~  
1954 ~~requests. The property owner shall not be required to seek a~~  
1955 ~~stay from the department of the immediate final order prior to~~  
1956 ~~seeking a stay from the district court of appeal.~~

1957 **Section 68.** Sections 593.101, 593.102, 593.103, 593.104,  
1958 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,  
1959 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116,  
1960 and 593.117, Florida Statutes, are repealed.

1961 **Section 69. Subsection (11) of section 595.404, Florida**  
1962 **Statutes, is amended to read:**

1963 595.404 School food and other nutrition programs; powers  
1964 and duties of the department.—The department has the following  
1965 powers and duties:

1966 (11) To adopt and implement an appeal process by rule, as

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1967 required by federal regulations, for applicants and participants  
1968 under the programs implemented pursuant to this chapter,  
1969 notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss.~~  
1970 ~~120.569 and 120.57-120.595.~~

1971 **Section 70. Section 599.002, Florida Statutes, is amended**  
1972 **to read:**

1973 599.002 Florida Wine ~~Viticulture~~ Advisory Council.—

1974 (1) There is created within the Department of Agriculture  
1975 and Consumer Services the Florida Wine ~~Viticulture~~ Advisory  
1976 Council, to be composed ~~consist~~ of eight members as follows: the  
1977 president of the Florida Wine and Grape Growers Association  
1978 ~~Florida Grape Growers' Association~~ or a designee thereof; a  
1979 representative from the Institute of Food and Agricultural  
1980 Sciences; a representative from the viticultural science program  
1981 at Florida Agricultural and Mechanical University; and five  
1982 additional commercial members, to be appointed for a 2-year term  
1983 each by the Commissioner of Agriculture, including a wine  
1984 producer, a fresh fruit producer, a nonwine product (juice,  
1985 jelly, pie fillings, etc.) producer, and a viticultural nursery  
1986 operator.

1987 (2) The meetings, powers and duties, procedures, and  
1988 recordkeeping of the Florida Wine ~~Viticulture~~ Advisory Council  
1989 shall be pursuant to s. 570.232.

1990 (3) The primary responsibilities of the Florida Wine  
1991 ~~Viticulture~~ Advisory Council are to submit to the Commissioner

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1992 of Agriculture, annually, the industry's recommendations for  
1993 wine and viticultural research, promotion, and education and, as  
1994 necessary, the industry's recommendations for revisions to the  
1995 State Wine Viticulture Plan.

1996 **Section 71. Section 599.003, Florida Statutes, is amended**  
1997 **to read:**

1998 599.003 State Wine Viticulture Plan.—

1999 (1) The Commissioner of Agriculture, in consultation with  
2000 the Florida Wine Viticulture Advisory Council, shall develop and  
2001 coordinate the implementation of the State Wine Viticulture  
2002 Plan, which shall identify problems and constraints of the wine  
2003 and viticulture industry, propose possible solutions to those  
2004 problems, and develop planning mechanisms for the orderly growth  
2005 of the industry, including:

2006 (a) Criteria for wine and viticultural research, service,  
2007 and management priorities.

2008 (b) Additional proposed legislation that may be required.

2009 (c) Plans and goals to improve research and service  
2010 capabilities at Florida Agricultural and Mechanical University  
2011 and the University of Florida in their efforts to address  
2012 current and future needs of the industry.

2013 (d) The potential for viticulture products in terms of  
2014 market and needs for development.

2015 (e) Evaluation of wine policy alternatives, including, but  
2016 not limited to, continued improvement in wine quality, blending

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2017 considerations, promotion and advertising, labeling and vineyard  
2018 designations, and development of production and marketing  
2019 strategies.

2020 (f) Evaluation of production and fresh fruit policy  
2021 alternatives, including, but not limited to, setting minimum  
2022 grades and standards, promotion and advertising, development of  
2023 production and marketing strategies, and setting minimum  
2024 standards on types and quality of nursery plants.

2025 (g) Evaluation of policy alternatives for nonwine  
2026 processed products, including, but not limited to, setting  
2027 minimum quality standards and development of production and  
2028 marketing strategies.

2029 (h) Research and service priorities for further  
2030 development of the wine and viticulture industry.

2031 (i) The identification of state agencies and public and  
2032 private institutions concerned with research, education,  
2033 extension, services, planning, promotion, and marketing  
2034 functions related to wine and viticultural development and the  
2035 delineation of contributions and responsibilities.

2036 (j) Business planning, investment potential, financial  
2037 risks, and economics of production and utilization.

2038 (2) A revision and update of the State Wine Viticulture  
2039 Plan must ~~shall~~ be submitted biennially to the President of the  
2040 Senate, the Speaker of the House of Representatives, and the  
2041 chairs of appropriate committees of the Senate and House of

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2042 Representatives, and a progress report and budget request must  
2043 ~~shall~~ be submitted annually.

2044 **Section 72. Paragraph (a) of subsection (2) and subsection**  
2045 **(3) of section 599.004, Florida Statutes, are amended, and**  
2046 **paragraph (d) is added to subsection (2) of that section, to**  
2047 **read:**

2048 599.004 Florida Farm Winery Program; registration; logo;  
2049 fees.—

2050 (2) (a) The department, in coordination with the Florida  
2051 Wine Viticulture Advisory Council, shall develop and designate  
2052 by rule a Florida Farm Winery logo, emblem, and directional sign  
2053 to guide the public to certified Florida Farm Wineries ~~Winery~~  
2054 ~~tourist attractions~~. The logo and emblem of certified Florida  
2055 Farm Winery signs must ~~shall~~ be uniform.

2056 (d) Wineries that fail to recertify annually or pay the  
2057 licensing fee required in paragraph (c) are subject to having  
2058 the signs referenced in paragraph (b) removed and will be  
2059 responsible for all costs incurred by the Department of  
2060 Transportation in connection with the removal.

2061 (3) All fees collected, except as otherwise provided by  
2062 this section, shall be deposited into the Florida Wine  
2063 Viticulture Trust Fund and used to develop consumer information  
2064 on the native characteristics and proper use of wines.

2065 **Section 73. Section 599.012, Florida Statutes, is amended**  
2066 **to read:**

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2067 599.012 Florida Wine Viticulture Trust Fund; creation.—

2068 (1) There is established the Florida Wine Viticulture  
2069 Trust Fund within the Department of Agriculture and Consumer  
2070 Services. The department shall use the moneys deposited in the  
2071 trust fund pursuant to subsection (2) to do all the following:

2072 (a) Develop and coordinate the implementation of the State  
2073 Viticulture Plan.

2074 (b) Promote viticulture products manufactured from  
2075 products grown in the state.

2076 (c) Provide grants for viticultural research.

2077 (2) Fifty percent of the revenues collected from the  
2078 excise taxes imposed under s. 564.06 on wine produced by  
2079 manufacturers in this state from products grown in the state  
2080 will be deposited in the Florida Wine Viticulture Trust Fund in  
2081 accordance with that section.

2082 **Section 74. Subsection (1) of section 616.12, Florida**  
2083 **Statutes, is amended to read:**

2084 616.12 Licenses upon certain shows; distribution of fees;  
2085 exemptions.—

2086 (1) Each person who operates any traveling show,  
2087 exhibition, amusement enterprise, carnival, vaudeville, exhibit,  
2088 ~~minstrel~~, rodeo, theatrical, game or test of skill, riding  
2089 device, dramatic repertoire, other show or amusement, or  
2090 concession, including a concession operating in a tent,  
2091 enclosure, or other temporary structure, within the grounds of,

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2092 and in connection with, any annual public fair held by a fair  
2093 association shall pay the license taxes provided by law.  
2094 However, if the association satisfies the requirements of this  
2095 chapter, including securing the required fair permit from the  
2096 department, the license taxes and local business tax authorized  
2097 in chapter 205 are waived and the department shall issue a tax  
2098 exemption certificate. The department shall adopt the proper  
2099 forms and rules to administer this section, including the  
2100 necessary tax exemption certificate, showing that the fair  
2101 association has met all requirements and that the traveling  
2102 show, exhibition, amusement enterprise, carnival, vaudeville,  
2103 exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill,  
2104 riding device, dramatic repertoire, other show or amusement, or  
2105 concession is exempt.

2106 **Section 75. Section 687.16, Florida Statutes, is created**  
2107 **to read:**

2108 687.16 Florida Farmer Financial Protection Act.—

2109 (1) SHORT TITLE.—This section may be cited as the "Florida  
2110 Farmer Financial Protection Act."

2111 (2) DEFINITIONS.—As used in this section, the term:

2112 (a) "Agriculture producer" means a person or company  
2113 authorized to do business in this state and engaged in the  
2114 production of goods derived from plants or animals, including,  
2115 but not limited to, the growing of crops, silviculture, animal  
2116 husbandry, or the production of livestock or dairy products.

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2117 (b) "Agritourism activity" has the same meaning as  
2118 provided in s. 570.86.

2119 (c) "Commissioner" means the Commissioner of Agriculture.

2120 (d) "Company" means a for-profit organization,  
2121 association, corporation, partnership, joint venture, sole  
2122 proprietorship, limited partnership, limited liability  
2123 partnership, or limited liability company, including a wholly  
2124 owned subsidiary, majority-owned subsidiary, parent company, or  
2125 affiliate of those entities or business associations authorized  
2126 to do business in this state.

2127 (e) "Denies or restricts" means refusing to provide  
2128 services, terminating existing services, or restricting or  
2129 burdening the scope or nature of services offered or provided.

2130 (f) "Discriminate in the provision of financial services"  
2131 means to deny or restrict services and thereby decline to  
2132 provide financial services.

2133 (g) "Environmental, social, and governance (ESG) factor"  
2134 means any factor or consideration that is collateral to or not  
2135 reasonably likely to affect or impact financial risk and  
2136 includes the promotion, furtherance, or achievement of  
2137 environmental, social, or political goals, objectives, or  
2138 outcomes, which may include the agriculture producer's  
2139 greenhouse gas emissions, use of fossil-fuel derived fertilizer,  
2140 or use of fossil-fuel powered machinery.

2141 (h) "Farm" means the land, buildings, support facilities,

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2142 machinery, and other appurtenances used in the production of  
2143 farm or aquaculture products.

2144 (i) "Financial institution" means a company, as defined  
2145 under s. 655.005(1)(h) and (i), which has total assets of more  
2146 than \$100 million. The term includes any affiliate as defined  
2147 under s. 655.005(1)(a) or subsidiary company as defined under s.  
2148 655.005(1)(x), even if that affiliate or subsidiary company is  
2149 also a financial institution.

2150 (j) "Financial service" means any product or service that  
2151 is of a financial nature and is offered by a financial  
2152 institution.

2153 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

2154 (a) A financial institution may not discriminate in the  
2155 provision of financial services to an agriculture producer  
2156 based, in whole or in part, upon an ESG factor.

2157 (b) If a financial institution has made any ESG commitment  
2158 related to agriculture, there is an inference that the  
2159 institution's denial or restriction of a financial service to an  
2160 agriculture producer violates paragraph (a).

2161 (c) A financial institution may overcome the inference in  
2162 paragraph (b) by demonstrating that its denial or restriction of  
2163 a financial service was based solely on documented risk  
2164 analysis, and not on any ESG factor.

2165 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney  
2166 General, in consultation with the Office of Financial

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2167 Regulation, is authorized to enforce subsection (3). Any  
2168 violation of subsection (3) constitutes an unfair trade practice  
2169 under part II of chapter 501 and the Attorney General is  
2170 authorized to investigate and seek remedies as provided in  
2171 general law. Actions for damages may be sought by an aggrieved  
2172 party.

2173 **Section 76. Paragraph (a) of subsection (3) of section**  
2174 **741.0305, Florida Statutes, is amended to read:**

2175 741.0305 Marriage fee reduction for completion of  
2176 premarital preparation course.—

2177 (3) (a) All individuals electing to participate in a  
2178 premarital preparation course shall choose from the following  
2179 list of qualified instructors:

2180 1. A psychologist licensed under chapter 490.  
2181 2. A clinical social worker licensed under chapter 491.  
2182 3. A marriage and family therapist licensed under chapter  
2183 491.

2184 4. A mental health counselor licensed under chapter 491.

2185 5. An official representative of a religious institution  
2186 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the  
2187 representative has relevant training.

2188 6. Any other provider designated by a judicial circuit,  
2189 including, but not limited to, school counselors who are  
2190 certified to offer such courses. Each judicial circuit may  
2191 establish a roster of area course providers, including those who

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2192 offer the course on a sliding fee scale or for free.

2193 **Section 77. Paragraph (h) of subsection (2), subsection**  
2194 **(3), paragraph (c) of subsection (6), and subsection (10) of**  
2195 **section 790.06, Florida Statutes, are amended to read:**

2196 790.06 License to carry concealed weapon or concealed  
2197 firearm.—

2198 (2) The Department of Agriculture and Consumer Services  
2199 shall issue a license if the applicant:

2200 (h) Demonstrates competence with a firearm by any one of  
2201 the following:

2202 1. Completion of any hunter education or hunter safety  
2203 course approved by the Fish and Wildlife Conservation Commission  
2204 or a similar agency of another state;

2205 2. Completion of any National Rifle Association firearms  
2206 safety or training course;

2207 3. Completion of any firearms safety or training course or  
2208 class available to the general public offered by a law  
2209 enforcement agency, junior college, college, or private or  
2210 public institution or organization or firearms training school,  
2211 using instructors certified by the National Rifle Association,  
2212 Criminal Justice Standards and Training Commission, or the  
2213 Department of Agriculture and Consumer Services;

2214 4. Completion of any law enforcement firearms safety or  
2215 training course or class offered for security guards,  
2216 investigators, special deputies, or any division or subdivision

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2217 of a law enforcement agency or security enforcement;

2218 5. Presents evidence of equivalent experience with a  
2219 firearm through participation in organized shooting competition  
2220 or United States military service;

2221 6. Is licensed or has been licensed to carry a concealed  
2222 weapon or concealed firearm in this state or a county or  
2223 municipality of this state, unless such license has been revoked  
2224 for cause; or

2225 7. Completion of any firearms training or safety course or  
2226 class conducted by a state-certified or National Rifle  
2227 Association certified firearms instructor;

2228

2229 A photocopy of a certificate of completion of any of the courses  
2230 or classes; an affidavit from the instructor, school, club,  
2231 organization, or group that conducted or taught such course or  
2232 class attesting to the completion of the course or class by the  
2233 applicant; or a copy of any document that shows completion of  
2234 the course or class or evidences participation in firearms  
2235 competition shall constitute evidence of qualification under  
2236 this paragraph. A person who conducts a course pursuant to  
2237 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as  
2238 an instructor, attests to the completion of such courses, must  
2239 maintain records certifying that he or she observed the student  
2240 safely handle and discharge the firearm in his or her physical  
2241 presence and that the discharge of the firearm included live

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2242 fire using a firearm and ammunition as defined in s. 790.001;  
2243 (3) (a) The Department of Agriculture and Consumer Services  
2244 shall deny a license if the applicant has been found guilty of,  
2245 had adjudication of guilt withheld for, or had imposition of  
2246 sentence suspended for one or more crimes of violence  
2247 constituting a misdemeanor, unless 3 years have elapsed since  
2248 probation or any other conditions set by the court have been  
2249 fulfilled or the record has been sealed or expunged. The  
2250 Department of Agriculture and Consumer Services shall revoke a  
2251 license if the licensee has been found guilty of, had  
2252 adjudication of guilt withheld for, or had imposition of  
2253 sentence suspended for one or more crimes of violence within the  
2254 preceding 3 years. The department shall, upon notification by a  
2255 law enforcement agency, a court, clerk's office, or the Florida  
2256 Department of Law Enforcement ~~and subsequent written~~  
2257 ~~verification~~, temporarily suspend a license or the processing of  
2258 an application for a license if the licensee or applicant is  
2259 arrested or formally charged with a crime that would disqualify  
2260 such person from having a license under this section, until  
2261 final disposition of the case. The department shall suspend a  
2262 license or the processing of an application for a license if the  
2263 licensee or applicant is issued an injunction that restrains the  
2264 licensee or applicant from committing acts of domestic violence  
2265 or acts of repeat violence. The department shall notify the  
2266 licensee or applicant suspended under this section of his or her

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2267 right to a hearing pursuant to chapter 120. If the criminal case  
2268 or injunction results in a nondisqualifying disposition and the  
2269 applicant or licensee is otherwise eligible, the suspension  
2270 shall end. The department must issue an order confirming the end  
2271 of the suspension within 90 days after the applicant or  
2272 licensee's submission to the department of a copy of the final  
2273 resolution of the criminal case or injunction. The copy provided  
2274 to the department must be sent by electronic mail or certified  
2275 mail to a location that must be specified on the notice of  
2276 suspension received by the licensee or applicant. If the  
2277 criminal case results in a disqualifying disposition, the  
2278 suspension remains in effect and the department must proceed  
2279 with denial or revocation proceedings pursuant to chapter 120.

2280 (b) This subsection does not limit, restrict, or inhibit  
2281 the constitutional right to bear arms and carry a concealed  
2282 weapon in this state. The Legislature finds it a matter of  
2283 public policy and public safety that it is necessary to ensure  
2284 that potentially disqualifying information about an applicant or  
2285 licensee is investigated and processed in a timely manner by the  
2286 department pursuant to this section. The Legislature intends to  
2287 clarify that suspensions pursuant to this section are temporary,  
2288 and the department has the duty to make an eligibility  
2289 determination and issue a license in the time frame prescribed  
2290 in this subsection.

2291 (6)

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2292 (c) The Department of Agriculture and Consumer Services  
2293 shall, within 90 days after the date of receipt of the items  
2294 listed in subsection (5):

2295 1. Issue the license; or

2296 2. Deny the application based solely on the ground that  
2297 the applicant fails to qualify under the criteria listed in  
2298 subsection (2) or subsection (3). If the Department of  
2299 Agriculture and Consumer Services denies the application, it  
2300 shall notify the applicant in writing, stating the ground for  
2301 denial and informing the applicant of any right to a hearing  
2302 pursuant to chapter 120.

2303 3. In the event the result of the criminal history  
2304 screening identifies ~~department receives~~ criminal history  
2305 information related to a crime that may disqualify the applicant  
2306 but does not contain with no final disposition of the crime or  
2307 lacks sufficient information to make an eligibility  
2308 determination on a crime which may disqualify the applicant, the  
2309 time limitation prescribed by this paragraph may be extended for  
2310 up to an additional 45 days after the receipt of the information  
2311 suspended until receipt of the final disposition or proof of  
2312 restoration of civil and firearm rights. The department may make  
2313 a request for information to the jurisdiction where the criminal  
2314 history information originated but must issue a license if it  
2315 does not obtain a disposition or sufficient information to make  
2316 an eligibility determination within the additional 45 days if

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2317 the applicant is otherwise eligible. The department may take any  
2318 action authorized in this section if it receives disqualifying  
2319 criminal history information during the additional 45-day review  
2320 period or after issuance of a license.

2321 (10) A license issued under this section must ~~shall~~ be  
2322 temporarily suspended as provided for in subparagraph (6)(c)3.,  
2323 or revoked pursuant to chapter 120 if the license was issued in  
2324 error or if the licensee:

2325 (a) Is found to be ineligible under the criteria set forth  
2326 in subsection (2);

2327 (b) Develops or sustains a physical infirmity which  
2328 prevents the safe handling of a weapon or firearm;

2329 (c) Is convicted of a felony which would make the licensee  
2330 ineligible to possess a firearm pursuant to s. 790.23;

2331 (d) Is found guilty of a crime under chapter 893, or  
2332 similar laws of any other state, relating to controlled  
2333 substances;

2334 (e) Is committed as a substance abuser under chapter 397,  
2335 or is deemed a habitual offender under s. 856.011(3), or similar  
2336 laws of any other state;

2337 (f) Is convicted of a second violation of s. 316.193, or a  
2338 similar law of another state, within 3 years after a first  
2339 conviction of such section or similar law of another state, even  
2340 though the first violation may have occurred before the date on  
2341 which the application was submitted;

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2342 (g) Is adjudicated an incapacitated person under s.  
2343 744.331, or similar laws of any other state; or  
2344 (h) Is committed to a mental institution under chapter  
2345 394, or similar laws of any other state.  
2346  
2347 Notwithstanding s. 120.60(5), service of a notice of the  
2348 suspension or revocation of a concealed weapon or concealed  
2349 firearm license must be given by either certified mail, return  
2350 receipt requested, to the licensee at his or her last known  
2351 mailing address furnished to the Department of Agriculture and  
2352 Consumer Services, or by personal service. If a notice given by  
2353 certified mail is returned as undeliverable, a second attempt  
2354 must be made to provide notice to the licensee at that address,  
2355 by either first-class mail in an envelope, postage prepaid,  
2356 addressed to the licensee at his or her last known mailing  
2357 address furnished to the department, or, if the licensee has  
2358 provided an e-mail address to the department, by e-mail. Such  
2359 mailing by the department constitutes notice, and any failure by  
2360 the licensee to receive such notice does not stay the effective  
2361 date or term of the suspension or revocation. A request for  
2362 hearing must be filed with the department within 21 days after  
2363 notice is received by personal delivery, or within 26 days after  
2364 the date the department deposits the notice in the United States  
2365 mail (21 days plus 5 days for mailing). The department shall  
2366 document its attempts to provide notice, and such documentation

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2367 is admissible in the courts of this state and constitutes  
2368 sufficient proof that notice was given.

2369 **Section 78. Subsection (2) of section 812.0151, Florida**  
2370 **Statutes, is amended to read:**

2371 812.0151 Retail fuel theft.—

2372 (2) (a) A person commits a felony of the third degree,  
2373 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
2374 if he or she willfully, knowingly, and without authorization:

2375 1. Breaches a retail fuel dispenser or accesses any  
2376 internal portion of a retail fuel dispenser; or

2377 2. Possesses any device constructed for the purpose of  
2378 fraudulently altering, manipulating, or interrupting the normal  
2379 functioning of a retail fuel dispenser.

2380 (b) A person commits a felony of the second degree,  
2381 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
2382 if he or she willfully, knowingly, and without authorization:

2383 1. Physically tampers with, manipulates, removes,  
2384 replaces, or interrupts any mechanical or electronic component  
2385 located on ~~within~~ the internal or external portion of a retail  
2386 fuel dispenser; or

2387 2. Uses any form of electronic communication to  
2388 fraudulently alter, manipulate, or interrupt the normal  
2389 functioning of a retail fuel dispenser.

2390 (c) A person commits a felony of the third degree,  
2391 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,

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2392 if he or she:

2393 1. Obtains fuel as a result of violating paragraph (a) or  
2394 paragraph (b); ~~or~~2395 2. Modifies a vehicle's factory installed fuel tank or  
2396 possesses any item used to hold fuel which was not fitted to a  
2397 vehicle or conveyance at the time of manufacture with the intent  
2398 to use such fuel tank or item to hold or transport fuel obtained  
2399 as a result of violating paragraph (a) or paragraph (b); or2400 3. Possesses or uses any form of a payment instrument that  
2401 can be used, alone or in conjunction with another access device,  
2402 to authorize a fuel transaction or obtain fuel, including, but  
2403 not limited to, a plastic payment card with a magnetic stripe or  
2404 a chip encoded with account information or both, with the intent  
2405 to defraud the fuel retailer, the authorized payment instrument  
2406 financial account holder, or the banking institution that issued  
2407 the payment instrument financial account.2408 **Section 79. Section 812.136, Florida Statutes, is created**  
2409 **to read:**2410 812.136 Mail theft.—2411 (1) As used in this section, unless the context otherwise  
2412 requires:2413 (a) "Mail" means any letter, postal card, parcel,  
2414 envelope, package, bag, or any other sealed article addressed to  
2415 another, along with its contents.2416 (b) "Mail depository" means a mail box, letter box, mail

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2417 route, or mail receptacle of a postal service, an office of a  
2418 postal service, or mail carrier of a postal service, or a  
2419 vehicle of a postal service or any other authorized receptacle.

2420 (c) "Postal service" means the United States Postal  
2421 Service or its contractors, or any commercial courier that  
2422 delivers mail.

2423 (2) A person commits mail theft if he or she:

2424 (a) Knowingly removes mail from a mail depository or takes  
2425 mail from a mail carrier of a postal service with an intent to  
2426 temporarily or permanently:

2427 1. Deprive the intended recipient of his or her right to  
2428 the mail.

2429 2. Appropriate the mail to his or her own use or the use  
2430 of any person not entitled to the use of the mail.

2431 (b) Knowingly obtains custody of mail by fraud or  
2432 deception with an intent to temporarily or permanently:

2433 1. Deprive the intended recipient of his or her right to  
2434 the mail.

2435 2. Appropriate the mail to his or her own use or the use  
2436 of any person not entitled to the use of the mail.

2437 (c) Sells, receives, possesses, transfers, buys, or  
2438 conceals mail obtained in violation of paragraph (a) or  
2439 paragraph (b) of this subsection, while he or she knows or  
2440 should know the mail was obtained illegally.

2441 (3) A person commits theft of or unauthorized reproduction

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2442 of a mail depository key or lock if he or she:

2443 (a) Knowingly obtains or uses, or endeavors to obtain or  
2444 use, any key or lock used by a postal service for a mail  
2445 depository with the intent to temporarily or permanently:

2446 1. Deprive the owner of the key or lock of his or her  
2447 right to the key or lock.

2448 2. Appropriate the key or lock to his or her own use or  
2449 the use of any person not entitled to the use of the key or  
2450 lock.

2451 (b) Knowingly and unlawfully makes, forges, or  
2452 counterfeits any key adopted by a postal service for a mail  
2453 depository for the deposit or delivery of mail with an intent to  
2454 defraud any person or violate any provision of this section.

2455 (c) Sells, receives, possesses, transfers, buys, or  
2456 conceals a key or lock obtained in violation of paragraph (a) or  
2457 paragraph (b) while he or she knows or should know the key or  
2458 lock was obtained illegally.

2459 (4) (a) Except as provided in paragraph (b), a violation of  
2460 this section is a misdemeanor of the first degree, punishable as  
2461 provided in s. 775.082 or s. 775.083.

2462 (b) A second or subsequent violation of this section is a  
2463 felony of the third degree, punishable as provided in s. 775.082  
2464 or s. 775.084.

2465 **Section 80. Paragraphs (j) through (q) of subsection (4)**  
2466 **of section 934.50, Florida Statutes, are redesignated as**

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2467 **paragraphs (i) through (p), respectively, present paragraph (i)**  
2468 **of that subsection is amended, and a new paragraph (q) is added**  
2469 **to that subsection, to read:**

2470 934.50 Searches and seizure using a drone.—

2471 (4) EXCEPTIONS.—This section does not prohibit the use of  
2472 a drone:

2473 ~~(i) By a person or an entity engaged in a business or~~  
2474 ~~profession licensed by the state, or by an agent, employee, or~~  
2475 ~~contractor thereof, if the drone is used only to perform~~  
2476 ~~reasonable tasks within the scope of practice or activities~~  
2477 ~~permitted under such person's or entity's license. However, this~~  
2478 ~~exception does not apply to a profession in which the licensee's~~  
2479 ~~authorized scope of practice includes obtaining information~~  
2480 ~~about the identity, habits, conduct, movements, whereabouts,~~  
2481 ~~affiliations, associations, transactions, reputation, or~~  
2482 ~~character of any society, person, or group of persons.~~

2483 (q) By a local governmental entity, or a person under  
2484 contract with or acting under the direction of such entity, for  
2485 activities with the purpose of managing and eradicating plant or  
2486 animal diseases or activities consistent with chapters 369, 388,  
2487 and 487.

2488 **Section 81. Section 1013.373, Florida Statutes, is created**  
2489 **to read:**

2490 1013.373 Educational facilities used for agricultural  
2491 education.—

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2492 (1) Notwithstanding any other provision of law, a local  
2493 government may not adopt any ordinance, regulation, rule, or  
2494 policy to prohibit, restrict, regulate, or otherwise limit any  
2495 activities of public educational facilities and auxiliary  
2496 facilities constructed by a board for agricultural education,  
2497 for Future Farmers of America or 4-H activities, or the storage  
2498 of any animal or equipment therein.

2499 (2) Lands used for agricultural education or for Future  
2500 Farmers of America or 4-H activities are considered agricultural  
2501 lands pursuant to s. 193.461 and subject to s. 823.14.

2502 **Section 82. For the purpose of incorporating the amendment**  
2503 **made by this act to section 110.205, Florida Statutes, in a**  
2504 **reference thereto, paragraph (a) of subsection (5) of section**  
2505 **295.07, Florida Statutes, is reenacted to read:**

2506 295.07 Preference in appointment and retention.—

2507 (5) The following positions are exempt from this section:

2508 (a) Those positions that are exempt from the state Career  
2509 Service System under s. 110.205(2); however, all positions under  
2510 the University Support Personnel System of the State University  
2511 System as well as all Career Service System positions under the  
2512 Florida College System and the School for the Deaf and the  
2513 Blind, or the equivalent of such positions at state  
2514 universities, Florida College System institutions, or the School  
2515 for the Deaf and the Blind, are not exempt.

2516 **Section 83. For the purpose of incorporating the amendment**

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2517 **made by this act to section 388.271, Florida Statutes, in a**  
2518 **reference thereto, subsection (7) of section 388.261, Florida**  
2519 **Statutes, is reenacted to read:**

2520 388.261 State aid to counties and districts for arthropod  
2521 control; distribution priorities and limitations.—

2522 (7) The department may use state funds appropriated for a  
2523 county or district under subsection (1) or subsection (2) to  
2524 provide state mosquito or other arthropod control equipment,  
2525 supplies, or services when requested by a county or district  
2526 eligible to receive state funds under s. 388.271.

2527 **Section 84. For the purpose of incorporating the amendment**  
2528 **made by this act to section 388.271, Florida Statutes, in a**  
2529 **reference thereto, paragraph (a) of subsection (1) of section**  
2530 **189.062, Florida Statutes, is reenacted to read:**

2531 189.062 Special procedures for inactive districts.—

2532 (1) The department shall declare inactive any special  
2533 district in this state by documenting that:

2534 (a) The special district meets one of the following  
2535 criteria:

2536 1. The registered agent of the district, the chair of the  
2537 governing body of the district, or the governing body of the  
2538 appropriate local general-purpose government notifies the  
2539 department in writing that the district has taken no action for  
2540 2 or more years;

2541 2. The registered agent of the district, the chair of the

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2542 governing body of the district, or the governing body of the  
2543 appropriate local general-purpose government notifies the  
2544 department in writing that the district has not had a governing  
2545 body or a sufficient number of governing body members to  
2546 constitute a quorum for 2 or more years;

2547 3. The registered agent of the district, the chair of the  
2548 governing body of the district, or the governing body of the  
2549 appropriate local general-purpose government fails to respond to  
2550 an inquiry by the department within 21 days;

2551 4. The department determines, pursuant to s. 189.067, that  
2552 the district has failed to file any of the reports listed in s.  
2553 189.066;

2554 5. The district has not had a registered office and agent  
2555 on file with the department for 1 or more years;

2556 6. The governing body of a special district provides  
2557 documentation to the department that it has unanimously adopted  
2558 a resolution declaring the special district inactive. The  
2559 special district is responsible for payment of any expenses  
2560 associated with its dissolution;

2561 7. The district is an independent special district or a  
2562 community redevelopment district created under part III of  
2563 chapter 163 that has reported no revenue, no expenditures, and  
2564 no debt under s. 189.016(9) or s. 218.32 for at least 5  
2565 consecutive fiscal years beginning no earlier than October 1,  
2566 2018. This subparagraph does not apply to a community

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2567 development district established under chapter 190 or to any  
2568 independent special district operating pursuant to a special act  
2569 that provides that any amendment to chapter 190 to grant  
2570 additional powers constitutes a power of that district; or

2571 8. For a mosquito control district created pursuant to  
2572 chapter 388, the department has received notice from the  
2573 Department of Agriculture and Consumer Services that the  
2574 district has failed to file a tentative work plan and tentative  
2575 detailed work plan budget as required by s. 388.271.

2576 **Section 85. For the purpose of incorporating the amendment**  
2577 **made by this act to section 482.161, Florida Statutes, in a**  
2578 **reference thereto, paragraph (b) of subsection (3) of section**  
2579 **482.072, Florida Statutes, is reenacted to read:**

2580 482.072 Pest control customer contact centers.—

2581 (3)

2582 (b) Notwithstanding any other provision of this section:

2583 1. A customer contact center licensee is subject to  
2584 disciplinary action under s. 482.161 for a violation of this  
2585 section or a rule adopted under this section committed by a  
2586 person who solicits pest control services or provides customer  
2587 service in a customer contact center.

2588 2. A pest control business licensee may be subject to  
2589 disciplinary action under s. 482.161 for a violation of this  
2590 section or a rule adopted under this section committed by a  
2591 person who solicits pest control services or provides customer

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2592 service in a customer contact center operated by a licensee if  
2593 the licensee participates in the violation.

2594 **Section 86. For the purpose of incorporating the amendment**  
2595 **made by this act to section 482.161, Florida Statutes, in a**  
2596 **reference thereto, section 482.163, Florida Statutes, is**  
2597 **reenacted to read:**

2598 482.163 Responsibility for pest control activities of  
2599 employee.—Proper performance of pest control activities by a  
2600 pest control business employee is the responsibility not only of  
2601 the employee but also of the certified operator in charge, and  
2602 the certified operator in charge may be disciplined pursuant to  
2603 the provisions of s. 482.161 for the pest control activities of  
2604 an employee. A licensee may not automatically be considered  
2605 responsible for violations made by an employee. However, the  
2606 licensee may not knowingly encourage, aid, or abet violations of  
2607 this chapter.

2608 **Section 87. For the purpose of incorporating the amendment**  
2609 **made by this act to section 487.044, Florida Statutes, in a**  
2610 **reference thereto, section 487.156, Florida Statutes, is**  
2611 **reenacted to read:**

2612 487.156 Governmental agencies.—All governmental agencies  
2613 shall be subject to the provisions of this part and rules  
2614 adopted under this part. Public applicators using or supervising  
2615 the use of restricted-use pesticides shall be subject to  
2616 examination as provided in s. 487.044.

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2617           **Section 88. For the purpose of incorporating the amendment**  
2618 **made by this act to section 496.405, Florida Statutes, in a**  
2619 **reference thereto, subsection (2) of section 496.4055, Florida**  
2620 **Statutes, is reenacted to read:**

2621           496.4055 Charitable organization or sponsor board duties.—

2622           (2) The board of directors, or an authorized committee  
2623 thereof, of a charitable organization or sponsor required to  
2624 register with the department under s. 496.405 shall adopt a  
2625 policy regarding conflict of interest transactions. The policy  
2626 shall require annual certification of compliance with the policy  
2627 by all directors, officers, and trustees of the charitable  
2628 organization. A copy of the annual certification shall be  
2629 submitted to the department with the annual registration  
2630 statement required by s. 496.405.

2631           **Section 89. For the purpose of incorporating the amendment**  
2632 **made by this act to section 496.405, Florida Statutes, in**  
2633 **references thereto, subsections (2) and (4) of section 496.406,**  
2634 **Florida Statutes, are reenacted to read:**

2635           496.406 Exemption from registration.—

2636           (2) Before soliciting contributions, a charitable  
2637 organization or sponsor claiming to be exempt from the  
2638 registration requirements of s. 496.405 under paragraph (1)(d)  
2639 must submit annually to the department, on forms prescribed by  
2640 the department:

2641           (a) The name, street address, and telephone number of the

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2642 charitable organization or sponsor, the name under which it  
2643 intends to solicit contributions, the purpose for which it is  
2644 organized, and the purpose or purposes for which the  
2645 contributions to be solicited will be used.

2646 (b) The tax exempt status of the organization.

2647 (c) The date on which the organization's fiscal year ends.

2648 (d) The names, street addresses, and telephone numbers of  
2649 the individuals or officers who have final responsibility for  
2650 the custody of the contributions and who will be responsible for  
2651 the final distribution of the contributions.

2652 (e) A financial statement of support, revenue, and  
2653 expenses and a statement of functional expenses that must  
2654 include, but not be limited to, expenses in the following  
2655 categories: program, management and general, and fundraising. In  
2656 lieu of the financial statement, a charitable organization or  
2657 sponsor may submit a copy of its Internal Revenue Service Form  
2658 990 and all attached schedules or Internal Revenue Service Form  
2659 990-EZ and Schedule O.

2660 (4) Exemption from the registration requirements of s.  
2661 496.405 does not limit the applicability of other provisions of  
2662 this section to a charitable organization or sponsor.

2663 **Section 90. For the purpose of incorporating the amendment**  
2664 **made by this act to section 500.12, Florida Statutes, in a**  
2665 **reference thereto, paragraph (a) of subsection (1) of section**  
2666 **500.80, Florida Statutes, is reenacted to read:**

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2667 500.80 Cottage food operations.—

2668 (1) (a) A cottage food operation must comply with the  
2669 applicable requirements of this chapter but is exempt from the  
2670 permitting requirements of s. 500.12 if the cottage food  
2671 operation complies with this section and has annual gross sales  
2672 of cottage food products that do not exceed \$250,000.

2673 **Section 91. For the purpose of incorporating the amendment**  
2674 **made by this act to section 500.172, Florida Statutes, in a**  
2675 **reference thereto, subsection (6) of section 500.121, Florida**  
2676 **Statutes, is reenacted to read:**

2677 500.121 Disciplinary procedures.—

2678 (6) If the department determines that a food offered in a  
2679 food establishment is labeled with nutrient claims that are in  
2680 violation of this chapter, the department shall retest or  
2681 reexamine the product within 90 days after notification to the  
2682 manufacturer and to the firm at which the product was collected.  
2683 If the product is again found in violation, the department shall  
2684 test or examine the product for a third time within 60 days  
2685 after the second notification. The product manufacturer shall  
2686 reimburse the department for the cost of the third test or  
2687 examination. If the product is found in violation for a third  
2688 time, the department shall exercise its authority under s.  
2689 500.172 and issue a stop-sale or stop-use order. The department  
2690 may impose additional sanctions for violations of this  
2691 subsection.

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2692           **Section 92. For the purpose of incorporating the amendment**  
2693 **made by this act to section 790.06, Florida Statutes, in a**  
2694 **reference thereto, section 790.061, Florida Statutes, is**  
2695 **reenacted to read:**

2696           790.061 Judges and justices; exceptions from licensure  
2697 provisions.—A county court judge, circuit court judge, district  
2698 court of appeal judge, justice of the supreme court, federal  
2699 district court judge, or federal court of appeals judge serving  
2700 in this state is not required to comply with the provisions of  
2701 s. 790.06 in order to receive a license to carry a concealed  
2702 weapon or firearm, except that any such justice or judge must  
2703 comply with the provisions of s. 790.06(2)(h). The Department of  
2704 Agriculture and Consumer Services shall issue a license to carry  
2705 a concealed weapon or firearm to any such justice or judge upon  
2706 demonstration of competence of the justice or judge pursuant to  
2707 s. 790.06(2)(h).

2708           **Section 93.** Except as otherwise expressly provided in this  
2709 act, this act shall take effect July 1, 2025.

2710 -----  
2711  
2712                           **T I T L E   A M E N D M E N T**

2713           Remove everything before the enacting clause and insert:

2714                           A bill to be entitled

2715           An act relating to the Department of Agriculture and  
2716           Consumer Services; amending s. 110.205, F.S.;

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2717 providing that certain positions in the department are  
2718 exempt from the Career Service System; amending s.  
2719 163.3162, F.S.; providing definitions; prohibiting  
2720 governmental entities from adopting or enforcing any  
2721 legislation that inhibits the construction or  
2722 installation of housing for legally verified  
2723 agricultural workers on agricultural land operated as  
2724 a bona fide farm; requiring that the construction or  
2725 installation of such housing units on agricultural  
2726 lands satisfies certain criteria; requiring that local  
2727 ordinances comply with certain regulations;  
2728 authorizing governmental entities to adopt local land  
2729 use regulations that are less restrictive; requiring  
2730 property owners to maintain certain records for a  
2731 specified timeframe; requiring that use of a housing  
2732 site be discontinued and authorizing the removal of a  
2733 such site under certain circumstances; specifying  
2734 applicability of permit allocation systems in certain  
2735 areas of critical state concern; authorizing the  
2736 continued use of housing sites constructed before the  
2737 effective date of the act if certain conditions are  
2738 met; requiring the department to adopt certain rules;  
2739 providing for enforcement; requiring the department to  
2740 submit certain information to the State Board of  
2741 Immigration Enforcement on a certain schedule;

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2742 amending s. 201.25, F.S.; conforming a provision to  
2743 changes made by the act; amending s. 253.0341, F.S.;  
2744 authorizing the department to surplus certain lands  
2745 determined to be suitable for bona fide agricultural  
2746 production; requiring the department to consult with  
2747 the Department of Environmental Protection before  
2748 making such determination; requiring the Department of  
2749 Agriculture and Consumer Services to retain a rural-  
2750 lands-protection easement for all surplus lands and  
2751 deposit all proceeds into a specified trust fund;  
2752 requiring the department to provide a report of lands  
2753 surplus to the board of trustees; providing that  
2754 certain lands are ineligible to be surplus;  
2755 providing for retroactive applicability; amending s.  
2756 330.41, F.S.; providing definitions; prohibiting a  
2757 person from knowingly or willfully performing certain  
2758 actions on lands classified as agricultural or on  
2759 private property, state wildlife management lands, or  
2760 a sport shooting and training range; providing  
2761 criminal penalties; providing applicability; creating  
2762 s. 366.20, F.S.; requiring that certain lands acquired  
2763 or owned by an electric utility be offered for fee  
2764 simple acquisition by the department before the land  
2765 may be offered for sale or transferred to a private  
2766 individual or entity; providing retroactive

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2767 applicability; amending s. 366.94, F.S.; defining the  
2768 term "electric vehicle charging station"; authorizing  
2769 the department to adopt rules; requiring local  
2770 governmental entities to issue permits for electric  
2771 vehicle charging stations based on specified standards  
2772 and provisions of law; requiring that an electric  
2773 vehicle charger be registered with the department  
2774 before being placed into service for use by the  
2775 public; providing the department with certain  
2776 authority relating to electric vehicle charging  
2777 stations; providing a penalty; authorizing the  
2778 department to issue an immediate final order to an  
2779 electric vehicle charging station under certain  
2780 circumstances; providing that the department may bring  
2781 an action to enjoin a violation of specified  
2782 provisions or rules; requiring the court to issue a  
2783 temporary or permanent injunction under certain  
2784 circumstances; amending s. 388.011, F.S.; revising the  
2785 definition of the terms "board of commissioners" and  
2786 "district"; defining the term "program"; amending s.  
2787 388.021, F.S.; making a technical change; amending s.  
2788 388.181, F.S.; authorizing programs to perform  
2789 specified actions; amending s. 388.201, F.S.;  
2790 requiring that the tentative work plan budget covering  
2791 the proposed operations and requirements for arthropod

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2792 control measures show the estimated amount to be  
2793 raised by county, municipality, or district taxes;  
2794 requiring that county commissioners' or a similar  
2795 governing body's mosquito control budget be made and  
2796 adopted pursuant to specified provisions and requiring  
2797 that summary figures be incorporated into the county  
2798 budgets as prescribed by the department; amending s.  
2799 388.241, F.S.; providing that certain rights, powers,  
2800 and duties be vested in the board of county  
2801 commissioners or similar governing body of a county or  
2802 municipality; amending s. 388.261, F.S.; increasing  
2803 the amount of state funds, supplies, services, or  
2804 equipment for a certain number of years for any new  
2805 program for the control of mosquitos and other  
2806 arthropods which serves an area not previously served  
2807 by a county, municipality, or district; amending s.  
2808 388.271, F.S.; requiring each program participating in  
2809 arthropod control activities to file a tentative  
2810 integrated arthropod management plan with the  
2811 department by a specified date; conforming provisions  
2812 to changes made by the act; amending s. 388.281, F.S.;  
2813 requiring that all funds, supplies, and services  
2814 released to programs be used in accordance with the  
2815 integrated arthropod management plan and certified  
2816 budget; requiring that such integrated arthropod

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2817 management plan and certified budget be approved by  
2818 both the department and the board of county  
2819 commissioners and an appropriate representative;  
2820 conforming provisions to changes made by the act;  
2821 amending s. 388.291, F.S.; providing that a program  
2822 may perform certain source reduction measures in any  
2823 area providing that the department has approved the  
2824 operating or construction plan as outlined in the  
2825 integrated arthropod management plan; conforming  
2826 provisions to changes made by the act; amending s.  
2827 388.301, F.S.; revising the schedule by which state  
2828 funds for the control of mosquitos and other  
2829 arthropods may be paid; amending ss. 388.311 and  
2830 388.321, F.S.; conforming provisions to changes made  
2831 by the act; amending s. 388.322, F.S.; requiring the  
2832 department to maintain a record and inventory of  
2833 certain property purchased with state funds for  
2834 arthropod control use; amending s. 388.323, F.S.;  
2835 providing that certain equipment no longer needed by a  
2836 program be first offered for sale to other programs  
2837 engaged in arthropod control at a specified price;  
2838 requiring that all proceeds from the sale of certain  
2839 property owned by a program and purchased using state  
2840 funds be deposited in the program's state fund  
2841 account; amending s. 388.341, F.S.; requiring a

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2842 program receiving state aid to submit a monthly report  
2843 of all expenditures from all funds for arthropod  
2844 control by a specified timeframe as may be required by  
2845 the department; amending ss. 388.351 and 388.361,  
2846 F.S.; conforming provisions to changes made by the  
2847 act; amending s. 388.3711, F.S.; revising the  
2848 department's enforcement powers; amending ss. 388.381,  
2849 388.391, and 388.401, F.S.; conforming provisions to  
2850 changes made by the act; amending s. 388.46, F.S.;

2851 revising the composition of the Florida Coordinating  
2852 Council on Mosquito Control; amending s. 403.067,  
2853 F.S.; providing an exception for inspection  
2854 requirements for certain agricultural producers;  
2855 authorizing the department to adopt rules establishing  
2856 an enrollment in best management practices by rule  
2857 process; authorizing the department to identify best  
2858 management practices for specified landowners;  
2859 requiring the department to perform onsite inspections  
2860 annually of a certain percentage of all enrollments  
2861 that meet specified qualifications within a specified  
2862 area; providing requirements for such inspections;  
2863 requiring agricultural producers enrolled by rule in a  
2864 best management practice to submit nutrient records  
2865 annually to the department; requiring the department  
2866 to collect and retain such records; amending s.

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2867 403.852, F.S.; defining the term "water quality  
2868 additive"; amending s. 403.859, F.S.; providing that  
2869 the use of certain additives in a water system which  
2870 do not meet the definition of water quality additive  
2871 or certain other additives is prohibited and violates  
2872 specified provisions; amending s. 482.111, F.S.;  
2873 revising requirements for the renewal of a pest  
2874 control operator's certificate; authorizing a third-  
2875 party vendor to collect and retain a convenience fee;  
2876 amending s. 482.141, F.S.; requiring the department to  
2877 provide in-person and remote testing for the  
2878 examination through a third-party vendor for an  
2879 individual seeking pest control operator  
2880 certification; authorizing a third-party vendor to  
2881 collect and retain a convenience fee; amending s.  
2882 482.155, F.S.; requiring the department to provide in-  
2883 person and remote testing for the examination through  
2884 a third-party vendor for an individual seeking limited  
2885 certification for a governmental pesticide applicator  
2886 or a private applicator; authorizing a third-party  
2887 vendor to collect and retain a convenience fee;  
2888 deleting provisions requiring the department to make  
2889 such examination readily accessible and available to  
2890 all applicants on a specified schedule; amending s.  
2891 482.156, F.S.; requiring the department to provide in-

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2892 person and remote testing for the examination through  
2893 a third-party vendor for an individual seeking a  
2894 limited certification for commercial landscape  
2895 maintenance; authorizing a third-party vendor to  
2896 collect and retain a convenience fee; removing  
2897 provisions requiring the department to make such  
2898 examination readily accessible and available to all  
2899 applicants on a specified schedule; amending s.  
2900 482.157, F.S.; revising requirements for issuance of a  
2901 limited certification for commercial wildlife  
2902 management personnel; authorizing a third-party vendor  
2903 to collect and retain a convenience fee; deleting  
2904 provisions requiring the department to make an  
2905 examination readily accessible and available to all  
2906 applicants on a specified schedule; amending s.  
2907 482.161, F.S.; authorizing the department to take  
2908 specified disciplinary action upon the issuance of a  
2909 final order imposing civil penalties or a criminal  
2910 conviction pursuant to the Federal Insecticide,  
2911 Fungicide, and Rodenticide Act; amending s. 487.044,  
2912 F.S.; requiring the department to provide in-person  
2913 and remote testing through a third-party vendor for  
2914 the examination of an individual seeking a limited  
2915 certification for pesticide application; authorizing a  
2916 third-party vendor to collect and retain a convenience

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2917 fee; amending s. 487.175, F.S.; providing that the  
2918 department may suspend, revoke, or deny licensure of a  
2919 pesticide applicator upon issuance of a final order to  
2920 a licensee which imposes civil penalties or a criminal  
2921 conviction under the Federal Insecticide, Fungicide,  
2922 and Rodenticide Act; amending s. 496.404, F.S.;

2923 defining the terms "controlling interest," "foreign  
2924 country of concern," and "foreign source of concern";  
2925 amending s. 496.405, F.S.; revising which documents a  
2926 charitable organization or sponsor must file before  
2927 engaging in specified activities; requiring that any  
2928 changes to such documents be reported to the  
2929 department on a specified form in a specified  
2930 timeframe; revising the requirements of the charitable  
2931 organization's initial registration statement;

2932 authorizing the department to investigate or refer to  
2933 the Florida Elections Commission certain violations of  
2934 the charitable organization or sponsor; amending s.  
2935 496.415, F.S.; prohibiting specified persons from  
2936 soliciting or accepting anything of value from a  
2937 foreign source of concern; amending s. 496.417, F.S.;

2938 authorizing the department to investigate or refer to  
2939 the Florida Elections Commission certain violations of  
2940 a charitable organization or sponsor; amending s.  
2941 496.419, F.S.; providing penalties for a charitable

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2942 organization or sponsor whose registration is denied  
2943 or revoked for submitting a false attestation;  
2944 creating s. 496.431, F.S.; requiring the department to  
2945 create the Honest Service Registry to provide  
2946 residents with information relating to charitable  
2947 organizations; requiring a charitable organization  
2948 included in the Honest Services Registry to submit an  
2949 attestation statement to the department; requiring the  
2950 department to publish the Honest Services Registry on  
2951 the department's website; requiring the department to  
2952 adopt rules; amending s. 500.03, F.S.; revising the  
2953 definition of the term "cottage food product";  
2954 amending s. 500.12, F.S.; providing that the  
2955 department requires a food permit from any person or  
2956 business that operates a food establishment; revising  
2957 exceptions; revising the schedule for renewing certain  
2958 food permits; authorizing the department to establish  
2959 a single permit renewal date for certain food  
2960 establishments; amending s. 500.166, F.S.; requiring  
2961 certain persons engaged in interstate commerce to  
2962 retain all records that show certain information for a  
2963 specified timeframe; amending s. 500.172, F.S.;  
2964 authorizing the department to facilitate the  
2965 destruction of certain articles that violate specified  
2966 provisions; prohibiting certain persons from certain

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2967 actions without permission from, or in accord with a  
2968 written agreement with, the department; creating s.  
2969 500.75, F.S.; providing that it is unlawful to  
2970 transport or offer to transport, import into this  
2971 state, sell or offer for sale, furnish, or give away  
2972 certain spores or mycelium; providing penalties;  
2973 creating s. 500.93, F.S.; providing definitions;  
2974 requiring the department to adopt rules to enforce the  
2975 Food and Drug Administration's standard of identity  
2976 for milk, meat, poultry, and eggs to prohibit the sale  
2977 of plant-based products mislabeled as milk, meat,  
2978 poultry, or eggs; providing contingent effective  
2979 dates; requiring the department to adopt rules;  
2980 providing construction; repealing s. 501.135, F.S.,  
2981 relating to consumer unit pricing; amending s.  
2982 501.912, F.S.; revising the definition of the term  
2983 "antifreeze"; creating s. 525.19, F.S.; requiring the  
2984 department to create an annual petroleum registration  
2985 program for petroleum owners or operators; requiring  
2986 the department to adopt rules for such registration  
2987 which include specified information; requiring that  
2988 the registration program be free for all registrants;  
2989 authorizing the department to require registrants to  
2990 provide certain information during a state of  
2991 emergency; creating s. 526.147, F.S.; creating the

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2992 Florida Retail Fuel Transfer Switch Modernization  
2993 Grant Program within the department; requiring the  
2994 grant program to provide funds up to a certain amount  
2995 to be used for installation and equipment costs  
2996 relating to installing or modernizing transfer switch  
2997 infrastructure at retail fuel facilities; requiring  
2998 the department to award funds based on specified  
2999 criteria; requiring retail fuel facilities awarded  
3000 grant funds to comply with specified provisions;  
3001 requiring such facilities to install a transfer switch  
3002 with specified capabilities; requiring retail fuel  
3003 facilities to provide specified documentation before  
3004 being awarded funding; prohibiting certain facilities  
3005 from being awarded funding; requiring the department,  
3006 in consultation with the Division of Emergency  
3007 Management, to adopt rules; requiring that such rules  
3008 include specified information; amending s. 531.48,  
3009 F.S.; requiring that certain packages bear specified  
3010 information on the outside of the package; amending s.  
3011 531.49, F.S.; revising requirements for the  
3012 advertising of a packaged commodity; amending s.  
3013 564.06, F.S.; conforming a provision to changes made  
3014 by the act; amending s. 570.07, F.S.; requiring the  
3015 department to foster and encourage the employment and  
3016 retention of qualified veterinary pathologists;

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3017 providing that the department may reimburse the  
3018 educational expenses of certain veterinary  
3019 pathologists who enter into a certain agreement with  
3020 the department; requiring the department to adopt  
3021 certain rules; requiring the department to extend  
3022 certain opportunities to public school students  
3023 enrolled in agricultural education to support Future  
3024 Farmers of America programming; requiring the  
3025 department to use contracts procured by agencies;  
3026 defining the term "agency"; amending s. 570.544, F.S.;  
3027 revising which provisions the director of the Division  
3028 of Consumer Services must enforce; creating s.  
3029 570.546, F.S.; authorizing the department to create a  
3030 process for the bulk renewal of licenses; authorizing  
3031 the department to create a process that will allow  
3032 licensees to align the expiration dates of licenses  
3033 within a specified program; authorizing the department  
3034 to change the expiration date for current licenses for  
3035 a certain purpose; requiring the department to prorate  
3036 the licensing fee for certain licenses; requiring the  
3037 department to adopt rules; creating s. 570.694, F.S.;  
3038 creating the Florida Aquaculture Foundation as a  
3039 direct support organization within the department;  
3040 providing the purpose of the foundation; providing  
3041 governance for the foundation; authorizing the

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3042 department to appoint an advisory committee adjunct to  
3043 the foundation; amending s. 570.822, F.S.; revising  
3044 the definition of the terms "declared natural  
3045 disaster" and "program"; providing that loan funds  
3046 from the department may be used to restock  
3047 aquaculture; authorizing the department to renew a  
3048 loan application under certain circumstances;  
3049 authorizing the department to defer or waive loan  
3050 payments under certain circumstances; creating s.  
3051 570.823, F.S.; providing definitions; establishing the  
3052 silviculture emergency recovery program within the  
3053 department to administer a grant program to assist  
3054 certain timber landowners; requiring that such grants  
3055 be used for certain purposes; requiring that only  
3056 timber lands located on agricultural property are  
3057 eligible for the program; requiring the department to  
3058 coordinate with state agencies to provide financial  
3059 assistance to timber landowners after a specified  
3060 declared emergency; providing construction;  
3061 authorizing the department to adopt rules; providing  
3062 construction; amending s. 581.1843, F.S.; removing  
3063 provisions that exclude certain citrus nurseries from  
3064 certain requirements and that regulate areas around  
3065 the perimeter of commercial citrus nurseries;  
3066 repealing ss. 593.101, 593.102, 593.103, 593.104,

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3067 593.105, 593.106, 593.107, 593.108, 593.109, 593.11,  
3068 593.111, 593.112, 593.113, 593.114, 593.1141,  
3069 593.1142, 593.115, 593.116, and 593.117, F.S.,  
3070 relating to the Florida Boll Weevil Eradication Law;  
3071 definitions; powers and duties of Department of  
3072 Agriculture and Consumer Services; the entry of  
3073 premises to carry out boll weevil eradication  
3074 activities and inspections; reports by persons growing  
3075 cotton; quarantine areas and the regulation of  
3076 articles within a boll weevil eradication zone; the  
3077 regulation of collection, transportation,  
3078 distribution, and movement of cotton; cooperative  
3079 programs for persons engaged in growing, processing,  
3080 marketing, or handling cotton; the department's  
3081 authority to designate eradication zones, prohibit  
3082 planting of cotton, and require participation in  
3083 eradication program; regulation of the pasturage of  
3084 livestock, entry by persons, and location of honeybee  
3085 colonies in eradication zones and other areas;  
3086 eligibility for certification of cotton growers'  
3087 organization; the certification of cotton growers'  
3088 organization; a referendum; an assessment; the  
3089 department's authority to enter agreements with the  
3090 Farm Service Agency; liens; mandamus or injunction;  
3091 penalty for violation; and the handling of moneys

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3092 received, respectively; amending s. 595.404, F.S.;

3093 revising the department's powers and duties regarding

3094 school nutrition programs; amending s. 599.002, F.S.;

3095 renaming the Viticulture Advisory Council as the

3096 Florida Wine Advisory Council; revising the membership

3097 of the Florida Wine Advisory Council; amending s.

3098 599.003, F.S.; renaming the State Viticulture Plan as

3099 the State Wine Plan; amending s. 599.004, F.S.;

3100 providing that wineries that fail to recertify

3101 annually or pay a specified licensing fee are subject

3102 to certain actions and costs; amending s. 599.012,

3103 F.S.; conforming provisions to changes made by the

3104 act; amending s. 616.12, F.S.; removing provisions

3105 requiring a person who operates a minstrel show in

3106 connection with any certain public fairs to pay

3107 specified license taxes; removing a provision that

3108 exempts such person from paying specified taxes;

3109 creating s. 687.16, F.S.; providing a short title;

3110 providing definitions; prohibiting a financial

3111 institution from discriminating in the provision of

3112 financial services to an agricultural producer based

3113 on an ESG factor; providing an inference with regard

3114 to a certain violation; providing that the financial

3115 institution may overcome the inference by making

3116 certain demonstrations regarding its denial or

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3117 restriction of financial services to an agricultural  
3118 producer; authorizing the Attorney General to enforce  
3119 specified provisions; providing that a violation of  
3120 specified provisions constitutes an unfair and  
3121 deceptive trade practice; authorizing the Attorney  
3122 General to investigate and seek remedies for such  
3123 unfair trade practices; authorizing an aggrieved party  
3124 to seek an action for damages; amending s. 741.0305,  
3125 F.S.; conforming a cross-reference; amending s.  
3126 790.06, F.S.; revising the circumstances under which  
3127 the department may temporarily suspend a person's  
3128 license to carry a concealed weapon or concealed  
3129 firearm or the processing of an application for such  
3130 license; requiring the department to notify certain  
3131 licensees or applicants of his or her right to a  
3132 hearing; requiring that the hearing regarding such  
3133 suspension of license be for a limited purpose;  
3134 requiring the department to issue an order lifting the  
3135 suspension of an applicant's license upon a certain  
3136 disposition of the criminal case; requiring that the  
3137 suspension remain in effect upon a certain disposition  
3138 of the criminal case; providing construction;  
3139 providing legislative findings; revising the duties of  
3140 the department after the date of receipt of a  
3141 completed application for a license to carry a

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3142 concealed weapon or concealed firearm; requiring that  
3143 a license issued under this section be temporarily  
3144 suspended or revoked if the license was issued in  
3145 error or if the licensee commits certain actions;  
3146 amending s. 812.0151, F.S.; revising the elements of  
3147 third degree and second degree felony retail fuel  
3148 theft; creating s. 812.136, F.S.; providing  
3149 definitions; providing elements for the crime of mail  
3150 theft; providing elements of theft of or unauthorized  
3151 reproduction of a mail depository key or lock;  
3152 providing criminal penalties; amending s. 934.50,  
3153 F.S.; removing certain exceptions from the prohibited  
3154 uses of drones; creating s. 1013.373, F.S.;  
3155 prohibiting a local government from adopting any  
3156 measure to limit the activities of public educational  
3157 facilities or auxiliary facilities constructed by  
3158 certain organizations; requiring that lands used for  
3159 agricultural education or for the Future Farmers of  
3160 America or 4-H activities be considered agricultural  
3161 lands; reenacting s. 295.07(5)(a), F.S., relating to  
3162 preference in appointment and retention, to  
3163 incorporate the amendment made to s. 110.205, F.S., in  
3164 a reference thereto; reenacting ss. 189.062(1)(a) and  
3165 388.261(7), F.S., relating to special procedures for  
3166 inactive districts and state aid to counties and

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3167 districts for arthropod control, respectively, to  
3168 incorporate the amendment made to s. 388.271, F.S., in  
3169 references thereto; reenacting ss. 482.072(3)(b) and  
3170 482.163, F.S., relating to pest control customer  
3171 contact centers and responsibility for pest control  
3172 activities of employee, respectively, to incorporate  
3173 the amendment made to s. 482.161, F.S., in references  
3174 thereto; reenacting s. 487.156, F.S., relating to  
3175 governmental agencies, to incorporate the amendment  
3176 made to s. 487.044, F.S., in a reference thereto;  
3177 reenacting ss. 496.4055(2) and 496.406(2) and (4),  
3178 F.S., relating to charitable organization or sponsor  
3179 board duties and exemption from registration,  
3180 respectively, to incorporate the amendment made to s.  
3181 496.405, F.S., in references thereto; reenacting s.  
3182 500.80(1)(a), F.S., relating to cottage food  
3183 operations, to incorporate the amendment made to s.  
3184 500.12, F.S., in a reference thereto; reenacting s.  
3185 500.121(6), F.S., relating to disciplinary procedures,  
3186 to incorporate the amendment made to s. 500.172, F.S.,  
3187 in a reference thereto; reenacting s. 790.061, F.S.,  
3188 relating to judges and justices, to incorporate the  
3189 amendment made to s. 790.06, F.S., in a reference  
3190 thereto; providing effective dates.