

1 A bill to be entitled
2 An act relating to Department of Agriculture and
3 Consumer Services; amending s. 110.205, F.S.;
4 providing that certain positions in the department are
5 exempt from the Career Service system; amending s.
6 186.801, F.S.; requiring an electric utility to submit
7 a 10-year site plan for a proposed power plant on
8 certain lands to the county commission where such
9 proposed power plant is located; requiring a county
10 commission receiving such site plans to fulfill
11 certain requirements; amending s. 193.461, F.S.;
12 revising requirements for land to be classified as
13 agricultural; amending s. 201.25, F.S.; conforming a
14 provision to changes made by the act; amending s.
15 330.41, F.S.; defining terms; prohibiting a person
16 from knowingly or willfully performing certain actions
17 on lands classified as agricultural; providing
18 criminal penalties; providing applicability;
19 prohibiting a person from knowingly or willfully
20 performing certain actions on private property, state
21 wildlife management lands, or a sport shooting and
22 training range; providing criminal penalties;
23 providing applicability; creating s. 366.20, F.S.;
24 requiring that certain lands acquired by an electric
25 utility be offered for sale for less than fee simple

26 acquisition of development rights by the state;
27 requiring that certain lands owned by an electric
28 utility be offered for sale for less than fee simple
29 acquisition of development rights by this state before
30 certain circumstances; providing retroactive
31 applicability; amending s. 366.94, F.S.; defining the
32 term "electric vehicle charging station"; authorizing
33 the department to adopt rules; requiring local
34 governmental entities to issue permits for electric
35 vehicle charging stations based on specified standards
36 and provisions of law; requiring an electric vehicle
37 charger to register with the department before being
38 placed into service for use by the public; providing
39 the department with certain authority relating to
40 electric vehicle charging stations; providing a
41 penalty; authorizing the department to issue an
42 immediate final order to an electric vehicle charging
43 station under certain circumstances; providing that
44 the department may bring an action to enjoin a
45 violation of specified provisions or rules; requiring
46 the court to issue a temporary or permanent injunction
47 under certain circumstances; amending s. 388.011,
48 F.S.; revising the definition of "board of
49 commissioners"; defining the term "program"; amending
50 s. 388.021, F.S.; making a technical change; amending

51 s. 388.181, F.S.; authorizing programs to perform
52 specified actions; amending s. 388.201, F.S.;

53 conforming provisions to changes made by the act;

54 requiring that the tentative work plan budget covering

55 the proposed operations and requirements for arthropod

56 control measures show the estimated amount to be

57 raised by county, municipality, or district taxes;

58 requiring that county commissioners' or a similar

59 governing body's mosquito control budget be made and

60 adopted pursuant to specified provisions and requiring

61 that summary figures be incorporated into the county

62 budgets as prescribed by the department; amending s.

63 388.241, F.S.; providing that certain rights, powers,

64 and duties be vested in the board of county

65 commissioners or similar governing body of a county,

66 city, or town; amending s. 388.261, F.S.; increasing

67 the amount of state funds, supplies, services, or

68 equipment for a certain number of years for any new

69 program for the control of mosquitos and other

70 arthropods which serves an area not previously served

71 by a county, municipality, or district; conforming a

72 provision to changes made by the act; amending s.

73 388.271, F.S.; requiring each program participating in

74 arthropod control activities to file a tentative

75 integrated arthropod management plan with the

76 department by a specified date; conforming provisions
77 with changes made by the act; amending s. 388.281,
78 F.S.; requiring that all funds, supplies, and services
79 released to programs be used in accordance with the
80 integrated arthropod management plan and certified
81 budget; requiring that such integrated arthropod
82 management plan and certified budget be approved by
83 both the board of county commissioners and appropriate
84 representative; conforming provisions to changes made
85 by the act; amending s. 388.291, F.S.; providing that
86 a program may perform certain source reduction
87 measures in any area providing that the department has
88 approved the operating or construction plan as
89 outlined in the integrated arthropod management plan;
90 conforming provisions to changes made by the act;
91 amending s. 388.301, F.S.; revising the schedule by
92 which state funds for the control of mosquitos and
93 other arthropods may be paid; conforming provisions to
94 changes made by the act; amending s. 388.311, F.S.;

95 conforming provisions to changes made by the act;
96 amending s. 388.321, F.S.; conforming provisions to
97 changes made by the act; amending s. 388.322, F.S.;

98 requiring the department to maintain a record and
99 inventory of certain property purchased with state
100 funds for arthropod control use; conforming provisions

101 to changes made by the act; amending s. 388.323, F.S.;
102 providing that certain equipment no longer needed by a
103 program be first offered for sale to other programs
104 engaged in arthropod control at a specified price;
105 requiring that all proceeds from the sale of certain
106 property owned by a program and purchased using state
107 funds be deposited in the program's state fund
108 account; conforming provisions to changes made by the
109 act; amending s. 388.341, F.S.; requiring a program
110 receiving state aid to submit a monthly report of all
111 expenditures from all funds for arthropod control by a
112 specified timeframe as may be required by the
113 department; conforming provisions to changes made by
114 the act; amending s. 388.351, F.S.; conforming
115 provisions to changes made by the act; amending s.
116 388.361, F.S.; conforming provisions to changes made
117 by the act; amending s. 388.3711, F.S.; revising the
118 department's enforcement powers; amending s. 388.381,
119 F.S.; conforming provisions to changes made by the
120 act; amending s. 388.391, F.S.; conforming provisions
121 to changes made by the act; amending s. 388.401, F.S.;
122 conforming provisions to changes made by the act;
123 amending s. 388.46, F.S.; revising the composition of
124 the Florida Coordinating Council on Mosquito Control;
125 amending s. 403.067, F.S.; providing an exception for

126 | which agricultural producers the department must
127 | perform onsite inspections for; authorizing the
128 | department to adopt rules establishing an enrollment
129 | in best management practices by rule process;
130 | authorizing the department to identify best management
131 | practices for specified landowners; requiring the
132 | department to annually perform onsite inspections of a
133 | certain percentage of all enrollments that meet
134 | specified qualifications within a specified area;
135 | providing requirements for such inspections; requiring
136 | agricultural producers enrolled by rule in a best
137 | management practice to annually submit nutrient
138 | records to the department; requiring the department to
139 | collect and retain such records; amending s. 403.852,
140 | F.S.; defining the term, "water quality additive";
141 | amending s. 403.859, F.S.; providing that the use of
142 | certain additives in a water system which do not meet
143 | the definition of water quality additive or certain
144 | other additives is prohibited and violates specified
145 | provisions; amending s. 482.111, F.S.; revising
146 | requirements for the renewal of a pest control
147 | operator's certificate; authorizing a third-party
148 | vendor to collect and retain a convenience fee;
149 | amending s. 482.141, F.S.; requiring the department to
150 | provide in-person and remote testing for the

151 examination through a third-party vendor for an
152 individual seeking pest control operator
153 certification; authorizing a third-party vendor to
154 collect and retain a convenience fee; amending s.
155 482.155, F.S.; requiring the department to provide in-
156 person and remote testing for the examination through
157 a third-party vendor for an individual seeking limited
158 certification for a governmental pesticide applicator
159 or a private applicator; authorizing a third-party
160 vendor to collect and retain a convenience fee;
161 deleting provisions requiring the department to make
162 such examination readily accessible and available to
163 all applicants on a specified schedule; amending s.
164 482.156, F.S.; requiring the department to provide in-
165 person and remote testing for the examination through
166 a third-party vendor for an individual seeking a
167 limited certification for commercial landscape
168 maintenance; authorizing a third-party vendor to
169 collect and retain a convenience fee; deleting
170 provisions requiring the department to make such
171 examination readily accessible and available to all
172 applicants on a specified schedule; amending s.
173 482.157, F.S.; revising requirements for issuance of a
174 limited certification for commercial wildlife
175 management personnel; authorizing a third-party vendor

176 to collect and retain a convenience fee; deleting
177 provisions requiring the department to make an
178 examination readily accessible and available to all
179 applicants on a specified schedule; amending s.
180 482.161, F.S.; authorizing the department to take
181 specified disciplinary action upon the issuance of a
182 final order imposing civil penalties or a criminal
183 conviction pursuant to the Federal Insecticide,
184 Fungicide, and Rodenticide Act; amending s. 487.044,
185 F.S.; requiring the department to provide in-person
186 and remote testing through a third-party vendor for
187 the examination of an individual seeking a limited
188 certification for pesticide application; authorizing a
189 third-party vendor to collect and retain a convenience
190 fee; amending s. 487.175, F.S.; providing that the
191 department may suspend, revoke, or deny licensure of a
192 pesticide applicator upon issuance of a final order to
193 a licensee which imposes civil penalties or a criminal
194 conviction under the Federal Insecticide, Fungicide,
195 and Rodenticide Act; amending s. 496.404, F.S.;
196 defining the terms "foreign country of concern" and
197 "foreign source of concern"; amending s. 496.405,
198 F.S.; revising which documents a charitable
199 organization or sponsor must file before engaging in
200 specified activities; requiring that any changes to

201 such documents be reported to the department on a
202 specified form in a specified timeframe; revising the
203 requirements of the charitable organization's initial
204 registration statement; authorizing the department to
205 investigate or refer to the Florida Elections
206 Commission certain violations of the charitable
207 organization or sponsor; amending s. 496.415, F.S.;
208 prohibiting specified persons from soliciting or
209 accepting anything of value from a foreign source of
210 concern; amending s. 496.417, F.S.; authorizing the
211 department to investigate or refer to the Florida
212 Elections Commission certain violations of a
213 charitable organization or sponsor; amending s.
214 496.419, F.S.; prohibiting a charitable organization
215 or sponsor from registering as a charitable
216 organization for a specified timeframe if the
217 charitable organization or sponsor submits a false
218 attestation; prohibiting specified persons from
219 serving in any capacity in the charitable organization
220 for a specified timeframe if such person was serving
221 in such charitable organization at the time the
222 charitable organization submitted a false attestation;
223 creating s. 496.431, F.S.; requiring the department to
224 create the Honest Service Registry to provide
225 residents with information relating to charitable

226 organizations; requiring a charitable organization
227 included in the Honest Services Registry to submit an
228 attestation statement to the department; requiring the
229 department to publish the Honest Services Registry on
230 the department's website; requiring the department to
231 adopt rules; amending s. 500.03, F.S.; revising the
232 definition of the term "cottage food product";
233 amending s. 500.12, F.S.; providing that the
234 department requires a food permit from any person or
235 business that operates a food establishment; revising
236 exceptions; revising the schedule for renewing certain
237 food permits; authorizing the department to establish
238 a single permit renewal date for certain food
239 establishments; amending s. 500.166, F.S.; requiring
240 certain persons engaged in interstate commerce to
241 retain all records that show certain information for a
242 specified timeframe; amending s. 500.172, F.S.;
243 authorizing the department to facilitate the
244 destruction of certain articles that violate specified
245 provisions; prohibiting certain persons from certain
246 actions without permission from, or in accord with a
247 written agreement with, the department; creating s.
248 500.75, F.S.; providing that it is unlawful to import,
249 sell, offer for sale, furnish, or give away certain
250 spores or mycelium; providing a penalty for

251 | violations; creating s. 500.93, F.S.; defining terms;
252 | requiring the department to adopt rules to enforce the
253 | Food and Drug Administration's (FDA's) standard of
254 | identity for milk to prohibit the sale of plant-based
255 | product mislabeled as milk; providing a contingent
256 | effective date; requiring the department to adopt
257 | rules to enforce the FDA's standard of identity for
258 | meat, poultry, and poultry products to prohibit the
259 | sale of plant-based product mislabeled as meat;
260 | providing a contingent effective date; requiring the
261 | department to adopt rules; providing construction;
262 | repealing s. 501.135, F.S., relating to consumer unit
263 | pricing; amending s. 501.912, F.S.; revising the
264 | definition of "antifreeze"; creating s. 525.19, F.S.;
265 | requiring the department to create an annual petroleum
266 | registration program for petroleum owners or operators
267 | who own and operate vehicles for transporting
268 | petroleum; requiring the department to adopt rules for
269 | such registration which include specified information;
270 | requiring that the registration program be free for
271 | all registrants; authorizing the department to require
272 | registrants to provide certain information during a
273 | state of emergency; creating s. 526.147, F.S.;
274 | creating the Florida Retail Fuel Transfer Switch
275 | Modernization Grant Program within the department;

276 requiring the grant program to provide funds up to a
277 certain amount to be used for installation and
278 equipment costs related to installing or modernizing
279 transfer switch infrastructure at retail fuel
280 facilities; requiring the department to award funds
281 based on specified criteria; requiring retail fuel
282 facilities awarded grant funds to comply with
283 specified provisions; requiring such facilities to
284 install a transfer switch with specified capabilities;
285 requiring retail fuel facilities to provide specified
286 documentation before being awarded funding;
287 prohibiting certain facilities from being awarded
288 funding; requiring the department, in consultation
289 with the Division of Emergency Management, to adopt
290 rules; requiring that such rules include specified
291 information; amending s. 531.48, F.S.; requiring that
292 certain packages bear specified information on the
293 outside of the package; amending s. 531.49, F.S.;

294 revising requirements for the advertising of a
295 packaged commodity; amending s. 570.07, F.S.;

296 requiring the department to foster and encourage the
297 employment and retention of qualified veterinary
298 pathologists; providing that the department may
299 reimburse the educational expenses of certain
300 veterinary pathologists who enter into a certain

301 agreement with the department; requiring the
302 department to administer rules; requiring the
303 department to extend certain opportunities to public
304 school students enrolled in agricultural education to
305 support Future Farmers of America programming;
306 amending s. 570.544, F.S.; revising which provisions
307 the director of the Division of Consumer Services must
308 enforce; creating s. 570.546, F.S.; authorizing the
309 department to create a process for the bulk renewal of
310 licenses; authorizing the department to create a
311 process that will allow licensees to align the
312 expiration dates of licenses within a specified
313 program; authorizing the department to change the
314 expiration date for current licenses for a certain
315 purpose; requiring the department to pro-rate the
316 licensing fee for certain licenses; requiring the
317 department to adopt rules; amending s. 570.822, F.S.;
318 defining the term "declared emergency"; revising the
319 definition of the term "program"; providing that loan
320 funds from the department may be used restock
321 aquaculture; authorizing the department to renew a
322 loan application under certain circumstances;
323 authorizing the department to defer or waive loan
324 payments under certain circumstances; conforming
325 provisions to changes made by the act; creating s.

326 570.823, F.S.; defining terms; establishing the
 327 silviculture emergency recovery program within the
 328 department to administer a grant program to assist
 329 certain timber landowners; requiring that such grants
 330 be used for certain purposes; requiring that only
 331 timber lands located on agricultural property are
 332 eligible for the program; requiring the department to
 333 coordinate with state agencies to provide financial
 334 assistance to timber landowners after a specified
 335 declared emergency; providing construction;
 336 authorizing the department to adopt rules to implement
 337 this section; providing construction; amending s.
 338 581.1843, F.S.; deleting provisions that exclude
 339 certain citrus nurseries from certain requirements;
 340 deleting provisions relating to regulated areas around
 341 the perimeter of commercial citrus nurseries;
 342 repealing ss. 593.101, 593.103, 593.104, 593.105,
 343 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,
 344 593.112, 593.113, 593.114, 593.1141, 593.1142,
 345 593.115, 593.116, 593.117, F.S., relating to the
 346 Florida Boll Weevil Eradication Law; definitions;
 347 powers and duties of Department of Agriculture and
 348 Consumer Services; the entry of premises to carry out
 349 boll weevil eradication activities and inspections;
 350 reports by persons growing cotton; quarantine areas

351 and the regulation of articles within a boll weevil
352 eradication zone; the regulation of collection,
353 transportation, distribution, and movement of cotton;
354 cooperative programs for persons engaged in growing,
355 processing, marketing, or handling cotton; the
356 department's authority to designate eradication zones,
357 prohibit planting of cotton, and require participation
358 in eradication program; regulation of the pasturage of
359 livestock, entry by persons, and location of honeybee
360 colonies in eradication zones and other areas;
361 eligibility for certification of cotton growers'
362 organization; the certification of cotton growers'
363 organization; a referendum; an assessment; the
364 department's authority to enter agreements with the
365 Farm Service Agency; liens; mandamus or injunction;
366 penalty for violation; and the handling of moneys
367 received, respectively; amending s. 595.404, F.S.;
368 revising the department's powers and duties regarding
369 school nutrition programs; amending s. 599.002, F.S.;
370 renaming the Viticulture Advisory Council as the
371 Florida Wine Advisory Council; revising the membership
372 of the Florida Wine Advisory council; conforming
373 provisions to changes made by the act; amending s.
374 599.003, F.S.; renaming the State Viticulture Plan as
375 the State Wine Plan; conforming provisions to changes

376 made by the act; amending s. 599.004, F.S.; making
377 technical changes; providing that wineries that fail
378 to recertify annually or pay a specified licensing fee
379 are subject to certain actions and costs; conforming
380 provisions to changes made by the act; amending s.
381 599.012, F.S.; conforming provisions to changes made
382 by the act; amending s. 616.12, F.S.; deleting
383 provisions requiring a person who operates a minstrel
384 show in connection with any certain public fairs to
385 pay specified license taxes; deleting a provision that
386 exempts such person from paying specified taxes;
387 creating s. 687.16, F.S.; providing a short title;
388 defining terms; prohibiting a financial institution
389 from discriminating in the provision of financial
390 services to an agricultural producer based on an ESG
391 factor; providing an inference with regard to a
392 certain violation; providing that the financial
393 institution may overcome the inference by making
394 certain demonstrations regarding its denial or
395 restriction of financial services to an agricultural
396 producer; authorizing the Attorney General to enforce
397 specified provisions; providing that a violation of
398 specified provisions constitutes an unfair and
399 deceptive trade practice; authorizing the Attorney
400 General to investigate and seek remedies for such

401 unfair trade practices; authorizing an aggrieved party
402 to seek an action for damages; amending s. 741.0305,
403 F.S.; conforming a cross-reference; amending s.
404 790.06, F.S.; revising the circumstances under which
405 the department may temporarily suspend a person's
406 license to carry a concealed weapon or concealed
407 firearm or the processing of an application for such
408 license; requiring the department to notify certain
409 licensees or applicants of his or her right to a
410 hearing; requiring that the hearing regarding such
411 suspension of license be for a limited purpose;
412 requiring the department to issue a court an order
413 lifting the suspension of an applicant's license upon
414 a certain disposition of the criminal case; requiring
415 that the suspension remain in effect upon a certain
416 disposition of the criminal case; providing
417 construction; providing legislative findings; revising
418 the duties of the department after the date of receipt
419 of a completed application for a license to carry a
420 concealed weapon or concealed firearm; requiring that
421 a license issued under this section be temporarily
422 suspended or revoked if the license was issued in
423 error or if the licensee commits certain actions;
424 amending s. 790.33, F.S.; specifying requirements for
425 the assessment of certain civil fines and attorney

426 fees and costs; amending s. 812.0151, F.S.; revising
427 the elements of third degree and second degree felony
428 retail fuel theft; creating s. 812.136, F.S.; defining
429 terms; providing elements for the crime of mail theft;
430 providing elements of theft of or unauthorized
431 reproduction of a mail depository key or lock;
432 providing criminal penalties; creating s. 1013.373,
433 F.S.; prohibiting a local government from adopting any
434 measure to limit the activities of public educational
435 facilities or auxiliary facilities constructed by
436 certain organizations; requiring that lands used for
437 agricultural education or for the Future Farmers of
438 America or 4-H activities be considered agricultural
439 lands; reenacting s. 295.07(5)(a), F.S., relating to
440 preference in appointment and retention, to
441 incorporate the amendment made to s. 110.205, F.S., in
442 references thereto; reenacting ss. 125.01(1)(r),
443 163.3162(3)(a)-(d), 163.3163(3)(c), 163.3164(4),
444 163.3194(5), 170.01(4), 193.052(2), 193.4615,
445 212.08(5)(a) and (19)(a), 373.406(2), 403.182(11)(a),
446 403.9337(4), 472.029(2)(d), 474.2021(5),
447 474.2165(4)(d), 487.081(6), 570.85(1), 570.87(1),
448 570.94(3), 582.19(1)(a), 586.055, 604.50(2)(d),
449 604.73(3)(b), 692.201(1), 741.30(5)(a) and (6)(a),
450 810.011(5)(a), 823.14(6), and 604.50(2)(a), F.S.,

451 relating to powers and duties; agricultural lands and
452 practices; applications for development permits;
453 community planning act; legal status of comprehensive
454 plan; authority for providing improvements and levying
455 and collecting special assessments against property
456 benefited; preparation and serving of returns;
457 assessment of obsolete agricultural equipment; storage
458 tax; exemptions; local pollution control programs; the
459 Model Ordinance for Florida-Friendly Fertilizer Use on
460 Urban Landscapes; authorization to enter lands of
461 third parties; veterinary telehealth; ownership and
462 control of veterinary medical patient records;
463 exemptions; agritourism; agritourism participation
464 impact on land classification; best management
465 practices for wildlife; qualifications and tenure of
466 supervisors; location of apiaries; nonresidential farm
467 buildings; urban agriculture pilot projects;
468 definitions; definitions; domestic violence; and the
469 Florida Right to Farm Act, respectively, to
470 incorporate the amendment made to s. 193.461, F.S., in
471 references thereto; reenacting ss. 189.062(1)(a) and
472 388.261(7), F.S., relating to special procedures for
473 inactive districts and state aid to counties and
474 districts for arthropod control, respectively, to
475 incorporate the amendment made to s. 388.271, F.S., in

476 references thereto; reenacting ss. 482.072(3)(b) and
477 482.163, relating to pest control customer contact
478 centers and responsibility for pest control activities
479 of employee, respectively, to incorporate the
480 amendment made to s. 482.161, F.S., in references
481 thereto; reenacting s. 487.156, F.S., relating to
482 governmental agencies, to incorporate the amendment
483 made to s. 487.044, F.S., in a reference thereto;
484 reenacting ss. 496.4055(2) and 496.406(2) and (4),
485 F.S., relating to charitable organization or sponsor
486 board duties and exemption from registration,
487 respectively, to incorporate the amendment made to s.
488 496.405, F.S., in references thereto; reenacting s.
489 500.80(1)(a), F.S., relating to cottage food
490 operations, to incorporate the amendment made to s.
491 500.12, F.S., in a reference thereto; reenacting s.
492 500.121(6), F.S., relating to disciplinary procedures,
493 to incorporate the amendment made to s. 500.172, F.S.,
494 in a reference thereto; reenacting s. 790.061, F.S.,
495 relating to judges and justices, to incorporate the
496 amendment made to s. 790.06, F.S., in a reference
497 thereto; providing an effective date.

498

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

500

501 **Section 1. Paragraph (m) of subsection (2) of section**
 502 **110.205, Florida Statutes, is amended to read:**

503 110.205 Career service; exemptions.—

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

506 (m) All assistant division director, deputy division
 507 director, and bureau chief positions in any department, and
 508 those positions determined by the department to have managerial
 509 responsibilities comparable to such positions, which include,
 510 but are not limited to:

511 1. Positions in the Department of Health and the
 512 Department of Children and Families which are assigned primary
 513 duties of serving as the superintendent or assistant
 514 superintendent of an institution.

515 2. Positions in the Department of Corrections which are
 516 assigned primary duties of serving as the warden, assistant
 517 warden, colonel, or major of an institution or that are assigned
 518 primary duties of serving as the circuit administrator or deputy
 519 circuit administrator.

520 3. Positions in the Department of Transportation which are
 521 assigned primary duties of serving as regional toll managers and
 522 managers of offices, as specified in s. 20.23(3)(b) and (4)(c).

523 4. Positions in the Department of Environmental Protection
 524 which are assigned the duty of an Environmental Administrator or
 525 program administrator.

526 5. Positions in the Department of Health which are
527 assigned the duties of Environmental Administrator, Assistant
528 County Health Department Director, and County Health Department
529 Financial Administrator.

530 6. Positions in the Department of Highway Safety and Motor
531 Vehicles which are assigned primary duties of serving as
532 captains in the Florida Highway Patrol.

533 7. Positions in the Department of Agriculture and Consumer
534 Services which are assigned primary duties of serving as
535 captains or majors in the Office of Agricultural Law
536 Enforcement.

537
538 Unless otherwise fixed by law, the department shall set the
539 salary and benefits of the positions listed in this paragraph in
540 accordance with the rules established for the Selected Exempt
541 Service.

542 **Section 2. Present subsections (3) and (4) of section**
543 **186.801, Florida Statutes, are redesignated as subsections (4)**
544 **and (5), respectively, a new subsection (3) is added to that**
545 **section, and subsection (1) of that section is amended, to read:**

546 186.801 Ten-year site plans.—

547 (1) Each electric utility shall submit to the Public
548 Service Commission a 10-year site plan which shall estimate its
549 power-generating needs and the general location of its proposed
550 power plant sites. If the proposed power plant site is located

551 on land that has, at any time during the previous 5 years, been
552 classified as agricultural lands pursuant to s. 193.461, the
553 electric utility must submit the plan to the county commission
554 of the county in which the proposed site is located. The county
555 commission shall comply with subsection (3). The 10-year plan
556 shall be reviewed and submitted not less frequently than every 2
557 years.

558 (3) A county commission that receives 10-year site plans
559 from electric utilities pursuant to subsection (1) must do all
560 of the following:

561 (a) Adhere to the same processes and procedures provided
562 in this section for the Public Service Commission.

563 (b) Provide the Public Service Commission with the county
564 commission's findings upon completion of the preliminary study
565 of the proposed plan.

566 **Section 3. Paragraph (b) of subsection (3) of section**
567 **193.461, Florida Statutes, is amended to read:**

568 193.461 Agricultural lands; classification and assessment;
569 mandated eradication or quarantine program; natural disasters.—

570 (3)

571 (b) Subject to the restrictions specified in this section,
572 only lands that are used primarily for bona fide agricultural
573 purposes shall be classified agricultural. The term "bona fide
574 agricultural purposes" means good faith commercial agricultural
575 use of the land.

576 1. In determining whether the use of the land for
577 agricultural purposes is bona fide, the following factors may be
578 taken into consideration:

579 a. The length of time the land has been so used.

580 b. Whether the use has been continuous.

581 c. The purchase price paid.

582 d. Size, as it relates to specific agricultural use, but a
583 minimum acreage may not be required for agricultural assessment.

584 e. Whether an indicated effort has been made to care
585 sufficiently and adequately for the land in accordance with
586 accepted commercial agricultural practices, including, without
587 limitation, fertilizing, liming, tilling, mowing, reforesting,
588 and other accepted agricultural practices.

589 f. Whether the land is under lease and, if so, the
590 effective length, terms, and conditions of the lease.

591 g. Such other factors as may become applicable.

592 2. Offering property for sale does not constitute a
593 primary use of land and may not be the basis for denying an
594 agricultural classification if the land continues to be used
595 primarily for bona fide agricultural purposes while it is being
596 offered for sale.

597 3. Lands owned or leased by an electric utility as defined
598 in s. 361.11(2) which may also be the site of solar energy
599 systems as defined in s. 212.02(26) and bona fide agricultural
600 uses of the land, and which comply with all other provisions of

601 this section, must be classified agricultural by the property
 602 appraiser.

603 **Section 4. Subsection (3) of section 201.25, Florida**
 604 **Statutes, is amended to read:**

605 201.25 Tax exemptions for certain loans.—There shall be
 606 exempt from all taxes imposed by this chapter:

607 (3) Any loan made by the Agriculture and Aquaculture
 608 Producers Emergency Natural Disaster Recovery Loan Program
 609 pursuant to s. 570.822.

610 **Section 5. Present paragraphs (a) through (d) and (e) of**
 611 **subsection (2) and subsection (6) of section 330.41, Florida**
 612 **Statutes, are redesignated as paragraphs (b) through (e) and (j)**
 613 **of subsection (2) and subsection (8), respectively, new**
 614 **paragraphs (a) and (f) and paragraphs (g), (h), and (i) are**
 615 **added to subsection (2) and new subsection (6) and subsection**
 616 **(7) are added to that section, and paragraph (d) of subsection**
 617 **(4) of that section is amended, to read:**

618 330.41 Unmanned Aircraft Systems Act.—

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

620 (a) "Commercial property" means real property other than
 621 residential property. The term includes, but is not limited to,
 622 a property zoned multifamily residential which is composed of
 623 five or more dwelling units, and real property used for
 624 commercial, industrial, or agricultural purposes.

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

626 property.

627 (g) "Property owner" means the owner or owners of record
 628 of real property. The term includes real property held in trust
 629 for the benefit of one or more individuals, in which case the
 630 individual or individuals may be considered as the property
 631 owner or owners, provided that the trustee provides written
 632 consent. The term does not include persons renting, using,
 633 living, or otherwise occupying real property.

634 (h) "Residential property" means real property zoned as
 635 residential or multifamily residential and composed of four or
 636 fewer dwelling units.

637 (i) "Sport shooting and training range" has the same
 638 meaning as s. 790.333(3)(h).

639 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

644 (6) PROTECTION OF AGRICULTURAL LANDS.—

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

648 1. Operate a drone.

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

651 3. Allow a drone to come within close enough distance of
652 such lands to interfere with or cause a disturbance to
653 agricultural production.

654 (b) A person who violates paragraph (a) commits a
655 misdemeanor of the second degree, punishable as provided in s.
656 775.082 or s. 775.083. A person who commits a second or
657 subsequent violation commits a misdemeanor of the first degree,
658 punishable as provided in s. 775.082 or s. 775.083.

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

661 1. The owner of the agricultural lands, or a person acting
662 under the prior written consent of the owner of the agricultural
663 lands.

664 2. A law enforcement agency that is in compliance with s.
665 934.50 or a person under contract with or otherwise acting under
666 the direction of such law enforcement agency.

667 3. A federal, state, or other governmental entity, or a
668 person under contract with or otherwise acting under the
669 direction of a federal, state, or other governmental entity.

670 (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING
671 LANDS.—

672 (a) A person may not knowingly or willfully do any of the
673 following on private property, state wildlife management lands,
674 or a sport shooting and training range:

675 1. Operate a drone.

676 2. Allow a drone to make contact with such property or any
677 person or object on the premises of or within such property with
678 the intent to harass.

679 (b) A person who violates paragraph (a) commits a
680 misdemeanor of the second degree, punishable as provided in s.
681 775.082 or s. 775.083. A person who commits a second or
682 subsequent violation commits a misdemeanor of the first degree,
683 punishable as provided in s. 775.082 or s. 775.083.

684 (c) A person who violates paragraph (a) and records video
685 of the private property, state wildlife management lands, or
686 sport shooting and training range, including any person or
687 object on the premises of or within the private property, state
688 wildlife management lands, or sport shooting and training range,
689 commits a misdemeanor of the first degree, punishable as
690 provided in s. 775.082 or s. 775.083. A person who commits a
691 second or subsequent violation commits a felony of the third
692 degree, punishable as provided in s. 775.082, s. 775.083, or s.
693 775.084.

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

696 1. The property owner of the private property or sport
697 shooting and training range, or a person acting under the prior
698 written consent of the property owner.

699 2. A law enforcement agency that is in compliance with s.
700 934.50 or a person under contract with or otherwise acting under

701 the direction of such law enforcement agency.

702 3. A federal, state, or other governmental entity, or a
703 person under contract with or otherwise acting under the
704 direction of a federal, state, or other governmental entity.

705 **Section 6. Section 366.20, Florida Statutes, is created to**
706 **read:**

707 366.20 Sale and management of lands owned by electric
708 utilities.—

709 (1) Lands acquired by an electric utility as defined in s.
710 361.11(2) which have been classified as agricultural lands
711 pursuant to s. 193.461 at any time in the 5 years preceding the
712 acquisition of the land by the electric utility, must be offered
713 for less than fee simple acquisition of development rights by
714 the state.

715 (2) Lands owned by an electric utility as defined in s.
716 361.11(2) which were classified as agricultural lands pursuant
717 to s. 193.461 at any time in the 5 years preceding the date of
718 acquisition of the land by the electric utility must be offered
719 for less than fee simple acquisition of development rights by
720 this state before offering for sale or transferring the land to
721 a private individual or entity.

722 (3) This section is retroactive to January 1, 2024.

723 **Section 7. Present paragraphs (3) and (4) of section**
724 **366.94, Florida Statutes, are redesignated as subsections (4)**
725 **and (5), respectively, a new subsection (3) is added to that**

726 **section, and subsection (2) of that section is amended, to read:**

727 366.94 Electric vehicle charging.—

728 (2) (a) As used in this section, the term "electric vehicle
729 charging station" means the area in the immediate vicinity of
730 electric vehicle supply equipment and includes the electric
731 vehicle supply equipment, supporting equipment, and associated
732 parking spaces. The regulation of electric vehicle charging
733 stations is preempted to the state.

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

737 (3) (a) ~~(b)~~ The Department of Agriculture and Consumer
738 Services shall adopt rules to implement this subsection and to
739 provide requirements for electric vehicle charging stations to
740 allow for consistency for consumers and the industry.

741 (b) The department may adopt rules to protect the public
742 health, safety, and welfare and establish standards for the
743 placement, design, installation, maintenance, and operation of
744 electric vehicle charging stations.

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

750 (d) Before a charger at an electric vehicle charging

751 station is placed into service for use by the public, the
752 charger must be registered with the department on a form
753 prescribed by department rule.

754 (e) The department shall have the authority to inspect
755 electric vehicle charging stations, conduct investigations, and
756 enforce the provisions of this subsection and any rules adopted
757 under this subsection. The department may impose one or more of
758 the following penalties against a person who violates this
759 subsection or any rule adopted under this subsection:

760 1. Issuance of a warning letter.

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

763 (f) If the department determines that an electric vehicle
764 charging station or any associated equipment presents a threat
765 to the public health, safety, or welfare, the department may
766 issue an immediate final order prohibiting the use of the
767 electric vehicle charging station or any portion thereof.

768 (g) In addition to the remedies provided in this
769 subsection, and notwithstanding the existence of any adequate
770 remedy at law, the department may bring an action to enjoin a
771 violation of this subsection or rules adopted under this
772 subsection in the circuit court of the county in which the
773 violation occurs or is about to occur. Upon demonstration of
774 competent and substantial evidence by the department to the
775 court of the violation or threatened violation, the court shall

776 immediately issue the temporary or permanent injunction sought
777 by the department. The injunction shall be issued without bond.

778 **Section 8. Present subsections (10) and (11) of section**
779 **388.011, Florida Statutes, are redesignated as subsections (11)**
780 **and (12), respectively, a new subsection (10) is added to that**
781 **section, and subsections (2) and (5) of that section are**
782 **amended, to read:**

783 388.011 Definitions.—As used in this chapter:

784 (2) "Board of commissioners" means the governing body of
785 any mosquito control programs district, and may include boards
786 of county commissioners, city councils, municipalities, or other
787 similar governing bodies when context so indicates.

788 (5) "District" means any mosquito control special district
789 established in this state by law for the express purpose of
790 controlling arthropods within boundaries of said districts.

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

794 **Section 9. Section 388.021, Florida Statutes, is amended**
795 **to read:**

796 388.021 Creation of mosquito control special districts.—

797 (1) The abatement or suppression of arthropods, whether
798 disease-bearing or merely pestiferous, within any or all
799 counties of this state is advisable and necessary for the
800 maintenance and betterment of the comfort, health, and welfare

801 of the people thereof and is found and declared to be for public
 802 purposes. Areas where arthropods incubate, hatch, or occur in
 803 significant numbers so as to constitute a public health,
 804 welfare, or nuisance problem may be controlled or abated as
 805 provided in this chapter or the rules promulgated hereunder.
 806 Therefore, any municipality ~~city~~, town, or county, or any
 807 portion or portions thereof, whether such portion or portions
 808 include incorporated territory or portions of two or more
 809 counties in the state, may be created into a special taxing
 810 district for the control of arthropods under the provisions of
 811 this chapter.

812 (2) It is the legislative intent that those mosquito
 813 control districts established prior to July 1, 1980, pursuant to
 814 the petition process contained in former s. 388.031, may
 815 continue to operate as outlined in this chapter. However, on and
 816 after that date, no mosquito control districts may be created
 817 except pursuant to s. 125.01.

818 **Section 10. Section 388.181, Florida Statutes, is amended**
 819 **to read:**

820 388.181 Power to do all things necessary.—The respective
 821 programs ~~districts~~ of the state are hereby fully authorized to
 822 do and perform all things necessary to carry out the intent and
 823 purposes of this law.

824 **Section 11. Subsections (1), (2), (4), and (5) of section**
 825 **388.201, Florida Statutes, are amended to read:**

826 388.201 Program ~~District~~ budgets; hearing.—

827 (1) The fiscal year of programs ~~districts~~ operating under
828 the provisions of this chapter shall be the 12-month period
829 extending from October 1 of one year through September 30 of the
830 following year. The governing board of the programs ~~district~~
831 shall before July 15 of each year complete the preparation of a
832 tentative detailed work plan budget covering its proposed
833 operations and requirements for arthropod control measures
834 during the ensuing fiscal year and, for the purpose of
835 determining eligibility for state aid, shall submit copies as
836 may be required to the department for review and approval. The
837 tentative detailed work plan budget shall set forth, classified
838 by account number, title and program items, and by fund from
839 which to be paid, the proposed expenditures of the program
840 ~~district~~ for construction, for acquisition of land, and other
841 purposes, for the operation and maintenance of the program's
842 ~~district's~~ works, the conduct of the program ~~district~~ generally,
843 to which may be added an amount to be held as a reserve.

844 (2) The tentative detailed work plan budget shall also
845 show the estimated amount which will appear at the beginning of
846 the fiscal year as obligated upon commitments made but
847 uncompleted. There shall be shown the estimated unobligated or
848 net balance which will be on hand at the beginning of the fiscal
849 year and the estimated amount to be raised by county,
850 municipality, or district taxes and from any and all other

851 sources for meeting the program's ~~the district's~~ requirements.

852 (4) The governing board:

853 (a) Shall consider objections filed against adoption of
854 the tentative detailed work plan budget and in its discretion
855 may amend, modify, or change such budget; and

856 (b) Shall by September 30 adopt and execute on a form
857 furnished by the department a certified budget for the programs
858 ~~district~~ which shall be the operating and fiscal guide for the
859 program ~~district~~. Certified copies of this budget shall be
860 submitted by September 30 to the department for approval.

861 (5) County commissioners' mosquito and arthropod control
862 budgets or the budgets of or similar governing body of said
863 county, city, or town's shall be made and adopted as prescribed
864 by subsections (1) and (2); summary figures shall be
865 incorporated into the county budgets as prescribed by the
866 Department of Financial Services.

867 **Section 12. Section 388.241, Florida Statutes, is amended**
868 **to read:**

869 388.241 Board of county commissioners vested with powers
870 and duties of board of commissioners in certain counties.—In
871 those counties or cities where there has been no formation of a
872 separate or special board of commissioners, all the rights,
873 powers, and duties of a board of commissioners as conferred in
874 this chapter shall be vested in the board of county
875 commissioners or similar governing body of said county or city.

876 **Section 13. Subsections (1), (2), and (5) through (8) of**
 877 **section 388.261, Florida Statutes, are amended to read:**

878 388.261 State aid to counties, municipalities, and
 879 districts for arthropod control; distribution priorities and
 880 limitations.-

881 (1) A county or district may, without contributing
 882 matching funds, receive state funds, supplies, services, or
 883 equipment in an amount of no more than \$75,000 ~~\$50,000~~ per year
 884 for up to 3 years for any new program for the control of
 885 mosquitoes and other arthropods which serves an area not
 886 previously served by the county, municipality, or district.
 887 These funds may be expended for any and all types of control
 888 measures approved by the department.

889 (2) Every county, municipality, or district budgeting
 890 local funds to be used exclusively for the control of mosquitoes
 891 and other arthropods, under a plan submitted by the county,
 892 municipality, or district and approved by the department, is
 893 eligible to receive state funds and supplies, services, and
 894 equipment on a dollar-for-dollar matching basis to the amount of
 895 local funds budgeted. If state funds appropriated by the
 896 Legislature are insufficient to grant each county, municipality,
 897 or district state funds on a dollar-for-dollar matching basis to
 898 the amount budgeted in local funds, the department shall
 899 distribute the funds as prescribed by rule. Such rules shall
 900 provide for up to 80 percent of the funds to be distributed to

901 programs with local funds for mosquito control budgets of less
902 than \$1 million, if the county, municipality, or district meets
903 the eligibility requirements. The funds shall be distributed as
904 equally as possible within the category of counties pursuant to
905 this section. The remaining funds shall be distributed as
906 prescribed by rule among the remaining counties to support
907 mosquito control and to support research, education, and
908 outreach.

909 (5) If more than one program ~~local mosquito control agency~~
910 exists in a county or municipality, the funds shall be prorated
911 between the programs ~~agencies~~ based on the population served by
912 each program ~~agency~~.

913 (6) The Commissioner of Agriculture may exempt counties,
914 municipalities, or districts from the requirements in subsection
915 (1), subsection (2), or subsection (3) when the department
916 determines state funds, supplies, services, or equipment are
917 necessary for the immediate control of mosquitoes and other
918 arthropods that pose a threat to human or animal health.

919 (7) The department may use state funds appropriated for a
920 county, municipality, or district under subsection (1) or
921 subsection (2) to provide state mosquito or other arthropod
922 control equipment, supplies, or services when requested by a
923 county, municipality, or district eligible to receive state
924 funds under s. 388.271.

925 (8) The department is authorized to use up to 5 percent of

926 the funds appropriated annually by the Legislature under this
927 section to provide technical assistance to the counties,
928 municipalities, or districts, or to purchase equipment,
929 supplies, or services necessary to administer the provisions of
930 this chapter.

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

933 388.271 Prerequisites to participation.—

934 (1) When state funds are involved, it is the duty of the
935 department to guide, review, approve, and coordinate the
936 activities of all county and municipal governments and special
937 districts receiving state funds in furtherance of the goal of
938 integrated arthropod control. Each program ~~county~~ eligible to
939 participate may, and each district must, begin participation on
940 October 1 of any year by filing with the department not later
941 than July 15 a tentative integrated arthropod management plan
942 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for
943 the control of arthropods. Following approval of the plan and
944 budget by the department, a copy ~~two copies~~ of the program's
945 ~~county's or district's~~ certified budget based on the approved
946 integrated arthropod management ~~work~~ plan and detailed ~~work plan~~
947 budget shall be submitted to the department by September 30
948 following. State funds, supplies, and services shall be made
949 available to such program ~~county or district~~ by and through the
950 department immediately upon release of funds by the Executive

951 Office of the Governor.

952 (2) All purchases of supplies, materials, and equipment by
953 programs ~~counties or districts~~ shall be made in accordance with
954 the laws governing purchases by boards of county commissioners
955 or similar governing bodies, except that programs ~~districts~~ with
956 special laws relative to competitive bidding shall make
957 purchases in accordance therewith.

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

960 388.281 Use of state matching funds.—

961 (1) All funds, supplies, and services released to programs
962 ~~counties and districts~~ hereunder shall be used in accordance
963 with the integrated arthropod management ~~detailed work~~ plan and
964 certified budget approved by both the board of commissioners and
965 appropriate representative ~~department and the county or~~
966 ~~district~~. The integrated arthropod management plan and budget
967 may be amended at any time upon prior approval of the
968 department.

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

975 **Section 16. Subsections (1) and (2) of section 388.291,**

976 **Florida Statutes, are amended to read:**

977 388.291 Source reduction measures; supervision by
978 department.—

979 (1) Any program ~~county or district~~ may perform source
980 reduction measures in conformity with good engineering practices
981 in any area, provided that the department cooperating with the
982 county, municipality, or district has approved the operating or
983 construction plan as outlined in the integrated arthropod
984 management plan and it has been determined by criteria contained
985 in rule that the area or areas to be controlled would produce
986 arthropods in significant numbers to constitute a health or
987 nuisance problem.

988 (2) The program ~~county or district~~ shall manage the
989 detailed business affairs and supervise said work, and the
990 department shall advise the programs ~~districts~~ as to the best
991 and most effective measures to be used in bringing about better
992 temporary control and the permanent elimination of breeding
993 conditions. The department may at its discretion discontinue any
994 state aid provided hereunder in the event it finds the jointly
995 agreed upon program is not being followed or is not efficiently
996 and effectively administered.

997 **Section 17. Section 388.301, Florida Statutes, is amended**
998 **to read:**

999 388.301 Payment of state funds; supplies and services.—
1000 State funds shall be payable ~~quarterly~~, in accordance with the

1001 rules of the department, upon requisition by the department to
 1002 the Chief Financial Officer. The department is authorized to
 1003 furnish insecticides, chemicals, materials, equipment, vehicles,
 1004 and personnel in lieu of state funds where mass purchasing may
 1005 save funds for the state, or where it would be more practical
 1006 and economical to use equipment, supplies, and services between
 1007 two or more programs ~~counties or districts~~.

1008 **Section 18. Section 388.311, Florida Statutes, is amended**
 1009 **to read:**

1010 388.311 Carry over of state funds and local funds.—State
 1011 and local funds budgeted for the control of mosquitoes and other
 1012 arthropods shall be carried over at the end of the program's
 1013 ~~county or district's~~ fiscal year, and rebudgeted for such
 1014 control measures the following fiscal year.

1015 **Section 19. Section 388.321, Florida Statutes, is amended**
 1016 **to read:**

1017 388.321 Equipment to become property of a program ~~the~~
 1018 ~~county or district~~.—All equipment purchased under this chapter
 1019 with state funds made available directly to a program ~~the county~~
 1020 ~~or district~~ shall become the property of the program ~~county or~~
 1021 ~~district~~ unless otherwise provided, and may be traded in on
 1022 other equipment, or sold, when no longer needed by the program
 1023 ~~county or district~~.

1024 **Section 20. Section 388.322, Florida Statutes, is amended**
 1025 **to read:**

1026 388.322 Record and inventory of certain property.—A record
 1027 and inventory of certain property purchased with state funds for
 1028 arthropod control use owned by the program ~~district~~ shall be
 1029 maintained in accordance with s. 274.02.

1030 **Section 21. Section 388.323, Florida Statutes, is amended**
 1031 **to read:**

1032 388.323 Disposal of surplus property.—Surplus property
 1033 shall be disposed of according to the provisions set forth in s.
 1034 274.05 with the following exceptions:

1035 (1) Serviceable equipment purchased using state funds for
 1036 arthropod control use no longer needed by a program ~~county or~~
 1037 ~~district~~ shall first be offered to any or all other programs
 1038 ~~counties or districts~~ engaged in arthropod control at a price
 1039 established by the board of commissioners owning the equipment.

1040 (2) The alternative procedure for disposal of surplus
 1041 property, as prescribed in s. 274.06, shall be followed if it is
 1042 determined that no other programs ~~county or district~~ engaged in
 1043 arthropod control has need for the equipment.

1044 (3) All proceeds from the sale of any real or tangible
 1045 personal property owned by the program ~~county or district~~ and
 1046 purchased using state funds shall be deposited in the program's
 1047 ~~county's or district's~~ state fund account unless otherwise
 1048 specifically designated by the department.

1049 **Section 22. Section 388.341, Florida Statutes, is amended**
 1050 **to read:**

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1051 388.341 Reports of expenditures and accomplishments.—Each
1052 program receiving state aid ~~county and district participating~~
1053 under the provisions of this chapter shall within 30 days after
1054 the end of each month submit to the department a monthly report
1055 for the preceding month of expenditures from all funds for
1056 arthropod control, and each program participating under this
1057 chapter shall provide such reports of activities and
1058 accomplishments as may be required by the department.

1059 **Section 23. Section 388.351, Florida Statutes, is amended**
1060 **to read:**

1061 388.351 Transfer of equipment, personnel, and supplies
1062 during an emergency.—The department, upon notifying a program
1063 ~~county or district~~ and obtaining its approval, is authorized to
1064 transfer equipment, materials, and personnel from one program
1065 ~~district~~ to another in the event of an emergency brought about
1066 by an arthropod-borne epidemic or other disaster requiring
1067 emergency control.

1068 **Section 24. Subsection (7) of section 388.361, Florida**
1069 **Statutes, is amended to read:**

1070 388.361 Department authority and rules; administration.—

1071 (7) The department shall have the authority to collect,
1072 detect, suppress, and control mosquitoes and other arthropods
1073 that are determined by the State Health Officer to pose a threat
1074 to public health, or determined by the Commissioner of
1075 Agriculture to pose a threat to animal health, wherever they may

1076 occur on public or private land in this state, and to do all
 1077 things necessary in the exercise of such authority. Prior to the
 1078 start of treatments for the control of mosquitoes or other
 1079 arthropods, the department shall consult with the mosquito
 1080 control programs ~~districts~~ in the proposed treatment areas, the
 1081 Department of Health, the Department of Environmental
 1082 Protection, and the Fish and Wildlife Conservation Commission
 1083 regarding the proposed locations, dates, and methods to be used.

1084 **Section 25. Subsections (2) and (3) of section 388.3711,**
 1085 **Florida Statutes, are amended to read:**

1086 388.3711 Enforcement.—

1087 (2) The department may issue a written warning, impose a
 1088 fine; deny, suspend, or revoke any license or certification, ~~or~~
 1089 the disbursal of state aid; or deny participation, in accordance
 1090 with the provisions of chapter 120, upon any one or more of the
 1091 following grounds as may be applicable:

1092 (a) Violation of any rule of the department or provision
 1093 of this chapter.

1094 (b) Violation of FIFRA or any relevant EPA rule or
 1095 regulation pertaining to the use of arthropod control pesticides
 1096 by the licensee.

1097 (c) Failure to give the department, or any authorized
 1098 representative thereof, true information upon request regarding
 1099 methods and materials used, work performed, or other information
 1100 essential to the administration of this chapter.

1101 (3) The department may, if it finds a violation is of such
1102 nature or circumstances that imposition of a fine, denial,
1103 revocation, or suspension of a certification or license or
1104 disbursal of state aid would be detrimental to the public or be
1105 unnecessarily harsh under the circumstances, in its discretion,
1106 place the offending party on probation for a period of not more
1107 than 2 years. If the department determines that the terms of
1108 such probation have been violated, it may reinstitute license or
1109 certification or state aid denial, suspension, or revocation
1110 proceedings.

1111 **Section 26. Section 388.381, Florida Statutes, is amended**
1112 **to read:**

1113 388.381 Cooperation by programs ~~counties and district.~~—Any
1114 program conducting county or district carrying on an arthropod
1115 control ~~program~~ may cooperate with another county, district, or
1116 municipality in carrying out work ~~a program~~ for the control of
1117 mosquitoes and other arthropods, by agreement as to the program
1118 and reimbursement thereof, when approved by the department.

1119 **Section 27. Section 388.391, Florida Statutes, is amended**
1120 **to read:**

1121 388.391 Control measures in municipalities and portions of
1122 counties located outside boundaries of programs ~~districts.~~—Any
1123 program ~~district~~ whose operation is limited to a portion of the
1124 county in which it is located may perform any control measures
1125 authorized by this chapter in any municipality located in the

1126 same county or in any portions of the same county, where there
 1127 is no established program district, when requested to do so by
 1128 the municipality or county, pursuant to s. 388.381.

1129 **Section 28. Section 388.401, Florida Statutes, is amended**
 1130 **to read:**

1131 388.401 Penalty for damage to property or operations.—
 1132 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of
 1133 any program county or district created under this or other
 1134 chapters, or any works constructed, maintained, or controlled by
 1135 such program county or district, or who ~~shall~~ obstructs ~~obstruct~~
 1136 or causes ~~cause~~ to be obstructed any of the operations of such
 1137 program county or district, or who ~~shall~~ knowingly or willfully
 1138 violates ~~violate~~ any provisions of this chapter or any rule or
 1139 regulation promulgated by any board of commissioners of any
 1140 program, commits ~~county or district shall be guilty of a~~
 1141 misdemeanor of the second degree, punishable as provided in s.
 1142 775.082 or s. 775.083.

1143 **Section 29. Paragraph (a) of subsection (2) of section**
 1144 **388.46, Florida Statutes, is amended to read:**

1145 388.46 Florida Coordinating Council on Mosquito Control;
 1146 establishment; membership; organization; responsibilities.—

1147 (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

1148 (a) *Membership.*—The Florida Coordinating Council on
 1149 Mosquito Control shall be comprised of the following
 1150 representatives or their authorized designees:

- 1151 1. The Secretary of Environmental Protection.
- 1152 2. The State Surgeon General.
- 1153 3. The executive director of the Fish and Wildlife
 1154 Conservation Commission.
- 1155 4. The state epidemiologist.
- 1156 5. The Commissioner of Agriculture.
- 1157 6. The Board of Trustees of the Internal Improvement Trust
 1158 Fund.
- 1159 7. Representatives from:
- 1160 a. The University of Florida, Institute of Food and
 1161 Agricultural Sciences, Florida Medical Entomological Research
 1162 Laboratory.
- 1163 b. The United States Environmental Protection Agency.
- 1164 c. The United States Department of Agriculture, Center of
 1165 Medical, Agricultural, and Veterinary Entomology Insects
 1166 Affecting Man Laboratory.
- 1167 d. The United States Fish and Wildlife Service.
- 1168 8. Four ~~Two~~ mosquito control directors to be nominated by
 1169 the Florida Mosquito Control Association, two representatives of
 1170 Florida environmental groups, and two private citizens who are
 1171 property owners whose lands are regularly subject to mosquito
 1172 control operations, to be appointed to 4-year terms by the
 1173 Commissioner of Agriculture and serve until his or her successor
 1174 is appointed.

1175 **Section 30. Paragraph (d) of subsection (7) of section**

1176 **403.067, Florida Statutes, is amended to read:**

1177 403.067 Establishment and implementation of total maximum
1178 daily loads.—

1179 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND
1180 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

1181 (d) *Enforcement and verification of basin management*
1182 *action plans and management strategies.*—

1183 1. Basin management action plans are enforceable pursuant
1184 to this section and ss. 403.121, 403.141, and 403.161.

1185 Management strategies, including best management practices and
1186 water quality monitoring, are enforceable under this chapter.

1187 2. No later than January 1, 2017:

1188 a. The department, in consultation with the water
1189 management districts and the Department of Agriculture and
1190 Consumer Services, shall initiate rulemaking to adopt procedures
1191 to verify implementation of water quality monitoring required in
1192 lieu of implementation of best management practices or other
1193 measures pursuant to sub-subparagraph (b)2.g.;

1194 b. The department, in consultation with the water
1195 management districts and the Department of Agriculture and
1196 Consumer Services, shall initiate rulemaking to adopt procedures
1197 to verify implementation of nonagricultural interim measures,
1198 best management practices, or other measures adopted by rule
1199 pursuant to subparagraph (c)1.; and

1200 c. The Department of Agriculture and Consumer Services, in

1201 consultation with the water management districts and the
1202 department, shall initiate rulemaking to adopt procedures to
1203 verify implementation of agricultural interim measures, best
1204 management practices, or other measures adopted by rule pursuant
1205 to subparagraph (c)2.

1206

1207 The rules required under this subparagraph shall include
1208 enforcement procedures applicable to the landowner, discharger,
1209 or other responsible person required to implement applicable
1210 management strategies, including best management practices or
1211 water quality monitoring as a result of noncompliance.

1212 3. At least every 2 years, the Department of Agriculture
1213 and Consumer Services shall perform onsite inspections of each
1214 agricultural producer that enrolls in a best management
1215 practice, except those enrolled by rule in subparagraph 4., to
1216 ensure that such practice is being properly implemented. Such
1217 verification must include a collection and review of the best
1218 management practice documentation from the previous 2 years
1219 required by rules adopted pursuant to subparagraph (c)2.,
1220 including, but not limited to, nitrogen and phosphorus
1221 fertilizer application records, which must be collected and
1222 retained pursuant to subparagraphs (c)3., 4., and 6. The
1223 Department of Agriculture and Consumer Services shall initially
1224 prioritize the inspection of agricultural producers located in
1225 the basin management action plans for Lake Okeechobee, the

1226 Indian River Lagoon, the Caloosahatchee River and Estuary, and
1227 Silver Springs.

1228 4. The Department of Agriculture and Consumer Services is
1229 authorized to adopt rules establishing an enrollment in best
1230 management practices by rule process that agricultural pollutant
1231 sources and agricultural producers may utilize in lieu of the
1232 best management practices adopted in paragraph (c) and identify
1233 best management practices for landowners of parcels which meet
1234 the following requirements:

1235 a. A parcel not be more than 25 acres in size;

1236 b. A parcel designated as agricultural land use by the
1237 county in which it is located or the parcel is granted
1238 agricultural tax classification by the county property appraiser
1239 of the county in which it is located;

1240 c. A parcel with water use not exceeding 100,000 gallons
1241 per day on average unless the entire use is met using recycled
1242 water from wet detention treatment ponds or reuse water;

1243 d. A parcel where the agricultural activity on the parcel
1244 is not vegetable crop, agronomic crop, a nursery, or a dairy
1245 operation;

1246 e. A parcel not abutting an impaired water body identified
1247 in subsection (4); and

1248 f. A parcel not part of a larger operation that is
1249 enrolled in Department of Agriculture and Consumer Services best
1250 management practices or conducting water quality monitoring

1251 prescribed by the department or a water management district.

1252
1253 Such requirements shall specify design or performance criteria
1254 that, if applied, would result in compliance with appropriate
1255 water quality standards. The Department of Agriculture and
1256 Consumer Services is authorized to adopt additional eligibility
1257 criteria for landowners or producers to utilize enrollment by
1258 rule and to revoke enrollment by rule.

1259 5. The Department of Agriculture and Consumer Services
1260 shall annually perform onsite inspections of twenty percent for
1261 all enrollments that meet the qualifications pursuant to
1262 subparagraph 4. by rule within basin management action plan
1263 areas, to ensure that practices are being properly implemented.
1264 Such inspection must include a collection and review of the
1265 identified best management practice documentation from the
1266 previous two years required by rules adopted pursuant to
1267 subparagraph (c)2. All agricultural producers enrolled by rule
1268 in a best management practice must annually submit nutrient
1269 records, including nitrogen and phosphorus fertilizer
1270 application records for the previous calendar year, to the
1271 Department of Agriculture and Consumer Services as required by
1272 rules adopted pursuant to subparagraph (c)2. The Department of
1273 Agriculture and Consumer Services shall collect and retain these
1274 nutrient records pursuant to subparagraphs (c)3., 4., and 6.

1275 **Section 31. Subsection (19) is added to section 403.852,**

1276 **Florida Statutes, to read:**

1277 403.852 Definitions; ss. 403.850-403.864.—As used in ss.
1278 403.850-403.864:

1279 (19) "Water quality additive" means any chemical or
1280 additive which is used in a public water system for the purpose
1281 of removing contaminants or increasing water quality. The term
1282 does not include additives used for health-related purposes.

1283 **Section 32. Subsection (8) is added to section 403.859,**

1284 **Florida Statutes, to read:**

1285 403.859 Prohibited acts.—The following acts and the
1286 causing thereof are prohibited and are violations of this act:

1287 (8) The use of any additives in a public water system
1288 which do not meet the definition of a water quality additive as
1289 defined in s. 403.852, or the use of any additives included
1290 primarily for health-related purposes.

1291 **Section 33. Subsection (10) of section 482.111, Florida**
1292 **Statutes, is amended to read:**

1293 482.111 Pest control operator's certificate.—

1294 (10) In order to renew a certificate, the
1295 certificateholder must complete 2 hours of approved continuing
1296 education on legislation, safety, pesticide labeling, and
1297 integrated pest management and 2 hours of approved continuing
1298 education in each category of her or his certificate or must
1299 pass an examination that the department shall provide in person
1300 and remotely through a third-party vendor. The third-party

1301 vendor may collect and retain a convenience fee ~~given by the~~
1302 ~~department.~~ The department may not renew a certificate if the
1303 continuing education or examination requirement is not met.

1304 (a) Courses or programs, to be considered for credit, must
1305 include one or more of the following topics:

1306 1. The law and rules of this state pertaining to pest
1307 control.

1308 2. Precautions necessary to safeguard life, health, and
1309 property in the conducting of pest control and the application
1310 of pesticides.

1311 3. Pests, their habits, recognition of the damage they
1312 cause, and identification of them by accepted common name.

1313 4. Current accepted industry practices in the conducting
1314 of fumigation, termites and other wood-destroying organisms pest
1315 control, lawn and ornamental pest control, and household pest
1316 control.

1317 5. How to read labels, a review of current state and
1318 federal laws on labeling, and a review of changes in or
1319 additions to labels used in pest control.

1320 6. Integrated pest management.

1321 (b) The certificateholder must submit with her or his
1322 application for renewal a statement certifying that she or he
1323 has completed the required number of hours of continuing
1324 education. The statement must be on a form prescribed by the
1325 department and must identify at least the date, location,

1326 provider, and subject of the training and must provide such
1327 other information as required by the department.

1328 (c) The department shall charge the same fee for
1329 examination as provided in s. 482.141(2).

1330 **Section 34. Subsection (1) of section 482.141, Florida**
1331 **Statutes, is amended to read:**

1332 482.141 Examinations.—

1333 (1) Each individual seeking certification must
1334 satisfactorily pass an examination which must be written but
1335 which may include practical demonstration. The department shall
1336 provide in-person and remote testing through a third-party
1337 vendor. A third-party vendor may collect and retain a
1338 convenience fee ~~held at least two examinations each year.~~ An
1339 applicant may seek certification in one or more categories.

1340 **Section 35. Paragraph (b) of subsection (1) of section**
1341 **482.155, Florida Statutes, is amended to read:**

1342 482.155 Limited certification for governmental pesticide
1343 applicators or private applicators.—

1344 (1)

1345 (b) A person seeking limited certification under this
1346 subsection must pass an examination that the department shall
1347 provide in person and remotely through a third-party vendor. The
1348 third-party vendor may collect and retain a convenience fee
1349 ~~given or approved by the department.~~ Each application for
1350 examination must be accompanied by an examination fee set by the

1351 department, in an amount of not more than \$150 or less than \$50;
 1352 and a recertification fee of \$25 every 4 years. Until rules
 1353 setting these fees are adopted by the department, the
 1354 examination fee is \$50. Application for recertification must be
 1355 accompanied by proof of having completed 4 classroom hours of
 1356 acceptable continuing education. The limited certificate expires
 1357 4 years after the date of issuance. If the certificateholder
 1358 fails to renew his or her certificate and provide proof of
 1359 completion of the required continuing education units within 60
 1360 days after the expiration date, the certificateholder may be
 1361 recertified only after reexamination. The department shall make
 1362 available ~~provide~~ the appropriate reference material ~~and make~~
 1363 ~~the examination readily accessible and available to all~~
 1364 ~~applicants at least quarterly or as necessary in each county.~~

1365 **Section 36. Subsection (2) of section 482.156, Florida**
 1366 **Statutes, is amended to read:**

1367 482.156 Limited certification for commercial landscape
 1368 maintenance personnel.—

1369 (2) (a) A person seeking limited certification under this
 1370 section must pass an examination that the department shall
 1371 provide in person and remotely through a third-party vendor. The
 1372 third-party vendor may collect and retain a convenience fee
 1373 ~~given by the department~~. Each application for examination must
 1374 be accompanied by an examination fee set by rule of the
 1375 department, in an amount of not more than \$150 or less than \$50.

1376 Before the department issues a limited certification under this
1377 section, each person applying for the certification must furnish
1378 proof of having a certificate of insurance which states that the
1379 employer meets the requirements for minimum financial
1380 responsibility for bodily injury and property damage required by
1381 s. 482.071(4).

1382 (b) The department shall make available ~~provide~~ the
1383 appropriate reference materials for the examination and provide
1384 in-person and remote testing through a third-party vendor. A
1385 third-party vendor may collect and retain a convenience fee ~~make~~
1386 ~~the examination readily accessible and available to applicants~~
1387 ~~at least quarterly or as necessary in each county.~~

1388 **Section 37. Subsection (2) of section 482.157, Florida**
1389 **Statutes, is amended to read:**

1390 482.157 Limited certification for commercial wildlife
1391 management personnel.—

1392 (2) The department shall issue a limited certificate to an
1393 applicant who:

1394 (a) Submits an application and examination fee of at least
1395 \$150, but not more than \$300, as prescribed by the department by
1396 rule;

1397 (b) Passes an examination that the department shall
1398 provide in person and remotely through a third-party vendor. The
1399 third-party vendor may collect and retain a convenience fee
1400 ~~administered by the department.~~ The department shall make

1401 available ~~provide~~ the appropriate study materials for the
 1402 examination ~~and make the examination readily available to~~
 1403 ~~applicants in each county as necessary, but not less frequently~~
 1404 ~~than quarterly~~; and

1405 (c) Provides proof, including a certificate of insurance,
 1406 that the applicant has met the minimum bodily injury and
 1407 property damage insurance requirements in s. 482.071(4).

1408 **Section 38. Paragraph (m) is added to subsection (1) of**
 1409 **section 482.161, Florida Statutes, to read:**

1410 482.161 Disciplinary grounds and actions; reinstatement.—

1411 (1) The department may issue a written warning to or
 1412 impose a fine against, or deny the application for licensure or
 1413 licensure renewal of, a licensee, certified operator, limited
 1414 certificateholder, identification cardholder, or special
 1415 identification cardholder or any other person, or may suspend,
 1416 revoke, or deny the issuance or renewal of any license,
 1417 certificate, limited certificate, identification card, or
 1418 special identification card that is within the scope of this
 1419 chapter, in accordance with chapter 120, upon any of the
 1420 following grounds:

1421 (m) Upon the issuance of a final order imposing civil
 1422 penalties under subsection 14(a) of the Federal Insecticide,
 1423 Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction
 1424 under subsection 14(b), of FIFRA.

1425 **Section 39. Subsection (2) of section 487.044, Florida**

1426 **Statutes, is amended to read:**

1427 487.044 Certification; examination.—

1428 (2) The department shall require each applicant for a
1429 certified applicator's license to demonstrate competence by a
1430 written or oral examination in which the applicant must
1431 demonstrate adequate knowledge concerning the proper use and
1432 application of restricted-use pesticides in each classification
1433 for which application for license is made. The department shall
1434 provide in-person and remote testing through a third-party
1435 vendor. A third-party vendor may collect and retain a
1436 convenience fee. The examination may be prepared, administered,
1437 and evaluated by the department. Each applicant for a certified
1438 applicator's license shall demonstrate minimum competence as to:

1439 (a) The proper use of the equipment.

1440 (b) The environmental hazards that may be involved in
1441 applying restricted-use pesticides.

1442 (c) Calculating the concentration of restricted-use
1443 pesticides to be used in particular circumstances.

1444 (d) Identification of common pests to be controlled and
1445 the damages caused by such pests.

1446 (e) Protective clothing and respiratory equipment required
1447 during the handling and application of restricted-use
1448 pesticides.

1449 (f) General precautions to be followed in the disposal of
1450 containers, as well as the cleaning and decontamination of the

1451 equipment which the applicant proposes to use.

1452 (g) Applicable state and federal pesticide laws, rules,
1453 and regulations.

1454 (h) General safety precautions.

1455 **Section 40. Subsection (6) is added to section 487.175,**
1456 **Florida Statutes, to read:**

1457 487.175 Penalties; administrative fine; injunction.—

1458 (6) Licensure may be suspended, revoked, or denied by the
1459 department, upon the issuance of a final order to a licensee
1460 imposing civil penalties under subsection 14(a) of the Federal
1461 Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a
1462 criminal conviction under subsection 14(b) of FIFRA.

1463 **Section 41. Subsections (13) through (28) of section**
1464 **496.404, Florida Statutes, are redesignated as subsections (15)**
1465 **through (30), respectively, and subsections (13) and (14) are**
1466 **added to that section, to read:**

1467 496.404 Definitions.—As used in ss. 496.401-496.424, the
1468 term:

1469 (13) "Foreign country of concern" means the People's
1470 Republic of China, the Russian Federation, the Islamic Republic
1471 of Iran, the Venezuelan regime of Nicolás Maduro, or the Syrian
1472 Arab Republic, including any agency of or any other entity under
1473 significant control of such foreign country of concern.

1474 (14) "Foreign source of concern" means any of the
1475 following:

1476 (a) The government or any official of the government of a
1477 foreign country of concern;

1478 (b) A political party or member of a political party or
1479 any subdivision of a political party in a foreign country of
1480 concern;

1481 (c) A partnership, an association, a corporation, an
1482 organization, or other combination of persons organized under
1483 the laws of or having its principal place of business in a
1484 foreign country of concern, or a subsidiary of such entity;

1485 (d) Any person who is domiciled in a foreign country of
1486 concern and is not a citizen or lawful permanent citizen of the
1487 United States;

1488 (e) An agent, including a subsidiary or an affiliate of a
1489 foreign legal entity, acting on behalf of a foreign source of
1490 concern; or

1491 (f) An entity in which a person, entity, or collection of
1492 persons or entities described in paragraphs (a)-(e) has a
1493 controlling interest. As used in this paragraph, the term
1494 "controlling interest" means the possession of the power to
1495 direct or cause the direction of the management or policies of
1496 an entity, whether through ownership of securities, by contract,
1497 or otherwise. A person or an entity that directly or indirectly
1498 has the right to vote 25 percent or more of the voting interest
1499 of the company or is entitled to 25 percent or more of its
1500 profits is presumed to possess a controlling interest.

1501 **Section 42. Present paragraphs (d) through (g) of**
1502 **subsection (2) of section 496.405, Florida Statutes, are**
1503 **redesignated as paragraphs (f) through (i), respectively, new**
1504 **paragraphs (d) and (e) are added to that subsection, subsection**
1505 **(11) is added to that section, and paragraph (b) of subsection**
1506 **(1) and paragraph (b) of subsection (7) of that section are**
1507 **amended, to read:**

1508 496.405 Registration statements by charitable
1509 organizations and sponsors.—

1510 (1) A charitable organization or sponsor, unless exempted
1511 pursuant to s. 496.406, which intends to solicit contributions
1512 in or from this state by any means or have funds solicited on
1513 its behalf by any other person, charitable organization,
1514 sponsor, commercial co-venturer, or professional solicitor, or
1515 that participates in a charitable sales promotion or sponsor
1516 sales promotion, must, before engaging in any of these
1517 activities, file an initial registration statement, which
1518 includes an attestation statement, and a renewal statement
1519 annually thereafter, with the department.

1520 (b) Any changes to the information submitted to the
1521 department pursuant to paragraph (2) (f) ~~(2) (d)~~ on the initial
1522 registration statement, which includes an attestation statement,
1523 or the last renewal statement must be reported to the department
1524 on a form prescribed by the department within 10 days after the
1525 change occurs.

1526 (2) The initial registration statement must be submitted
 1527 on a form prescribed by the department, signed by an authorized
 1528 official of the charitable organization or sponsor who shall
 1529 certify that the registration statement is true and correct, and
 1530 include the following information or material:

1531 (d) An attestation statement, which must be submitted on a
 1532 form prescribed by the department and signed by an authorized
 1533 official of the charitable organization, who shall certify and
 1534 attest that the charitable organization, if engaged in
 1535 activities that would require registration pursuant to chapter
 1536 106 is registered with the Department of State, pursuant to
 1537 chapter 106.

1538 (e) An attestation statement on a form prescribed by the
 1539 department, signed by an authorized official of the charitable
 1540 organization, who shall certify and attest that the charitable
 1541 organization, if prohibited by applicable federal or state law,
 1542 is not engaged in activities that would require registration
 1543 with the Department of State pursuant to chapter 106.

1544 (7)

1545 (b) If a charitable organization or sponsor discloses
 1546 information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~
 1547 in the initial registration statement or annual renewal
 1548 statement, the time limits set forth in paragraph (a) are
 1549 waived, and the department shall process such initial
 1550 registration statement or annual renewal statement in accordance

1551 with the time limits set forth in chapter 120. The registration
 1552 of a charitable organization or sponsor shall be automatically
 1553 suspended for failure to disclose any information specified in
 1554 subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the
 1555 required information is submitted to the department.

1556 (11) The department may investigate and refer the
 1557 charitable organization or sponsor to the Florida Elections
 1558 Commission for investigation of violations pursuant to chapters
 1559 104 and 106.

1560 **Section 43. Subsection (20) is added to section 496.415,**
 1561 **Florida Statutes, to read:**

1562 496.415 Prohibited acts.—It is unlawful for any person in
 1563 connection with the planning, conduct, or execution of any
 1564 solicitation or charitable or sponsor sales promotion to:

1565 (20) Solicit or accept contributions or anything of value
 1566 from a foreign source of concern.

1567 **Section 44. Section 496.417, Florida Statutes, is amended**
 1568 **to read:**

1569 496.417 Criminal penalties.—Except as otherwise provided
 1570 in ss. 496.401-496.424, and in addition to any administrative or
 1571 civil penalties, any person who willfully and knowingly violates
 1572 ss. 496.401-496.424 commits a felony of the third degree,
 1573 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
 1574 For a second or subsequent conviction, such violation
 1575 constitutes a felony of the second degree, punishable as

1576 provided in s. 775.082, s. 775.083, or s. 775.084. The
1577 department may also investigate and refer the charitable
1578 organization or sponsor to the Florida Elections Commission for
1579 investigation of violations pursuant to chapters 104 and 106.

1580 **Section 45. Subsection (11) is added to section 496.419,**
1581 **Florida Statutes, to read:**

1582 496.419 Powers of the department.—

1583 (11) (a) A charitable organization or sponsor whose
1584 registration is denied or revoked for submitting a false
1585 attestation required pursuant to s. 496.405(2) (d) or s.
1586 496.405(2) (e) may not register as a charitable organization or
1587 sponsor for 5 years for an initial violation, and may not
1588 register as a charitable organization or sponsor following any
1589 subsequent violations.

1590 (b) A person serving as a board member, executive
1591 leadership team member, or registering agent of a charitable
1592 organization at the time in which the charitable organization is
1593 found to have submitted a false attestation as required by s.
1594 496.405(2) (d) or (e) may not serve in any capacity with a
1595 charitable organization required to comply with the requirements
1596 of ss. 496.405 and 496.406 for 5 years after the date of the
1597 violation of this subsection.

1598 **Section 46. Section 496.431, Florida Statutes, is created**
1599 **to read:**

1600 496.431 Honest Service Registry.—

1601 (1) The department shall create the Honest Services
 1602 Registry to provide the residents of this state with the
 1603 information necessary to make an informed choice when deciding
 1604 which charitable organizations to support.

1605 (2) To be included on the Honest Services Registry, a
 1606 charitable organization must, at a minimum, submit to the
 1607 department an attestation statement on a form prescribed by the
 1608 department, verified as provided in s. 92.525, attesting to all
 1609 of the following:

1610 (a) That the organization does not solicit or accept,
 1611 directly or indirectly, contributions, funding, support, or
 1612 services from a foreign source of concern.

1613 (b) That the organization's messaging and content are not
 1614 directly or indirectly produced or influenced by a foreign
 1615 source of concern.

1616 (3) The department shall publish the Honest Services
 1617 Registry on the department's website.

1618 (4) The department shall adopt rules to implement this
 1619 section.

1620 **Section 47. Paragraph (j) of subsection (1) of section**
 1621 **500.03, Florida Statutes, is amended to read:**

1622 500.03 Definitions; construction; applicability.—

1623 (1) For the purpose of this chapter, the term:

1624 (j) "Cottage food product" means food that is not time or
 1625 temperature controlled for safety, a potentially hazardous food

1626 as defined by department rule which is sold by a cottage food
1627 operation in accordance with s. 500.80.

1628 **Section 48. Paragraphs (a) and (b) of subsection (1) of**
1629 **section 500.12, Florida Statutes, are amended to read:**

1630 500.12 Food permits; building permits.—

1631 (1) (a) A food permit from the department is required of
1632 any person or business that ~~who~~ operates a food establishment,
1633 except:

1634 1. Persons or businesses operating minor food outlets that
1635 sell food that is commercially prepackaged, not potentially
1636 hazardous, not age restricted, and not time or temperature
1637 controlled for safety, if the shelf space for those items does
1638 not exceed 12 total linear feet and no other food is sold by the
1639 person or business minor food outlet.

1640 2. Persons subject to continuous, onsite federal or state
1641 inspection.

1642 3. Persons selling only legumes in the shell, either
1643 parched, roasted, or boiled.

1644 4. Persons selling sugar cane or sorghum syrup that has
1645 been boiled and bottled on a premise located within this state.
1646 Such bottles must contain a label listing the producer's name
1647 and street address, all added ingredients, the net weight or
1648 volume of the product, and a statement that reads, "This product
1649 has not been produced in a facility permitted by the Florida
1650 Department of Agriculture and Consumer Services."

1651 (b) Each food establishment regulated under this chapter
1652 must apply for and receive a food permit before operation
1653 begins. An application for a food permit from the department
1654 must be accompanied by a fee in an amount determined by
1655 department rule. The department shall adopt by rule a schedule
1656 of fees to be paid by each food establishment as a condition of
1657 issuance or renewal of a food permit. Such fees may not exceed
1658 \$650 and must be used solely for the recovery of costs for the
1659 services provided, except that the fee accompanying an
1660 application for a food permit for operating a bottled water
1661 plant may not exceed \$1,000 and the fee accompanying an
1662 application for a food permit for operating a packaged ice plant
1663 may not exceed \$250. The fee for operating a bottled water plant
1664 or a packaged ice plant must be set by rule of the department.
1665 Food permits are not transferable from one person or physical
1666 location to another. Food permits must be renewed in accordance
1667 with subparagraphs 1.-3. If an application for renewal of a food
1668 permit is not received by the department on or before its due
1669 date, a late fee not exceeding \$100 must be paid in addition to
1670 the food permit fee before the department may issue the food
1671 permit. The moneys collected must be deposited in the General
1672 Inspection Trust Fund.

1673 1. A food permit issued to a new food establishment ~~on or~~
1674 ~~after September 1, 2023,~~ is valid for 1 calendar year after the
1675 date of issuance and must be renewed annually on or before that

1676 date thereafter.

1677 2. ~~Effective January 1, 2024,~~ A food permit issued before
1678 September 1, 2023, expires on the month and day the initial
1679 permit was issued to the food establishment and must be renewed
1680 annually on or before that date thereafter. The department may
1681 charge a prorated permit fee for purposes of this subparagraph.

1682 3. The department may establish a single permit renewal
1683 date for multiple food establishments owned by the same entity
1684 ~~The owner of 100 or more permitted food establishment locations~~
1685 ~~may elect to set the expiration of food permits for such~~
1686 ~~establishments as December 31 of each calendar year.~~

1687 **Section 49. Section 500.166, Florida Statutes, is amended**
1688 **to read:**

1689 500.166 Records of interstate shipment.—For the purpose of
1690 enforcing this chapter, carriers engaged in interstate commerce
1691 and persons receiving food in interstate commerce shall retain
1692 all records for 3 years from the date of the record showing the
1693 movement in interstate commerce of any food, and the quantity,
1694 shipper and consignee thereof and, upon the request by an
1695 officer or employee duly designated by the department, permit
1696 the officer or employee to have access to and to copy all
1697 records showing the movement in interstate commerce of any food,
1698 and the quantity, shipper, and consignee thereof.

1699 **Section 50. Subsection (1) of section 500.172, Florida**
1700 **Statutes, is amended to read:**

1701 500.172 Embargoing, detaining, destroying of food, food
1702 processing equipment, or areas that are in violation.—
1703 (1) When the department, or its duly authorized agent who
1704 has received appropriate education and training regarding the
1705 legal requirements of this chapter, finds or has probable cause
1706 to believe that any food, food processing equipment, food
1707 processing area, or food storage area is in violation of this
1708 chapter or any rule adopted under this chapter so as to be
1709 dangerous, unwholesome, mislabeled, fraudulent, or insanitary
1710 within the meaning of this chapter, an agent of the department
1711 may issue and enforce a stop-sale, stop-use, removal, or hold
1712 order, which order gives notice that such article, processing
1713 equipment, processing area, or storage area is or is suspected
1714 of being in violation and has been detained or embargoed and
1715 which order warns all persons not to remove, use, or dispose of
1716 such article, processing equipment, processing area, or storage
1717 area by sale or otherwise until permission for removal, use, or
1718 disposal is given by the department or the court. The department
1719 is authorized to enter into a written agreement with the owner
1720 of such food, food processing equipment, food processing area,
1721 or food storage area, or otherwise facilitate the destruction of
1722 any article found or suspected by the department to be in
1723 violation of this section. A person may not remove, use, or
1724 dispose of such detained or embargoed article, processing
1725 equipment, processing area, or storage area by sale or otherwise

1726 without such permission from or in accordance with a written
1727 agreement with the department.

1728 **Section 51. Section 500.75, Florida Statutes, is created**
1729 **to read:**

1730 500.75 Mushrooms spores and mycelium; offenses.—It is
1731 unlawful to transport, import, sell, offer for sale, furnish, or
1732 give away spores or mycelium capable of producing mushrooms or
1733 other material which will contain a controlled substance,
1734 including psilocybin or psilocyn, during its lifecycle. Every
1735 person who transports, imports into this state, sells, offers
1736 for sale, furnishes, gives away, or offers to transport, import
1737 into this state, sell, furnish, or give away any spores or
1738 mycelium capable of producing mushrooms or other material which
1739 will contain a controlled substance commits a misdemeanor of the
1740 first degree, punishable as provided in s. 775.082 or s.
1741 775.083.

1742 **Section 52. Section 500.93, Florida Statutes, is created**
1743 **to read:**

1744 500.93 Mislabeled of plant-based products as milk, meat,
1745 or poultry.—

1746 (1) As used in this section, the term:

1747 (a) "FDA" means the United States Food and Drug
1748 Administration.

1749 (b) "Meat" has the same meaning as in 9 C.F.R. s. 301.2
1750 and the Federal Meat Inspection Act.

1751 (c) "Milk" has the same meaning as in 21 C.F.R. s. 131.110
1752 and the Grade "A" pasteurized milk ordinance.

1753 (d) "Poultry" or "Poultry Product" has the same meaning as
1754 in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

1755 (2) (a) In accordance with the established standard of
1756 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade
1757 "A" pasteurized milk ordinance, the department shall adopt rules
1758 to enforce the FDA's standard of identity for milk, as adopted
1759 in state law, to prohibit the sale of plant-based products
1760 mislabeled as milk in this state.

1761 (b) This subsection is effective upon the enactment into
1762 law of a mandatory labeling requirement to prohibit the sale of
1763 plant-based products mislabeled as milk that is consistent with
1764 this section by any 11 of the group of 14 states composed of
1765 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
1766 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
1767 Texas, Virginia, and West Virginia.

1768 (3) (a) In accordance with the established standard of
1769 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal
1770 Meat Inspection Act, and both poultry and poultry products
1771 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection
1772 Act, the department shall adopt rules to enforce the FDA's
1773 standard of identity for meat, poultry, and poultry products as
1774 adopted in this section, to prohibit the sale of plant-based
1775 products mislabeled as meat, poultry, or poultry products in

1776 this state.

1777 (b) This subsection is effective upon the enactment into
1778 law of a mandatory labeling requirement to prohibit the sale of
1779 plant-based products mislabeled as meat, poultry, or poultry
1780 products which is consistent with this section by any 11 of the
1781 group of 14 states composed of Alabama, Arkansas, Florida,
1782 Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,
1783 South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1784 (4) The Department of Agriculture and Consumer Services
1785 shall notify the Division of Law Revision upon the enactment
1786 into law by any 11 of the group of 14 states composed of
1787 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
1788 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
1789 Texas, Virginia, and West Virginia of the mandatory labeling
1790 requirements pursuant to subsections (2) and (3).

1791 (5) The department shall adopt rules to implement this
1792 section.

1793 (6) This section may not be construed to limit the
1794 department's authority to enforce its laws and regulations.

1795 **Section 53.** Section 501.135, Florida Statutes, is
1796 repealed.

1797 **Section 54. Subsection (1) of section 501.912, Florida**
1798 **Statutes, is amended to read:**

1799 501.912 Definitions.—As used in ss. 501.91-501.923:

1800 (1) "Antifreeze" means any substance or preparation,

1801 including, but not limited to, coolant, antifreeze-coolant,
 1802 antifreeze and summer coolant, or summer coolant, that is sold,
 1803 distributed, or intended for use:

1804 (a) As the cooling liquid, or to be added to the cooling
 1805 liquid, in the cooling system of ~~internal combustion engines of~~
 1806 motor vehicles to prevent freezing of the cooling liquid or to
 1807 lower its freezing point; or

1808 (b) To raise the boiling point of water, aid in vehicle
 1809 component cooling, or for the prevention of engine overheating,
 1810 whether or not the liquid is used as a year-round cooling system
 1811 fluid.

1812 **Section 55. Section 525.19, Florida Statutes, is created**
 1813 **to read:**

1814 525.19 Petroleum registration.—

1815 (1) The department shall create an annual petroleum
 1816 registration program for petroleum owners or operators that own
 1817 and operate vehicles for transporting petroleum product and
 1818 shall adopt rules detailing the requirements for such
 1819 registration that include, at minimum:

- 1820 (a) Name of the petroleum owner or operator;
- 1821 (b) Address of the petroleum owner or operator;
- 1822 (c) Phone number of the petroleum owner or operator;
- 1823 (d) E-mail address of the petroleum owner or operator;
- 1824 (e) Requirements for the transfer switch;
- 1825 (f) Fuel and petroleum infrastructure; and

1826 (g) Fuel and petroleum inventory and delivery information.
 1827 (2) The registration program must be free for all
 1828 registrants.

1829 (3) The department has the authority to require
 1830 registrants to provide updates related to the status of
 1831 infrastructure, inventory, and delivery information during a
 1832 state of emergency as declared by an executive order issued by
 1833 the Governor.

1834 **Section 56. Section 526.147, Florida Statutes, is created**
 1835 **to read:**

1836 526.147 Florida Retail Fuel Transfer Switch Modernization
 1837 Grant Program.—

1838 (1)(a) There is created, subject to appropriation, the
 1839 Florida Retail Fuel Transfer Switch Modernization Grant Program
 1840 within the Department of Agriculture and Consumer Services.

1841 (b) The grant program shall provide grant funds, not to
 1842 exceed \$10,000 per retail fuel facility, to be used for
 1843 installation and equipment costs related to installing or
 1844 modernizing transfer switch infrastructure at retail fuel
 1845 facilities to allow for the continuity of fueling operations
 1846 under generated power.

1847 (c) The department shall award funds based upon the
 1848 following criteria:

1849 1. Up to \$10,000, of costs for transfer switch purchase
 1850 and installation for retail fuel locations in fiscally

1851 constrained counties, as defined in s. 218.67.

1852 2. Up to \$5,000, of costs for transfer switch purchase and
1853 installation for all other retail fuel locations.

1854 (d) Retail fuel facilities which are awarded grant funds
1855 must comply with s. 526.143 and must install a transfer switch
1856 capable of operating all fuel pumps, dispensing equipment, life
1857 safety systems, and payment acceptance equipment using an
1858 alternative generated power source.

1859 (e) Before being awarded funding from the department,
1860 retail fuel facilities must provide documentation on transfer
1861 switch installation and required generator sizing to the
1862 department.

1863 (f) Marinas and fueling facilities with fewer than 4
1864 fueling positions are excluded from being awarded funding
1865 through this program.

1866 (g) Fueling facilities subject to s. 526.143(2) are
1867 excluded from being awarded funding through this program.

1868 (2) The department, in consultation with the Division of
1869 Emergency Management, shall adopt rules to implement and
1870 administer this section, including establishing grant
1871 application processes for the Florida Retail Fuel Transfer
1872 Switch Modernization Grant Program. The rules must include
1873 application deadlines and establish the supporting documentation
1874 necessary to be provided to the department.

1875 **Section 57. Section 531.48, Florida Statutes, is amended**

1876 **to read:**

1877 531.48 Declarations of unit price on random packages.—In
 1878 addition to the declarations required by s. 531.47, any package
 1879 being one of a lot containing random weights of the same
 1880 commodity ~~and bearing the total selling price of the package~~
 1881 shall bear on the outside of the package a plain and conspicuous
 1882 declaration of the price per single unit of weight and the total
 1883 retail price of the package, as defined by department rule.

1884 **Section 58. Section 531.49, Florida Statutes, is amended**
 1885 **to read:**

1886 531.49 Advertising packages for sale.—~~Whenever~~ A packaged
 1887 commodity ~~is advertised in any manner with the retail price~~
 1888 ~~stated, there shall be~~ closely and conspicuously associated with
 1889 the retail price must have a declaration of quantity as is
 1890 required by law or rule to appear on the package.

1891 **Section 59. Present subsections (44), (45), and (46) of**
 1892 **section 570.07, Florida Statutes, are redesignated as**
 1893 **subsections (46), (47), and (48), respectively, and new**
 1894 **subsections (44) and (45) are added to that section, to read:**

1895 570.07 Department of Agriculture and Consumer Services;
 1896 functions, powers, and duties.—The department shall have and
 1897 exercise the following functions, powers, and duties:

1898 (44) (a) To foster and encourage the employment and
 1899 retention of qualified veterinary pathologists. The department
 1900 may reimburse the educational expenses of qualified veterinary

1901 pathologists who enter into an agreement with the department to
 1902 retain employment for a specified period of time.

1903 (b) The department shall adopt rules to administer this
 1904 subsection.

1905 (45) Subject to appropriation, to extend state and
 1906 national Future Farmers of America opportunities to any public
 1907 school student enrolled in agricultural education, at little or
 1908 no cost to the student or school district, and to support
 1909 statewide Future Farmers of America programming that helps such
 1910 students develop their potential for premier leadership,
 1911 personal growth and career success.

1912 **Section 60. Subsection (2) of section 570.544, Florida**
 1913 **Statutes, is amended to read:**

1914 570.544 Division of Consumer Services; director; powers;
 1915 processing of complaints; records.—

1916 (2) The director shall supervise, direct, and coordinate
 1917 the activities of the division and shall, under the direction of
 1918 the department, enforce the provisions of ss. 366.94 and ~~ss.~~
 1919 604.15-604.34 and chapters 171, 472, 496, 501, 507, 525, 526,
 1920 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

1921 **Section 61. Section 570.546, Florida Statutes, is created**
 1922 **to read:**

1923 570.546 Licensing.—

1924 (1) The department is authorized to:

1925 (a) Create a process for the bulk renewal of licenses

1926 which will allow licensees the ability, upon request, to submit
 1927 all license applications of the same type, notwithstanding any
 1928 provisions of law applicable to each application process.

1929 (b) Create a process that will allow licensees, upon
 1930 request, to align the expiration dates of licenses within a
 1931 statutory program.

1932 (c) Change the expiration dates for current licensees for
 1933 the purpose of reducing large numbers of license expirations
 1934 that occur during the same month.

1935 (2) The department shall prorate any licensing fee for
 1936 which the term of the license was reduced for the purposes of
 1937 alignment.

1938 (3) The department shall adopt rules to implement this
 1939 section.

1940 **Section 62. Section 570.822, Florida Statutes, is amended**
 1941 **to read:**

1942 570.822 Agriculture and Aquaculture Producers Emergency
 1943 ~~Natural Disaster~~ Recovery Loan Program.—

1944 (1) DEFINITIONS.—As used in this section, the term:

1945 (a) "Bona fide farm operation" means a farm operation
 1946 engaged in a good faith commercial agricultural use of land on
 1947 land classified as agricultural pursuant to s. 193.461 or on
 1948 sovereign submerged land that is leased to the applicant by the
 1949 department pursuant to s. 597.010 and that produces agricultural
 1950 products within the definition of agriculture under s. 570.02.

1951 (b) "Declared emergency ~~natural disaster~~" means an
 1952 emergency ~~a natural disaster~~ for which a state of emergency is
 1953 declared pursuant to s. 252.36 or s. 570.07(21).

1954 (c) "Department" means the Department of Agriculture and
 1955 Consumer Services.

1956 (d) "Essential physical property" means fences; equipment;
 1957 structural production facilities, such as shade houses and
 1958 greenhouses; or other agriculture or aquaculture facilities or
 1959 infrastructure.

1960 (e) "Program" means the Agriculture and Aquaculture
 1961 Producers Emergency ~~Natural Disaster~~ Recovery Loan Program.

1962 (2) USE OF LOAN FUNDS; LOAN TERMS.—

1963 (a) The program is established within the department to
 1964 make loans to agriculture and aquaculture producers that have
 1965 experienced damage or destruction from a declared emergency
 1966 ~~natural disaster~~. Loan funds may be used to restore, repair, or
 1967 replace essential physical property or remove vegetative debris
 1968 from essential physical property, or restock aquaculture. A
 1969 structure or building constructed using loan proceeds must
 1970 comply with storm-hardening standards for nonresidential farm
 1971 buildings as defined in s. 604.50(2). The department shall adopt
 1972 such standards by rule.

1973 (b) The department may make a low-interest or interest-
 1974 free loan to an eligible applicant. The maximum amount that an
 1975 applicant may receive during the application period for a loan

1976 is \$500,000. An applicant may not receive more than one loan per
 1977 application period and no more than two loans per year or no
 1978 more than five loans in any 3-year period. A loan term is 10
 1979 years.

1980 (3) ELIGIBLE APPLICANTS.—To be eligible for the program,
 1981 an applicant must:

1982 (a) Own or lease a bona fide farm operation that is
 1983 located in a county named in a declared emergency natural
 1984 ~~disaster~~ and that was damaged or destroyed as a result of such
 1985 declared emergency natural~~disaster~~.

1986 (b) Maintain complete and acceptable farm records,
 1987 pursuant to criteria published by the department, and present
 1988 them as proof of production levels and bona fide farm
 1989 operations.

1990 (4) LOAN APPLICATION AND AGREEMENT.—

1991 (a) Requests for loans must be made by application to the
 1992 department. Upon a determination that funding for loans is
 1993 available, the department shall publicly notice an application
 1994 period for the declared emergency natural~~disaster~~, beginning
 1995 within 60 days after the date of the declared emergency natural~~disaster~~
 1996 ~~disaster~~ and running up to 1 year after the date of the declared
 1997 emergency natural~~disaster~~ or until all available loan funds are
 1998 exhausted, whichever occurs first. The application may be
 1999 renewed upon a determination from the department and an active
 2000 declared emergency declaration.

2001 (b) An applicant must demonstrate the need for financial
2002 assistance and an ability to repay or meet a standard credit
2003 rating determined by the department.

2004 (c) Loans must be made pursuant to written agreements
2005 specifying the terms and conditions agreed to by the approved
2006 applicant and the department. The loan agreement must specify
2007 that the loan is due upon sale if the property or other
2008 collateral for the loan is sold.

2009 (d) An approved applicant must agree to stay in production
2010 for the duration of the loan. A loan is not assumable.

2011 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured
2012 by a lien, subordinate only to any mortgage held by a financial
2013 institution as defined in s. 655.005, on property or other
2014 collateral as set forth in the loan agreement. The specific type
2015 of collateral required may vary depending upon the loan purpose,
2016 repayment ability, and the particular circumstances of the
2017 applicant. The department shall record the lien in public
2018 records in the county where the property is located and, in the
2019 case of personal property, perfect the security interest by
2020 filing appropriate Uniform Commercial Code forms with the
2021 Florida Secured Transaction Registry as required pursuant to
2022 chapter 679.

2023 (6) LOAN REPAYMENT.—

2024 (a) A loan is due and payable in accordance with the terms
2025 of the loan agreement.

2026 (b) The department shall defer payments for the first 3
 2027 years of the loan. After 3 years, the department shall reduce
 2028 the principal balance annually through the end of the loan term
 2029 such that the original principal balance is reduced by 30
 2030 percent. If the principal balance is repaid before the end of
 2031 the 10th year, the applicant may not be required to pay more
 2032 than 70 percent of the original principal balance. The approved
 2033 applicant must continue to be actively engaged in production in
 2034 order to receive the original principal balance reductions and
 2035 must continue to meet the loan agreement terms to the
 2036 satisfaction of the department.

2037 (c) An approved applicant may make payments on the loan at
 2038 any time without penalty. Early repayment is encouraged as other
 2039 funding sources or revenues become available to the approved
 2040 applicant.

2041 (d) All repayments of principal and interest, if
 2042 applicable, received by the department in a fiscal year must be
 2043 returned to the loan fund and made available for loans to other
 2044 applicants in the next application period.

2045 (e) The department may periodically review an approved
 2046 applicant to determine whether he or she continues to be in
 2047 compliance with the terms of the loan agreement. If the
 2048 department finds that an applicant is no longer in production or
 2049 has otherwise violated the loan agreement, the department may
 2050 seek repayment of the full original principal balance

2051 outstanding, including any interest or costs, as applicable, and
2052 excluding any applied or anticipated original principal balance
2053 reductions.

2054 (f) The department may defer or waive loan payments if at
2055 any time during the repayment period of a loan, the approved
2056 applicant experiences a significant hardship such as crop loss
2057 from a weather-related event or from impacts from a natural
2058 disaster or declared emergency.

2059 (7) ADMINISTRATION.—

2060 (a) The department shall create and maintain a separate
2061 account in the General Inspection Trust Fund as a fund for the
2062 program. All repayments must be returned to the loan fund and
2063 made available as provided in this section. Notwithstanding s.
2064 216.301, funds appropriated for the loan program are not subject
2065 to reversion. The department shall manage the fund, establishing
2066 loan practices that must include, but are not limited to,
2067 procedures for establishing loan interest rates, uses of
2068 funding, application procedures, and application review
2069 procedures. The department is authorized to contract with a
2070 third-party administrator to administer the program and manage
2071 the loan fund. A contract for a third-party administrator that
2072 includes management of the loan fund must, at a minimum, require
2073 maintenance of the loan fund to ensure that the program may
2074 operate in a revolving manner.

2075 (b) The department shall coordinate with other state

2076 agencies and other entities to ensure to the greatest extent
 2077 possible that agriculture and aquaculture producers in this
 2078 state have access to the maximum financial assistance available
 2079 following a declared emergency ~~natural disaster~~. The
 2080 coordination must endeavor to ensure that there is no
 2081 duplication of financial assistance between the loan program and
 2082 other funding sources, such as any federal or other state
 2083 programs, including public assistance requests to the Federal
 2084 Emergency Management Agency or financial assistance from the
 2085 United States Department of Agriculture, which could render the
 2086 approved applicant ineligible for other financial assistance.

2087 (8) PUBLIC RECORDS EXEMPTION.—

2088 (a) The following information held by the department
 2089 pursuant to its administration of the program is exempt from s.
 2090 119.07(1) and s. 24(a), Art. I of the State Constitution:

- 2091 1. Tax returns.
- 2092 2. Credit history information, credit reports, and credit
 2093 scores.

2094 (b) This subsection does not prohibit the disclosure of
 2095 information held by the department pursuant to its
 2096 administration of the program in an aggregated and anonymized
 2097 format.

2098 (c) This subsection is subject to the Open Government
 2099 Sunset Review Act in accordance with s. 119.15 and shall stand
 2100 repealed on October 2, 2029, unless reviewed and saved from

2101 repeal through reenactment by the Legislature.

2102 (9) RULES.—The department shall adopt rules to implement
2103 this section.

2104 (10) REPORTS.—By December 1, 2024, and each December 1
2105 thereafter, the department shall provide a report on program
2106 activities during the previous fiscal year to the President of
2107 the Senate and the Speaker of the House of Representatives. The
2108 report must include information on noticed application periods,
2109 the number and value of loans awarded under the program for each
2110 application period, the number and value of loans outstanding,
2111 the number and value of any loan repayments received, and an
2112 anticipated repayment schedule for all loans.

2113 (11) SUNSET.—This section expires July 1, 2043, unless
2114 reviewed and saved from repeal through reenactment by the
2115 Legislature.

2116 **Section 63. Section 570.823, Florida Statutes, is created**
2117 **to read:**

2118 570.823 Silviculture emergency recovery program.—

2119 (1) DEFINITIONS.—As used in this section, the term:

2120 (a) "Bona fide farm operation" means a farm operation
2121 engaged in a good faith commercial agricultural use of land on
2122 land classified as agricultural pursuant to s. 193.461 that
2123 produces agricultural products within the definition of
2124 agriculture under s. 570.02.

2125 (b) "Declared emergency" means an emergency for which a

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2126 state of emergency is declared pursuant to s. 252.36 or s.
2127 570.07(21).

2128 (c) "Department" means the Department of Agriculture and
2129 Consumer Services.

2130 (d) "Program" means the Silviculture Emergency Recovery
2131 Program.

2132 (2) USE OF GRANT FUNDS; GRANT TERMS.—

2133 (a) The silviculture emergency recovery program is
2134 established within the department to administer a grant program
2135 to assist timber landowners whose timber land was damaged as a
2136 result of a declared emergency. Grants provided to eligible
2137 timber landowners must be used for:

2138 1. Timber stand restoration, including downed tree removal
2139 on land which will retain the existing trees on site which are
2140 lightly or completely undamaged; or

2141 2. Site preparation, and tree replanting.

2142 3. Road and trail clearing on private timber lands to
2143 provide emergency access and facilitate salvage operations.

2144 (b) Only timber land located on lands classified as
2145 agricultural lands under s. 193.461 are eligible for the
2146 program.

2147 (c) The department shall coordinate with state agencies
2148 and other entities to ensure to the greatest extent possible
2149 that timber landowners have access to the maximum financial
2150 assistance available following a specified declared emergency.

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2151 The coordination must endeavor to ensure that there is no
2152 duplication of financial assistance between these funds and
2153 other funding sources, such as any federal or other state
2154 programs, including public assistance requests to the Federal
2155 Emergency Management Agency or financial assistance from the
2156 United States Department of Agriculture, which would render the
2157 approved applicant ineligible for other financial assistance.

2158 (d) The department is authorized to adopt rules to
2159 implement this section, including emergency rules.
2160 Notwithstanding any other provision of law, emergency rules
2161 adopted pursuant to this subsection are effective for 6 months
2162 after adoption and may be renewed during the pendency of
2163 procedures to adopt permanent rules addressing the subject of
2164 the emergency rules.

2165 **Section 64. Subsections (2) and (5) of section 581.1843,**
2166 **Florida Statutes, are amended to read:**

2167 581.1843 Citrus nursery stock propagation and production
2168 and the establishment of regulated areas around citrus
2169 nurseries.—

2170 (2) Effective January 1, 2007, it is unlawful for any
2171 person to propagate for sale or movement any citrus nursery
2172 stock that was not propagated or grown on a site and within a
2173 protective structure approved by the department ~~and that is not~~
2174 ~~at least 1 mile away from commercial citrus groves. A citrus~~
2175 ~~nursery registered with the department prior to April 1, 2006,~~

2176 ~~shall not be required to comply with the 1-mile setback from~~
2177 ~~commercial citrus groves while continuously operating at the~~
2178 ~~same location for which it was registered. However, the nursery~~
2179 ~~shall be required to propagate citrus within a protective~~
2180 ~~structure approved by the department. Effective January 1, 2008,~~
2181 ~~it is shall be unlawful to distribute any citrus nursery stock~~
2182 ~~that was not produced in a protective structure approved by the~~
2183 ~~department.~~

2184 ~~(5) The department shall establish regulated areas around~~
2185 ~~the perimeter of commercial citrus nurseries that were~~
2186 ~~established on sites after April 1, 2006, not to exceed a radius~~
2187 ~~of 1 mile. The planting of citrus in an established regulated~~
2188 ~~area is prohibited. The planting of citrus within a 1-mile~~
2189 ~~radius of commercial citrus nurseries that were established on~~
2190 ~~sites prior to April 1, 2006, must be approved by the~~
2191 ~~department. Citrus plants planted within a regulated area prior~~
2192 ~~to the establishment of the regulated area may remain in the~~
2193 ~~regulated area unless the department determines the citrus~~
2194 ~~plants to be infected or infested with citrus canker or citrus~~
2195 ~~greening. The department shall require the removal of infected~~
2196 ~~or infested citrus, nonapproved planted citrus, and citrus that~~
2197 ~~has sprouted by natural means in regulated areas. The property~~
2198 ~~owner shall be responsible for the removal of citrus planted~~
2199 ~~without proper approval. Notice of the removal of citrus trees,~~
2200 ~~by immediate final order of the department, shall be provided to~~

2201 ~~the owner of the property on which the trees are located. An~~
 2202 ~~immediate final order issued by the department under this~~
 2203 ~~section shall notify the property owner that the citrus trees,~~
 2204 ~~which are the subject of the immediate final order, must be~~
 2205 ~~removed and destroyed unless the property owner, no later than~~
 2206 ~~10 days after delivery of the immediate final order, requests~~
 2207 ~~and obtains a stay of the immediate final order from the~~
 2208 ~~district court of appeal with jurisdiction to review such~~
 2209 ~~requests. The property owner shall not be required to seek a~~
 2210 ~~stay from the department of the immediate final order prior to~~
 2211 ~~seeking a stay from the district court of appeal.~~

2212 **Section 65.** Sections 593.101, 593.102, 593.103, 593.104,
 2213 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,
 2214 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116,
 2215 and 593.117, Florida Statutes, are repealed.

2216 **Section 66. Subsection (11) of section 595.404, Florida**
 2217 **Statutes, is amended to read:**

2218 595.404 School food and other nutrition programs; powers
 2219 and duties of the department.—The department has the following
 2220 powers and duties:

2221 (11) To adopt and implement an appeal process by rule, as
 2222 required by federal regulations, for applicants and participants
 2223 under the programs implemented pursuant to this chapter,
 2224 notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss.~~
 2225 ~~120.569 and 120.57-120.595.~~

2226 **Section 67. Section 599.002, Florida Statutes, is amended**
 2227 **to read:**

2228 599.002 Florida Wine ~~Viticulture~~ Advisory Council.—

2229 (1) There is created within the Department of Agriculture
 2230 and Consumer Services the Florida Wine ~~Viticulture~~ Advisory
 2231 Council, to consist of eight members as follows: the president
 2232 of the Florida Wine and Grape Growers Association ~~Florida Grape~~
 2233 ~~Growers' Association~~ or a designee thereof; a representative
 2234 from the Institute of Food and Agricultural Sciences; a
 2235 representative from the viticultural science program at Florida
 2236 Agricultural and Mechanical University; and five additional
 2237 commercial members, to be appointed for a 2-year term each by
 2238 the Commissioner of Agriculture, including a wine producer, a
 2239 fresh fruit producer, a nonwine product (juice, jelly, pie
 2240 fillings, etc.) producer, and a viticultural nursery operator.

2241 (2) The meetings, powers and duties, procedures, and
 2242 recordkeeping of the Florida Wine ~~Viticulture~~ Advisory Council
 2243 shall be pursuant to s. 570.232.

2244 (3) The primary responsibilities of the Florida Wine
 2245 ~~Viticulture~~ Advisory Council are to submit to the Commissioner
 2246 of Agriculture, annually, the industry's recommendations for
 2247 wine and viticultural research, promotion, and education and, as
 2248 necessary, the industry's recommendations for revisions to the
 2249 State Wine ~~Viticulture~~ Plan.

2250 **Section 68. Section 599.003, Florida Statutes, is amended**

2251 **to read:**

2252 599.003 State Wine ~~Viticulture~~ Plan.—

2253 (1) The Commissioner of Agriculture, in consultation with
 2254 the Florida Wine ~~Viticulture~~ Advisory Council, shall develop and
 2255 coordinate the implementation of the State Wine ~~Viticulture~~
 2256 Plan, which shall identify problems and constraints of the wine
 2257 and viticulture industry, propose possible solutions to those
 2258 problems, and develop planning mechanisms for the orderly growth
 2259 of the industry, including:

2260 (a) Criteria for wine and viticultural research, service,
 2261 and management priorities.

2262 (b) Additional proposed legislation that may be required.

2263 (c) Plans and goals to improve research and service
 2264 capabilities at Florida Agricultural and Mechanical University
 2265 and the University of Florida in their efforts to address
 2266 current and future needs of the industry.

2267 (d) The potential for viticulture products in terms of
 2268 market and needs for development.

2269 (e) Evaluation of wine policy alternatives, including, but
 2270 not limited to, continued improvement in wine quality, blending
 2271 considerations, promotion and advertising, labeling and vineyard
 2272 designations, and development of production and marketing
 2273 strategies.

2274 (f) Evaluation of production and fresh fruit policy
 2275 alternatives, including, but not limited to, setting minimum

2276 grades and standards, promotion and advertising, development of
 2277 production and marketing strategies, and setting minimum
 2278 standards on types and quality of nursery plants.

2279 (g) Evaluation of policy alternatives for nonwine
 2280 processed products, including, but not limited to, setting
 2281 minimum quality standards and development of production and
 2282 marketing strategies.

2283 (h) Research and service priorities for further
 2284 development of the wine and viticulture industry.

2285 (i) The identification of state agencies and public and
 2286 private institutions concerned with research, education,
 2287 extension, services, planning, promotion, and marketing
 2288 functions related to wine and viticultural development and the
 2289 delineation of contributions and responsibilities.

2290 (j) Business planning, investment potential, financial
 2291 risks, and economics of production and utilization.

2292 (2) A revision and update of the State Wine Viticulture
 2293 Plan shall be submitted biennially to the President of the
 2294 Senate, the Speaker of the House of Representatives, and the
 2295 chairs of appropriate committees of the Senate and House of
 2296 Representatives, and a progress report and budget request shall
 2297 be submitted annually.

2298 **Section 69. Paragraph (a) of subsection (2) and subsection**
 2299 **(3) of section 599.004, Florida Statutes, are amended, and**
 2300 **paragraph (d) is added to subsection (2) of that section, to**

2301 **read:**

2302 599.004 Florida Farm Winery Program; registration; logo;
2303 fees.—

2304 (2) (a) The department, in coordination with the Florida
2305 Wine Viticulture Advisory Council, shall develop and designate
2306 by rule a Florida Farm Winery logo, emblem, and directional sign
2307 to guide the public to certified Florida Farm Wineries ~~Winery~~
2308 ~~tourist attractions~~. The logo and emblem of certified Florida
2309 Farm Winery signs shall be uniform.

2310 (d) Wineries that fail to recertify annually or pay the
2311 licensing fee required in paragraph (c) are subject to having
2312 the signs referenced in paragraph (b) removed and will be
2313 responsible for all costs incurred by the Department of
2314 Transportation in connection with the removal.

2315 (3) All fees collected, except as otherwise provided by
2316 this section, shall be deposited into the Florida Wine
2317 ~~Viticulture~~ Trust Fund and used to develop consumer information
2318 on the native characteristics and proper use of wines.

2319 **Section 70. Paragraph (a) of subsection (1) of section**
2320 **599.012, Florida Statutes, is amended to read:**

2321 599.012 Wine Viticulture Trust Fund; creation.—

2322 (1) There is established the Viticulture Trust Fund within
2323 the Department of Agriculture and Consumer Services. The
2324 department shall use the moneys deposited in the trust fund
2325 pursuant to subsection (2) to do all the following:

2326 (a) Develop and coordinate the implementation of the State
 2327 Viticulture Plan.

2328 **Section 71. Subsection (1) of section 616.12, Florida**
 2329 **Statutes, is amended to read:**

2330 616.12 Licenses upon certain shows; distribution of fees;
 2331 exemptions.—

2332 (1) Each person who operates any traveling show,
 2333 exhibition, amusement enterprise, carnival, vaudeville, exhibit,
 2334 ~~minstrel~~, rodeo, theatrical, game or test of skill, riding
 2335 device, dramatic repertoire, other show or amusement, or
 2336 concession, including a concession operating in a tent,
 2337 enclosure, or other temporary structure, within the grounds of,
 2338 and in connection with, any annual public fair held by a fair
 2339 association shall pay the license taxes provided by law.
 2340 However, if the association satisfies the requirements of this
 2341 chapter, including securing the required fair permit from the
 2342 department, the license taxes and local business tax authorized
 2343 in chapter 205 are waived and the department shall issue a tax
 2344 exemption certificate. The department shall adopt the proper
 2345 forms and rules to administer this section, including the
 2346 necessary tax exemption certificate, showing that the fair
 2347 association has met all requirements and that the traveling
 2348 show, exhibition, amusement enterprise, carnival, vaudeville,
 2349 exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill,
 2350 riding device, dramatic repertoire, other show or amusement, or

2351 concession is exempt.

2352 **Section 72. Section 687.16, Florida Statutes, is created**
 2353 **to read:**

2354 687.16 Florida Farmer Financial Protection Act.—

2355 (1) SHORT TITLE.—This section may be cited as the "Florida
 2356 Farmer Financial Protection Act."

2357 (2) DEFINITIONS.—

2358 (a) "Agritourism activity" has the same meaning as
 2359 provided in s. 570.86.

2360 (b) "Agriculture producer" means a person or company
 2361 authorized to do business in this state and engaged in the
 2362 production of goods derived from plants or animals, including,
 2363 but not limited to, the growing of crops, silviculture, animal
 2364 husbandry, or the production of livestock or dairy products.

2365 (c) "Commissioner" means the Commissioner of Agriculture.

2366 (d) "Company" means a for-profit organization,
 2367 association, corporation, partnership, joint venture, sole
 2368 proprietorship, limited partnership, limited liability
 2369 partnership, or limited liability company, including a wholly
 2370 owned subsidiary, majority-owned subsidiary, parent company, or
 2371 affiliate of those entities or business associations authorized
 2372 to do business in this state.

2373 (e) "Denies or restricts" means refusing to provide
 2374 services, terminating existing services, or restricting or
 2375 burdening the scope or nature of services offered or provided.

2376 (f) "Discriminate in the provision of financial services"
 2377 means to deny or restrict services and thereby decline to
 2378 provide financial services.

2379 (g) "ESG factor" means any factor or consideration that is
 2380 collateral to or not reasonably likely to affect or impact
 2381 financial risk and includes the promotion, furtherance, or
 2382 achievement of environmental, social, or political goals,
 2383 objectives, or outcomes, which may include the agriculture
 2384 producer's greenhouse gas emissions, use of fossil-fuel derived
 2385 fertilizer, or use of fossil-fuel powered machinery.

2386 (h) "Farm" means the land, buildings, support facilities,
 2387 machinery, and other appurtenances used in the production of
 2388 farm or aquaculture products.

2389 (i) "Financial institution" means a company authorized to
 2390 do business in this state which has total assets of more than
 2391 \$100 million and offers financial services. A financial
 2392 institution includes any affiliate or subsidiary company, even
 2393 if that affiliate or subsidiary company is also a financial
 2394 institution.

2395 (j) "Financial service" means any product or service that
 2396 is of a financial nature and is offered by a financial
 2397 institution.

2398 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

2399 (a) A financial institution may not discriminate in the
 2400 provision of financial services to an agriculture producer

2401 based, in whole or in part, upon an ESG factor.

2402 (b) If a financial institution has made any ESG commitment
2403 related to agriculture, there is an inference that the
2404 institution's denial or restriction of a financial service to an
2405 agriculture producer violates paragraph (a).

2406 (c) A financial institution may overcome the inference in
2407 paragraph (b) by demonstrating that its denial or restriction of
2408 a financial service was based solely on documented risk
2409 analysis, and not on any ESG factor.

2410 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney
2411 General, in consultation with the Office of Financial
2412 Regulation, is authorized to enforce subsection (3). Any
2413 violation of subsection (3) constitutes an unfair trade practice
2414 under part II of chapter 501 and the Attorney General is
2415 authorized to investigate and seek remedies as provided in
2416 general law. Actions for damages may be sought by an aggrieved
2417 party.

2418 **Section 73. Paragraph (a) of subsection (3) of section**
2419 **741.0305, Florida Statutes, is amended to read:**

2420 741.0305 Marriage fee reduction for completion of
2421 premarital preparation course.—

2422 (3)(a) All individuals electing to participate in a
2423 premarital preparation course shall choose from the following
2424 list of qualified instructors:

2425 1. A psychologist licensed under chapter 490.

2426 2. A clinical social worker licensed under chapter 491.
 2427 3. A marriage and family therapist licensed under chapter
 2428 491.

2429 4. A mental health counselor licensed under chapter 491.

2430 5. An official representative of a religious institution
 2431 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the
 2432 representative has relevant training.

2433 6. Any other provider designated by a judicial circuit,
 2434 including, but not limited to, school counselors who are
 2435 certified to offer such courses. Each judicial circuit may
 2436 establish a roster of area course providers, including those who
 2437 offer the course on a sliding fee scale or for free.

2438 **Section 74. Paragraph (h) of subsection (2), subsection**
 2439 **(3), paragraph (c) of subsection (6), and subsection (10) of**
 2440 **section 790.06, Florida Statutes, are amended to read:**

2441 790.06 License to carry concealed weapon or concealed
 2442 firearm.—

2443 (2) The Department of Agriculture and Consumer Services
 2444 shall issue a license if the applicant:

2445 (h) Demonstrates competence with a firearm by any one of
 2446 the following:

2447 1. Completion of any hunter education or hunter safety
 2448 course approved by the Fish and Wildlife Conservation Commission
 2449 or a similar agency of another state;

2450 2. Completion of any National Rifle Association firearms

2451 safety or training course;

2452 3. Completion of any firearms safety or training course or
2453 class available to the general public offered by a law
2454 enforcement agency, junior college, college, or private or
2455 public institution or organization or firearms training school,
2456 using instructors certified by the National Rifle Association,
2457 Criminal Justice Standards and Training Commission, or the
2458 Department of Agriculture and Consumer Services;

2459 4. Completion of any law enforcement firearms safety or
2460 training course or class offered for security guards,
2461 investigators, special deputies, or any division or subdivision
2462 of a law enforcement agency or security enforcement;

2463 5. Presents evidence of equivalent experience with a
2464 firearm through participation in organized shooting competition
2465 or United States military service;

2466 6. Is licensed or has been licensed to carry a concealed
2467 weapon or concealed firearm in this state or a county or
2468 municipality of this state, unless such license has been revoked
2469 for cause; or

2470 7. Completion of any firearms training or safety course or
2471 class conducted by a state-certified or National Rifle
2472 Association certified firearms instructor;

2473
2474 A photocopy of a certificate of completion of any of the courses
2475 or classes; an affidavit from the instructor, school, club,

2476 organization, or group that conducted or taught such course or
2477 class attesting to the completion of the course or class by the
2478 applicant; or a copy of any document that shows completion of
2479 the course or class or evidences participation in firearms
2480 competition shall constitute evidence of qualification under
2481 this paragraph. A person who conducts a course pursuant to
2482 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as
2483 an instructor, attests to the completion of such courses, must
2484 maintain records certifying that he or she observed the student
2485 safely handle and discharge the firearm in his or her physical
2486 presence and that the discharge of the firearm included live
2487 fire using a firearm and ammunition as defined in s. 790.001;

2488 (3) (a) The Department of Agriculture and Consumer Services
2489 shall deny a license if the applicant has been found guilty of,
2490 had adjudication of guilt withheld for, or had imposition of
2491 sentence suspended for one or more crimes of violence
2492 constituting a misdemeanor, unless 3 years have elapsed since
2493 probation or any other conditions set by the court have been
2494 fulfilled or the record has been sealed or expunged. The
2495 Department of Agriculture and Consumer Services shall revoke a
2496 license if the licensee has been found guilty of, had
2497 adjudication of guilt withheld for, or had imposition of
2498 sentence suspended for one or more crimes of violence within the
2499 preceding 3 years. The department shall, upon notification by a
2500 law enforcement agency, a court, clerk's office, or the Florida

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2501 Department of Law Enforcement ~~and subsequent written~~
2502 ~~verification,~~ temporarily suspend a license or the processing of
2503 an application for a license if the licensee or applicant is
2504 arrested or formally charged with a crime that would disqualify
2505 such person from having a license under this section, until
2506 final disposition of the case. The department shall suspend a
2507 license or the processing of an application for a license if the
2508 licensee or applicant is issued an injunction that restrains the
2509 licensee or applicant from committing acts of domestic violence
2510 or acts of repeat violence. The department shall notify the
2511 licensee or applicant suspended under this section of his or her
2512 right to a hearing pursuant to chapter 120. A hearing conducted
2513 regarding the temporary suspension must be for the limited
2514 purpose of determining whether the licensee has been arrested or
2515 charged with a disqualifying crime or issued an injunction or
2516 court order. If the criminal case or injunction results in a
2517 nondisqualifying disposition, the department must issue an order
2518 lifting the suspension upon the applicant or licensee's
2519 submission to the department of a certified copy of the final
2520 resolution. If the criminal case results in a disqualifying
2521 disposition, the suspension remains in effect and the department
2522 must proceed with denial or revocation proceedings pursuant to
2523 chapter 120.

2524 (b) This subsection may not be construed to limit,
2525 restrict, or inhibit the constitutional right to bear arms and

2526 carry a concealed weapon in this state. The Legislature finds it
 2527 a matter of public policy and public safety that it is necessary
 2528 to ensure that potentially disqualifying information about an
 2529 applicant or licensee is investigated and processed in a timely
 2530 manner by the department pursuant to this section. The
 2531 Legislature intends to clarify that suspensions pursuant to this
 2532 section are temporary, and the department has the duty to make
 2533 an eligibility determination and issue a license in the time
 2534 frame prescribed in this subsection.

2535 (6)

2536 (c) The Department of Agriculture and Consumer Services
 2537 shall, within 90 days after the date of receipt of the items
 2538 listed in subsection (5):

2539 1. Issue the license; or

2540 2. Deny the application based solely on the ground that
 2541 the applicant fails to qualify under the criteria listed in
 2542 subsection (2) or subsection (3). If the Department of
 2543 Agriculture and Consumer Services denies the application, it
 2544 shall notify the applicant in writing, stating the ground for
 2545 denial and informing the applicant of any right to a hearing
 2546 pursuant to chapter 120.

2547 3. In the event the result of the criminal history
 2548 screening identifies ~~department receives~~ criminal history
 2549 information related to a crime that may disqualify the applicant
 2550 but does not contain ~~with no~~ final disposition of the crime or

2551 lacks sufficient information to make an eligibility
2552 determination ~~on a crime which may disqualify the applicant,~~ the
2553 time limitation prescribed by this paragraph may be extended for
2554 up to an additional 90 days from the receipt of the information
2555 ~~suspended until receipt of the final disposition or proof of~~
2556 ~~restoration of civil and firearm rights.~~ The department may make
2557 a request for information to the jurisdiction where the criminal
2558 history information originated but shall issue a license if it
2559 does not obtain a disposition or sufficient information to make
2560 an eligibility determination within the additional 90 days if
2561 the applicant is otherwise eligible. The department shall take
2562 any action authorized in this section if it receives
2563 disqualifying criminal history information during the additional
2564 90-day review or after issuance of a license.

2565 (10) A license issued under this section shall be
2566 temporarily suspended as provided for in subparagraph (6)(c)3.,
2567 or revoked pursuant to chapter 120 if the license was issued in
2568 error or if the licensee:

2569 (a) Is found to be ineligible under the criteria set forth
2570 in subsection (2);

2571 (b) Develops or sustains a physical infirmity which
2572 prevents the safe handling of a weapon or firearm;

2573 (c) Is convicted of a felony which would make the licensee
2574 ineligible to possess a firearm pursuant to s. 790.23;

2575 (d) Is found guilty of a crime under chapter 893, or

2576 similar laws of any other state, relating to controlled
 2577 substances;

2578 (e) Is committed as a substance abuser under chapter 397,
 2579 or is deemed a habitual offender under s. 856.011(3), or similar
 2580 laws of any other state;

2581 (f) Is convicted of a second violation of s. 316.193, or a
 2582 similar law of another state, within 3 years after a first
 2583 conviction of such section or similar law of another state, even
 2584 though the first violation may have occurred before the date on
 2585 which the application was submitted;

2586 (g) Is adjudicated an incapacitated person under s.
 2587 744.331, or similar laws of any other state; or

2588 (h) Is committed to a mental institution under chapter
 2589 394, or similar laws of any other state.

2590

2591 Notwithstanding s. 120.60(5), service of a notice of the
 2592 suspension or revocation of a concealed weapon or concealed
 2593 firearm license must be given by either certified mail, return
 2594 receipt requested, to the licensee at his or her last known
 2595 mailing address furnished to the Department of Agriculture and
 2596 Consumer Services, or by personal service. If a notice given by
 2597 certified mail is returned as undeliverable, a second attempt
 2598 must be made to provide notice to the licensee at that address,
 2599 by either first-class mail in an envelope, postage prepaid,
 2600 addressed to the licensee at his or her last known mailing

2601 address furnished to the department, or, if the licensee has
 2602 provided an e-mail address to the department, by e-mail. Such
 2603 mailing by the department constitutes notice, and any failure by
 2604 the licensee to receive such notice does not stay the effective
 2605 date or term of the suspension or revocation. A request for
 2606 hearing must be filed with the department within 21 days after
 2607 notice is received by personal delivery, or within 26 days after
 2608 the date the department deposits the notice in the United States
 2609 mail (21 days plus 5 days for mailing). The department shall
 2610 document its attempts to provide notice, and such documentation
 2611 is admissible in the courts of this state and constitutes
 2612 sufficient proof that notice was given.

2613 **Section 75. Paragraph (f) of subsection (3) of section**
 2614 **790.33, Florida Statutes, is amended to read:**

2615 790.33 Field of regulation of firearms and ammunition
 2616 preempted.—

2617 (3) PROHIBITIONS; PENALTIES.—

2618 (f)1. A person or an organization whose membership is
 2619 adversely affected by any ordinance, regulation, measure,
 2620 directive, rule, enactment, order, or policy, whether written or
 2621 unwritten, promulgated or caused to be enforced in violation of
 2622 this section may file suit against any county, agency,
 2623 municipality, district, or other entity in any court of this
 2624 state having jurisdiction over any defendant to the suit for
 2625 declaratory and injunctive relief and for actual damages, as

2626 | limited herein, caused by the violation. Civil fines assessed
 2627 | pursuant to paragraph (3)(c) and any attorney fees and costs
 2628 | shall be assessed only upon a finding that the entity received
 2629 | notice of the local ordinance or administrative rule or
 2630 | regulation impinging upon such exclusive occupation of the field
 2631 | of regulation of firearms and ammunition at least 30 days before
 2632 | a suit under this paragraph was filed and that the entity failed
 2633 | to change the ordinance, regulation, measure, directive, rule,
 2634 | enactment, order, or policy within that 30-day period. A court
 2635 | shall award the prevailing party ~~plaintiff~~ in any such suit:

2636 | a. Reasonable attorney fees and costs in accordance with
 2637 | the laws of this state, including a contingency fee multiplier,
 2638 | as authorized by law; and

2639 | b. The actual damages incurred, but not more than
 2640 | \$100,000.

2641 | 2. If after the filing of a complaint a defendant
 2642 | voluntarily changes the ordinance, regulation, measure,
 2643 | directive, rule, enactment, order, or policy, written or
 2644 | unwritten, promulgated or caused to be enforced in violation of
 2645 | this section, with or without court action, the plaintiff is
 2646 | considered a prevailing plaintiff for purposes of this section.

2647 |
 2648 | Interest on the sums awarded pursuant to this subsection shall
 2649 | accrue at the legal rate from the date on which suit was filed.

2650 | **Section 76. Subsection (2) of section 812.0151, Florida**

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2651 **Statutes, is amended to read:**

2652 812.0151 Retail fuel theft.—

2653 (2) (a) A person commits a felony of the third degree,
2654 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2655 if he or she willfully, knowingly, and without authorization:

2656 1. Breaches a retail fuel dispenser or accesses any
2657 internal portion of a retail fuel dispenser; or

2658 2. Possesses any device constructed for the purpose of
2659 fraudulently altering, manipulating, or interrupting the normal
2660 functioning of a retail fuel dispenser.

2661 3. Possesses any form of a payment instrument that can be
2662 used, alone or in conjunction with another access device, to
2663 authorize a fuel transaction or obtain fuel, including, but not
2664 limited to, a plastic payment card with a magnetic stripe or a
2665 chip encoded with account information or both, with the intent
2666 to defraud the fuel retailer, the authorized payment instrument
2667 financial account holder, or the banking institution that issued
2668 the payment instrument financial account.

2669 (b) A person commits a felony of the second degree,
2670 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2671 if he or she willfully, knowingly, and without authorization:

2672 1. Physically tampers with, manipulates, removes,
2673 replaces, or interrupts any mechanical or electronic component
2674 located on ~~within~~ the internal or external portion of a retail
2675 fuel dispenser; or

2676 2. Uses any form of electronic communication to
 2677 fraudulently alter, manipulate, or interrupt the normal
 2678 functioning of a retail fuel dispenser.

2679 (c) A person commits a felony of the third degree,
 2680 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
 2681 if he or she:

2682 1. Obtains fuel as a result of violating paragraph (a) or
 2683 paragraph (b); ~~or~~

2684 2. Modifies a vehicle's factory installed fuel tank or
 2685 possesses any item used to hold fuel which was not fitted to a
 2686 vehicle or conveyance at the time of manufacture with the intent
 2687 to use such fuel tank or item to hold or transport fuel obtained
 2688 as a result of violating paragraph (a) or paragraph (b); or

2689 3. Uses any form of a payment instrument that can be used,
 2690 alone or in conjunction with another access device, to authorize
 2691 a fuel transaction or obtain fuel, including, but not limited
 2692 to, a plastic payment card with a magnetic stripe or a chip
 2693 encoded with account information or both, with the intent to
 2694 defraud the fuel retailer, the authorized payment instrument
 2695 financial account holder, or the banking institution that issued
 2696 the payment instrument financial account.

2697 **Section 77. Section 812.136, Florida Statutes, is created**
 2698 **to read:**

2699 812.136 Mail theft.—

2700 (1) As used in this section, unless the context otherwise

2701 requires:

2702 (a) "Mail" means any letter, postal card, parcel,
2703 envelope, package, bag, or any other sealed article addressed to
2704 another, along with its contents.

2705 (b) "Mail depository" means a mail box, letter box, mail
2706 route, or mail receptacle of a postal service, an office of a
2707 postal service, or mail carrier of a postal service, or a
2708 vehicle of a postal service.

2709 (c) "Postal service" means the United States Postal
2710 Service or its contractors, or any commercial courier that
2711 delivers mail.

2712 (2) Any of the following acts shall constitute mail theft:

2713 (a) Removing mail from a mail depository or taking mail
2714 from a mail carrier of a postal service with an intent to steal.

2715 (b) Obtaining custody of mail by fraud or deception with
2716 an intent to steal.

2717 (c) Selling, receiving, possessing, transferring, buying,
2718 or concealing mail obtained by acts described in paragraph (a)
2719 or paragraph (b) of this subsection, while knowing or having
2720 reason to know the mail was obtained illegally.

2721 (3) Any of the following shall constitute theft of or
2722 unauthorized reproduction of a mail depository key or lock:

2723 (a) Stealing or obtaining by false pretense any key or
2724 lock adopted by a postal service for a mail depository or other
2725 authorized receptacle for the deposit or delivery of mail.

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2726 (b) Knowingly and unlawfully making, forging, or
2727 counterfeiting any such key or possessing any such key or lock
2728 adopted by a postal service with the intent to unlawfully or
2729 improperly use, sell, or otherwise dispose of the key or lock,
2730 or to cause the key or lock to be unlawfully or improperly used,
2731 sold, or otherwise disposed.

2732 (4) The first violation of this section shall constitute a
2733 misdemeanor of the first degree, punishable by a term of
2734 imprisonment not exceeding 1 year pursuant to s. 775.082(4) (a)
2735 or a fine not to exceed \$1,000 pursuant to s. 775.083(1) (d), or
2736 both. A second or subsequent violation of this section shall
2737 constitute a felony of the third degree, punishable by a term of
2738 imprisonment not exceeding 5 years pursuant to s. 775.82(3) (e)
2739 or a fine not to exceed \$5,000 pursuant to s. 775.083(1) (c), or
2740 both.

2741 **Section 78. Section 1013.373, Florida Statutes, is created**
2742 **to read:**

2743 1013.373 Educational facilities used for agricultural
2744 education.—

2745 (1) Notwithstanding any other provision of law, a local
2746 government may not adopt any ordinance, regulation, rule, or
2747 policy to prohibit, restrict, regulate, or otherwise limit any
2748 activities of public educational facilities and auxiliary
2749 facilities constructed by a board for agricultural education,
2750 for Future Farmers of America or 4-H activities, or the storage

2751 of any animals or equipment therein.

2752 (2) Lands used for agricultural education or for Future
2753 Farmers of America or 4-H activities shall be considered
2754 agricultural lands pursuant to s. 193.461 and subject to s.
2755 823.14.

2756 **Section 79. For the purpose of incorporating the amendment**
2757 **made by this act to section 110.205, Florida Statutes, in a**
2758 **reference thereto, paragraph (a) of subsection (5) of section**
2759 **295.07, Florida Statutes, is reenacted to read:**

2760 295.07 Preference in appointment and retention.—

2761 (5) The following positions are exempt from this section:

2762 (a) Those positions that are exempt from the state Career
2763 Service System under s. 110.205(2); however, all positions under
2764 the University Support Personnel System of the State University
2765 System as well as all Career Service System positions under the
2766 Florida College System and the School for the Deaf and the
2767 Blind, or the equivalent of such positions at state
2768 universities, Florida College System institutions, or the School
2769 for the Deaf and the Blind, are not exempt.

2770 **Section 80. For the purpose of incorporating the amendment**
2771 **made by this act to section 193.461, Florida Statutes, in a**
2772 **reference thereto, paragraph (r) of subsection (1) of section**
2773 **125.01, Florida Statutes, is reenacted to read:**

2774 125.01 Powers and duties.—

2775 (1) The legislative and governing body of a county shall

2776 | have the power to carry on county government. To the extent not
 2777 | inconsistent with general or special law, this power includes,
 2778 | but is not restricted to, the power to:

2779 | (r) Levy and collect taxes, both for county purposes and
 2780 | for the providing of municipal services within any municipal
 2781 | service taxing unit, and special assessments; borrow and expend
 2782 | money; and issue bonds, revenue certificates, and other
 2783 | obligations of indebtedness, which power shall be exercised in
 2784 | such manner, and subject to such limitations, as may be provided
 2785 | by general law. There shall be no referendum required for the
 2786 | levy by a county of ad valorem taxes, both for county purposes
 2787 | and for the providing of municipal services within any municipal
 2788 | service taxing unit.

2789 | 1. Notwithstanding any other provision of law, a county
 2790 | may not levy special assessments on lands classified as
 2791 | agricultural lands under s. 193.461 unless the revenue from such
 2792 | assessments has been pledged for debt service and is necessary
 2793 | to meet obligations of bonds or certificates issued by the
 2794 | county which remain outstanding on July 1, 2023, including
 2795 | refundings thereof for debt service savings where the maturity
 2796 | of the debt is not extended. For bonds or certificates issued
 2797 | after July 1, 2023, special assessments securing such bonds may
 2798 | not be levied on lands classified as agricultural under s.
 2799 | 193.461.

2800 | 2. The provisions of subparagraph 1. do not apply to

2801 residential structures and their curtilage.

2802 **Section 81. For the purpose of incorporating the amendment**
 2803 **made by this act to section 193.461, Florida Statutes, in a**
 2804 **reference thereto, paragraphs (a) through (d) of subsection (3)**
 2805 **of section 163.3162, Florida Statutes, are reenacted to read:**

2806 163.3162 Agricultural lands and practices.—

2807 (3) DUPLICATION OF REGULATION.—Except as otherwise
 2808 provided in this section and s. 487.051(2), and notwithstanding
 2809 any other law, including any provision of chapter 125 or this
 2810 chapter:

2811 (a) A governmental entity may not exercise any of its
 2812 powers to adopt or enforce any ordinance, resolution,
 2813 regulation, rule, or policy to prohibit, restrict, regulate, or
 2814 otherwise limit an activity of a bona fide farm operation on
 2815 land classified as agricultural land pursuant to s. 193.461, if
 2816 such activity is regulated through implemented best management
 2817 practices, interim measures, or regulations adopted as rules
 2818 under chapter 120 by the Department of Environmental Protection,
 2819 the Department of Agriculture and Consumer Services, or a water
 2820 management district as part of a statewide or regional program;
 2821 or if such activity is expressly regulated by the United States
 2822 Department of Agriculture, the United States Army Corps of
 2823 Engineers, or the United States Environmental Protection Agency.

2824 (b) A governmental entity may not charge a fee on a
 2825 specific agricultural activity of a bona fide farm operation on

2826 land classified as agricultural land pursuant to s. 193.461, if
2827 such agricultural activity is regulated through implemented best
2828 management practices, interim measures, or regulations adopted
2829 as rules under chapter 120 by the Department of Environmental
2830 Protection, the Department of Agriculture and Consumer Services,
2831 or a water management district as part of a statewide or
2832 regional program; or if such agricultural activity is expressly
2833 regulated by the United States Department of Agriculture, the
2834 United States Army Corps of Engineers, or the United States
2835 Environmental Protection Agency.

2836 (c) A governmental entity may not charge an assessment or
2837 fee for stormwater management on a bona fide farm operation on
2838 land classified as agricultural land pursuant to s. 193.461, if
2839 the farm operation has a National Pollutant Discharge
2840 Elimination System permit, environmental resource permit, or
2841 works-of-the-district permit or implements best management
2842 practices adopted as rules under chapter 120 by the Department
2843 of Environmental Protection, the Department of Agriculture and
2844 Consumer Services, or a water management district as part of a
2845 statewide or regional program.

2846 (d) For each governmental entity that, before March 1,
2847 2009, adopted a stormwater utility ordinance or resolution,
2848 adopted an ordinance or resolution establishing a municipal
2849 services benefit unit, or adopted a resolution stating the
2850 governmental entity's intent to use the uniform method of

2851 collection pursuant to s. 197.3632 for such stormwater
 2852 ordinances, the governmental entity may continue to charge an
 2853 assessment or fee for stormwater management on a bona fide farm
 2854 operation on land classified as agricultural pursuant to s.
 2855 193.461, if the ordinance or resolution provides credits against
 2856 the assessment or fee on a bona fide farm operation for the
 2857 water quality or flood control benefit of:

2858 1. The implementation of best management practices adopted
 2859 as rules under chapter 120 by the Department of Environmental
 2860 Protection, the Department of Agriculture and Consumer Services,
 2861 or a water management district as part of a statewide or
 2862 regional program;

2863 2. The stormwater quality and quantity measures required
 2864 as part of a National Pollutant Discharge Elimination System
 2865 permit, environmental resource permit, or works-of-the-district
 2866 permit; or

2867 3. The implementation of best management practices or
 2868 alternative measures which the landowner demonstrates to the
 2869 governmental entity to be of equivalent or greater stormwater
 2870 benefit than those provided by implementation of best management
 2871 practices adopted as rules under chapter 120 by the Department
 2872 of Environmental Protection, the Department of Agriculture and
 2873 Consumer Services, or a water management district as part of a
 2874 statewide or regional program, or stormwater quality and
 2875 quantity measures required as part of a National Pollutant

2876 Discharge Elimination System permit, environmental resource
 2877 permit, or works-of-the-district permit.

2878 **Section 82. For the purpose of incorporating the amendment**
 2879 **made by this act to section 193.461, Florida Statutes, in a**
 2880 **reference thereto, paragraph (c) of subsection (3) of section**
 2881 **163.3163, Florida Statutes, is reenacted to read:**

2882 163.3163 Applications for development permits; disclosure
 2883 and acknowledgment of contiguous sustainable agricultural land.—

2884 (3) As used in this section, the term:

2885 (c) "Sustainable agricultural land" means land classified
 2886 as agricultural land pursuant to s. 193.461 which is used for a
 2887 farm operation that uses current technology, based on science or
 2888 research and demonstrated measurable increases in productivity,
 2889 to meet future food, feed, fiber, and energy needs, while
 2890 considering the environmental impacts and the social and
 2891 economic benefits to the rural communities.

2892 **Section 83. For the purpose of incorporating the amendment**
 2893 **made by this act to section 193.461, Florida Statutes, in a**
 2894 **reference thereto, paragraph (b) of subsection (4) of section**
 2895 **163.3164, Florida Statutes, is reenacted to read:**

2896 163.3164 Community Planning Act; definitions.—As used in
 2897 this act:

2898 (4) "Agricultural enclave" means an unincorporated,
 2899 undeveloped parcel that:

2900 (a) Is owned by a single person or entity;

2901 (b) Has been in continuous use for bona fide agricultural
 2902 purposes, as defined by s. 193.461, for a period of 5 years
 2903 prior to the date of any comprehensive plan amendment
 2904 application;

2905 (c) Is surrounded on at least 75 percent of its perimeter
 2906 by:

2907 1. Property that has existing industrial, commercial, or
 2908 residential development; or

2909 2. Property that the local government has designated, in
 2910 the local government's comprehensive plan, zoning map, and
 2911 future land use map, as land that is to be developed for
 2912 industrial, commercial, or residential purposes, and at least 75
 2913 percent of such property is existing industrial, commercial, or
 2914 residential development;

2915 (d) Has public services, including water, wastewater,
 2916 transportation, schools, and recreation facilities, available or
 2917 such public services are scheduled in the capital improvement
 2918 element to be provided by the local government or can be
 2919 provided by an alternative provider of local government
 2920 infrastructure in order to ensure consistency with applicable
 2921 concurrency provisions of s. 163.3180; and

2922 (e) Does not exceed 1,280 acres; however, if the property
 2923 is surrounded by existing or authorized residential development
 2924 that will result in a density at buildout of at least 1,000
 2925 residents per square mile, then the area shall be determined to

2926 | be urban and the parcel may not exceed 4,480 acres.

2927 | **Section 84. For the purpose of incorporating the amendment**
 2928 | **made by this act to section 193.461, Florida Statutes, in a**
 2929 | **reference thereto, subsection (5) of section 163.3194, Florida**
 2930 | **Statutes, is reenacted to read:**

2931 | 163.3194 Legal status of comprehensive plan.—

2932 | (5) The tax-exempt status of lands classified as
 2933 | agricultural under s. 193.461 shall not be affected by any
 2934 | comprehensive plan adopted under this act as long as the land
 2935 | meets the criteria set forth in s. 193.461.

2936 | **Section 85. For the purpose of incorporating the amendment**
 2937 | **made by this act to section 193.461, Florida Statutes, in a**
 2938 | **reference thereto, subsection (4) of section 170.01, Florida**
 2939 | **Statutes, is reenacted to read:**

2940 | 170.01 Authority for providing improvements and levying
 2941 | and collecting special assessments against property benefited.—

2942 | (4) Notwithstanding any other provision of law, a
 2943 | municipality may not levy special assessments for the provision
 2944 | of fire protection services on lands classified as agricultural
 2945 | lands under s. 193.461 unless the land contains a residential
 2946 | dwelling or nonresidential farm building, with the exception of
 2947 | an agricultural pole barn, provided the nonresidential farm
 2948 | building exceeds a just value of \$10,000. Such special
 2949 | assessments must be based solely on the special benefit accruing
 2950 | to that portion of the land consisting of the residential

2951 dwelling and curtilage, and qualifying nonresidential farm
 2952 buildings. As used in this subsection, the term "agricultural
 2953 pole barn" means a nonresidential farm building in which 70
 2954 percent or more of the perimeter walls are permanently open and
 2955 allow free ingress and egress.

2956 **Section 86. For the purpose of incorporating the amendment**
 2957 **made by this act to section 193.461, Florida Statutes, in a**
 2958 **reference thereto, subsection (2) of section 193.052, Florida**
 2959 **Statutes, is reenacted to read:**

2960 193.052 Preparation and serving of returns.—

2961 (2) No return shall be required for real property the
 2962 ownership of which is reflected in instruments recorded in the
 2963 public records of the county in which the property is located,
 2964 unless otherwise required in this title. In order for land to be
 2965 considered for agricultural classification under s. 193.461 or
 2966 high-water recharge classification under s. 193.625, an
 2967 application for classification must be filed on or before March
 2968 1 of each year with the property appraiser of the county in
 2969 which the land is located, except as provided in s.
 2970 193.461(3)(a). The application must state that the lands on
 2971 January 1 of that year were used primarily for bona fide
 2972 commercial agricultural or high-water recharge purposes.

2973 **Section 87. For the purpose of incorporating the amendment**
 2974 **made by this act to section 193.461, Florida Statutes, in a**
 2975 **reference thereto, section 193.4615, Florida Statutes, is**

2976 **reenacted to read:**

2977 193.4615 Assessment of obsolete agricultural equipment.—
 2978 For purposes of ad valorem property taxation, agricultural
 2979 equipment that is located on property classified as agricultural
 2980 under s. 193.461 and that is no longer usable for its intended
 2981 purpose shall be deemed to have a market value no greater than
 2982 its value for salvage.

2983 **Section 88. For the purpose of incorporating the amendment**
 2984 **made by this act to section 193.461, Florida Statutes, in a**
 2985 **reference thereto, paragraph (a) of subsection (5) and paragraph**
 2986 **(a) of subsection (19) of section 212.08, Florida Statutes, are**
 2987 **reenacted to read:**

2988 212.08 Sales, rental, use, consumption, distribution, and
 2989 storage tax; specified exemptions.—The sale at retail, the
 2990 rental, the use, the consumption, the distribution, and the
 2991 storage to be used or consumed in this state of the following
 2992 are hereby specifically exempt from the tax imposed by this
 2993 chapter.

2994 (5) EXEMPTIONS; ACCOUNT OF USE.—

2995 (a) *Items in agricultural use and certain nets.*—There are
 2996 exempt from the tax imposed by this chapter nets designed and
 2997 used exclusively by commercial fisheries; disinfectants,
 2998 fertilizers, insecticides, pesticides, herbicides, fungicides,
 2999 and weed killers used for application on crops or groves,
 3000 including commercial nurseries and home vegetable gardens, used

3001 in dairy barns or on poultry farms for the purpose of protecting
3002 poultry or livestock, or used directly on poultry or livestock;
3003 animal health products that are administered to, applied to, or
3004 consumed by livestock or poultry to alleviate pain or cure or
3005 prevent sickness, disease, or suffering, including, but not
3006 limited to, antiseptics, absorbent cotton, gauze for bandages,
3007 lotions, vaccines, vitamins, and worm remedies; aquaculture
3008 health products that are used by aquaculture producers, as
3009 defined in s. 597.0015, to prevent or treat fungi, bacteria, and
3010 parasitic diseases; portable containers or movable receptacles
3011 in which portable containers are placed, used for processing
3012 farm products; field and garden seeds, including flower seeds;
3013 nursery stock, seedlings, cuttings, or other propagative
3014 material purchased for growing stock; seeds, seedlings,
3015 cuttings, and plants used to produce food for human consumption;
3016 cloth, plastic, and other similar materials used for shade,
3017 mulch, or protection from frost or insects on a farm; hog wire
3018 and barbed wire fencing, including gates and materials used to
3019 construct or repair such fencing, used in agricultural
3020 production on lands classified as agricultural lands under s.
3021 193.461; materials used to construct or repair permanent or
3022 temporary fencing used to contain, confine, or process cattle,
3023 including gates and energized fencing systems, used in
3024 agricultural operations on lands classified as agricultural
3025 lands under s. 193.461; stakes used by a farmer to support

3026 plants during agricultural production; generators used on
3027 poultry farms; and liquefied petroleum gas or other fuel used to
3028 heat a structure in which started pullets or broilers are
3029 raised; however, such exemption is not allowed unless the
3030 purchaser or lessee signs a certificate stating that the item to
3031 be exempted is for the exclusive use designated herein. Also
3032 exempt are cellophane wrappers, glue for tin and glass
3033 (apiarists), mailing cases for honey, shipping cases, window
3034 cartons, and baling wire and twine used for baling hay, when
3035 used by a farmer to contain, produce, or process an agricultural
3036 commodity.

3037 (19) FLORIDA FARM TEAM CARD.—

3038 (a) Notwithstanding any other law, a farmer whose property
3039 has been classified as agricultural pursuant to s. 193.461 or
3040 who has implemented agricultural best management practices
3041 adopted by the Department of Agriculture and Consumer Services
3042 pursuant to s. 403.067(7)(c)2. may apply to the department for a
3043 Florida farm tax exempt agricultural materials (TEAM) card to
3044 claim the applicable sales tax exemptions provided in this
3045 section. A farmer may present the Florida farm TEAM card to a
3046 selling dealer in lieu of a certificate or affidavit otherwise
3047 required by this chapter.

3048 **Section 89. For the purpose of incorporating the amendment**
3049 **made by this act to section 193.461, Florida Statutes, in a**
3050 **reference thereto, subsection (2) of section 373.406, Florida**

3051 **Statutes, is reenacted to read:**

3052 373.406 Exemptions.—The following exemptions shall apply:

3053 (2) Notwithstanding s. 403.927, nothing herein, or in any
3054 rule, regulation, or order adopted pursuant hereto, shall be
3055 construed to affect the right of any person engaged in the
3056 occupation of agriculture, silviculture, floriculture, or
3057 horticulture to alter the topography of any tract of land,
3058 including, but not limited to, activities that may impede or
3059 divert the flow of surface waters or adversely impact wetlands,
3060 for purposes consistent with the normal and customary practice
3061 of such occupation in the area. However, such alteration or
3062 activity may not be for the sole or predominant purpose of
3063 impeding or diverting the flow of surface waters or adversely
3064 impacting wetlands. This exemption applies to lands classified
3065 as agricultural pursuant to s. 193.461 and to activities
3066 requiring an environmental resource permit pursuant to this
3067 part. This exemption does not apply to any activities previously
3068 authorized by an environmental resource permit or a management
3069 and storage of surface water permit issued pursuant to this part
3070 or a dredge and fill permit issued pursuant to chapter 403. This
3071 exemption has retroactive application to July 1, 1984.

3072 **Section 90. For the purpose of incorporating the amendment**
3073 **made by this act to section 193.461, Florida Statutes, in a**
3074 **reference thereto, paragraph (a) of subsection (11) of section**
3075 **403.182, Florida Statutes, is reenacted to read:**

3076 403.182 Local pollution control programs.—

3077 (11) (a) Notwithstanding this section or any existing local
 3078 pollution control programs, the Secretary of Environmental
 3079 Protection has exclusive jurisdiction in setting standards or
 3080 procedures for evaluating environmental conditions and assessing
 3081 potential liability for the presence of contaminants on land
 3082 that is classified as agricultural land pursuant to s. 193.461
 3083 and being converted to a nonagricultural use. The exclusive
 3084 jurisdiction includes defining what constitutes all appropriate
 3085 inquiry consistent with 40 C.F.R. part 312 and guidance
 3086 thereunder.

3087 **Section 91. For the purpose of incorporating the amendment**
 3088 **made by this act to section 193.461, Florida Statutes, in a**
 3089 **reference thereto, subsection (4) of section 403.9337, Florida**
 3090 **Statutes, is reenacted to read:**

3091 403.9337 Model Ordinance for Florida-Friendly Fertilizer
 3092 Use on Urban Landscapes.—

3093 (4) This section does not apply to the use of fertilizer
 3094 on farm operations as defined in s. 823.14 or on lands
 3095 classified as agricultural lands pursuant to s. 193.461.

3096 **Section 92. For the purpose of incorporating the amendment**
 3097 **made by this act to section 193.461, Florida Statutes, in a**
 3098 **reference thereto, paragraph (d) of subsection (2) of section**
 3099 **472.029, Florida Statutes, is reenacted to read:**

3100 472.029 Authorization to enter lands of third parties;

3101 conditions.—

3102 (2) LIABILITY AND DUTY OF CARE ON AGRICULTURAL LAND.—

3103 (d) This subsection applies only to land classified as
3104 agricultural pursuant to s. 193.461.

3105 **Section 93. For the purpose of incorporating the amendment**
3106 **made by this act to section 193.461, Florida Statutes, in a**
3107 **reference thereto, subsection (5) of section 474.2021, Florida**
3108 **Statutes, is reenacted to read:**

3109 474.2021 Veterinary telehealth.—

3110 (5) A veterinarian personally acquainted with the caring
3111 and keeping of an animal or group of animals on food-producing
3112 animal operations on land classified as agricultural pursuant to
3113 s. 193.461 who has recently seen the animal or group of animals
3114 or has made medically appropriate and timely visits to the
3115 premises where the animal or group of animals is kept may
3116 practice veterinary telehealth for animals on such operations.

3117 **Section 94. For the purpose of incorporating the amendment**
3118 **made by this act to section 193.461, Florida Statutes, in a**
3119 **reference thereto, paragraph (d) of subsection (4) of section**
3120 **474.2165, Florida Statutes, is reenacted to read:**

3121 474.2165 Ownership and control of veterinary medical
3122 patient records; report or copies of records to be furnished.—

3123 (4) Except as otherwise provided in this section, such
3124 records may not be furnished to, and the medical condition of a
3125 patient may not be discussed with, any person other than the

3126 client or the client's legal representative or other
 3127 veterinarians involved in the care or treatment of the patient,
 3128 except upon written authorization of the client. However, such
 3129 records may be furnished without written authorization under the
 3130 following circumstances:

3131 (d) In any criminal action or situation where a
 3132 veterinarian suspects a criminal violation. If a criminal
 3133 violation is suspected, a veterinarian may, without notice to or
 3134 authorization from the client, report the violation to a law
 3135 enforcement officer, an animal control officer who is certified
 3136 pursuant to s. 828.27(4)(a), or an agent appointed under s.
 3137 828.03. However, if a suspected violation occurs at a commercial
 3138 food-producing animal operation on land classified as
 3139 agricultural under s. 193.461, the veterinarian must provide
 3140 notice to the client or the client's legal representative before
 3141 reporting the suspected violation to an officer or agent under
 3142 this paragraph. The report may not include written medical
 3143 records except upon the issuance of an order from a court of
 3144 competent jurisdiction.

3145 **Section 95. For the purpose of incorporating the amendment**
 3146 **made by this act to section 193.461, Florida Statutes, in a**
 3147 **reference thereto, subsection (6) of section 487.081, Florida**
 3148 **Statutes, is reenacted to read:**

3149 487.081 Exemptions.—

3150 (6) The Department of Environmental Protection is not

3151 authorized to institute proceedings against any property owner
3152 or leaseholder of property under the provisions of s. 376.307(5)
3153 to recover any costs or damages associated with pesticide
3154 contamination of soil or water, or the evaluation, assessment,
3155 or remediation of pesticide contamination of soil or water,
3156 including sampling, analysis, and restoration of soil or potable
3157 water supplies, subject to the following conditions:

3158 (a) The pesticide contamination of soil or water is
3159 determined to be the result of the use of pesticides by the
3160 property owner or leaseholder, in accordance with state and
3161 federal law, applicable registered labels, and rules on property
3162 classified as agricultural land pursuant to s. 193.461;

3163 (b) The property owner or leaseholder maintains records of
3164 such pesticide applications and such records are provided to the
3165 department upon request;

3166 (c) In the event of pesticide contamination of soil or
3167 water, the department, upon request, shall make such records
3168 available to the Department of Environmental Protection;

3169 (d) This subsection does not limit regulatory authority
3170 under a federally delegated or approved program; and

3171 (e) This subsection is remedial in nature and shall apply
3172 retroactively.

3173

3174 The department, in consultation with the secretary of the
3175 Department of Environmental Protection, may adopt rules

3176 prescribing the format, content, and retention time for records
 3177 to be maintained under this subsection.

3178 **Section 96. For the purpose of incorporating the amendment**
 3179 **made by this act to section 193.461, Florida Statutes, in a**
 3180 **reference thereto, subsection (1) of section 570.87, Florida**
 3181 **Statutes, is reenacted to read:**

3182 570.87 Agritourism participation impact on land
 3183 classification.—

3184 (1) In order to promote and perpetuate agriculture
 3185 throughout this state, farm operations are encouraged to engage
 3186 in agritourism. An agricultural classification pursuant to s.
 3187 193.461 may not be denied or revoked solely due to the conduct
 3188 of agritourism activity on a bona fide farm or the construction,
 3189 alteration, or maintenance of a nonresidential farm building,
 3190 structure, or facility on a bona fide farm which is used to
 3191 conduct agritourism activities. So long as the building,
 3192 structure, or facility is an integral part of the agricultural
 3193 operation, the land it occupies shall be considered agricultural
 3194 in nature. However, such buildings, structures, and facilities,
 3195 and other improvements on the land, must be assessed under s.
 3196 193.011 at their just value and added to the agriculturally
 3197 assessed value of the land.

3198 **Section 97. For the purpose of incorporating the amendment**
 3199 **made by this act to section 193.461, Florida Statutes, in a**
 3200 **reference thereto, subsection (3) of section 570.94, Florida**

3201 **Statutes, is reenacted to read:**

3202 570.94 Best management practices for wildlife.—The
 3203 department and the Fish and Wildlife Conservation Commission
 3204 recognize that agriculture provides a valuable benefit to the
 3205 conservation and management of fish and wildlife in the state
 3206 and agree to enter into a memorandum of agreement to develop and
 3207 adopt by rule voluntary best management practices for the
 3208 state's agriculture industry which reflect the industry's
 3209 existing contribution to the conservation and management of
 3210 freshwater aquatic life and wild animal life in the state.

3211 (3) Notwithstanding any other provision of law, including
 3212 s. 163.3162, the implementation of the best management practices
 3213 pursuant to this section is voluntary and except as specifically
 3214 provided under this section and s. 9, Art. IV of the State
 3215 Constitution, an agency, department, district, or unit of local
 3216 government may not adopt or enforce any ordinance, resolution,
 3217 regulation, rule, or policy regarding the best management
 3218 practices on land classified as agricultural land pursuant to s.
 3219 193.461.

3220 **Section 98. For the purpose of incorporating the amendment**
 3221 **made by this act to section 193.461, Florida Statutes, in a**
 3222 **reference thereto, paragraph (a) of subsection (1) of section**
 3223 **582.19, Florida Statutes, is reenacted to read:**

3224 582.19 Qualifications and tenure of supervisors.—

3225 (1) The governing body of the district shall consist of

3226 five supervisors, elected as provided in s. 582.18.

3227 (a) To qualify to serve on the governing body of a
 3228 district, a supervisor must be an eligible voter who resides in
 3229 the district and who:

3230 1. Is actively engaged in, or retired after 10 years of
 3231 being engaged in, agriculture as defined in s. 570.02;

3232 2. Is employed by an agricultural producer; or

3233 3. Owns, leases, or is actively employed on land
 3234 classified as agricultural under s. 193.461.

3235 **Section 99. For the purpose of incorporating the amendment**
 3236 **made by this act to section 193.461, Florida Statutes, in a**
 3237 **reference thereto, subsection (1) of section 570.85, Florida**
 3238 **Statutes, is reenacted to read:**

3239 570.85 Agritourism.—

3240 (1) It is the intent of the Legislature to promote
 3241 agritourism as a way to support bona fide agricultural
 3242 production by providing a stream of revenue and by educating the
 3243 general public about the agricultural industry. It is also the
 3244 intent of the Legislature to eliminate duplication of regulatory
 3245 authority over agritourism as expressed in this section. Except
 3246 as otherwise provided for in this section, and notwithstanding
 3247 any other law, a local government may not adopt or enforce a
 3248 local ordinance, regulation, rule, or policy that prohibits,
 3249 restricts, regulates, or otherwise limits an agritourism
 3250 activity on land classified as agricultural land under s.

3251 193.461. This subsection does not limit the powers and duties of
3252 a local government to address substantial offsite impacts of
3253 agritourism activities or an emergency as provided in chapter
3254 252.

3255 **Section 100. For the purpose of incorporating the**
3256 **amendment made by this act to section 193.461, Florida Statutes,**
3257 **in a reference thereto, section 586.055, Florida Statutes, is**
3258 **reenacted to read:**

3259 586.055 Location of apiaries.—An apiary may be located on
3260 land classified as agricultural under s. 193.461 or on land that
3261 is integral to a beekeeping operation.

3262 **Section 101. For the purpose of incorporating the**
3263 **amendment made by this act to section 193.461, Florida Statutes,**
3264 **in a reference thereto, paragraph (d) of subsection (2) of**
3265 **section 604.50, Florida Statutes, is reenacted to read:**

3266 604.50 Nonresidential farm buildings; farm fences; farm
3267 signs.—

3268 (2) As used in this section, the term:

3269 (d) "Nonresidential farm building" means any temporary or
3270 permanent building or support structure that is classified as a
3271 nonresidential farm building on a farm under s. 553.73(10)(c) or
3272 that is used primarily for agricultural purposes, is located on
3273 land that is an integral part of a farm operation or is
3274 classified as agricultural land under s. 193.461, and is not
3275 intended to be used as a residential dwelling. The term may

3276 include, but is not limited to, a barn, greenhouse, shade house,
 3277 farm office, storage building, or poultry house.

3278 **Section 102. For the purpose of incorporating the**
 3279 **amendment made by this act to section 193.461, Florida Statutes,**
 3280 **in a reference thereto, paragraph (b) of subsection (3) of**
 3281 **section 604.73, Florida Statutes, is reenacted to read:**

3282 604.73 Urban agriculture pilot projects; local regulation
 3283 of urban agriculture.—

3284 (3) DEFINITIONS.—As used in this section, the term:

3285 (b) "Urban agriculture" means any new or existing
 3286 noncommercial agricultural uses on land that is:

3287 1. Within a dense urban land area, as described in s.
 3288 380.0651(3)(a);

3289 2. Not classified as agricultural pursuant to s. 193.461;

3290 3. Not zoned as agricultural as its principal use; and

3291 4. Designated by a municipality for inclusion in an urban
 3292 agricultural pilot project that has been approved by the
 3293 department.

3294
 3295 The term does not include vegetable gardens, as defined in s.
 3296 604.71(4), for personal consumption on residential properties.

3297 **Section 103. For the purpose of incorporating the**
 3298 **amendment made by this act to section 193.461, Florida Statutes,**
 3299 **in a reference thereto, subsection (1) of section 692.201,**
 3300 **Florida Statutes, is reenacted to read:**

3301 692.201 Definitions.—As used in this part, the term:

3302 (1) "Agricultural land" means land classified as
 3303 agricultural under s. 193.461.

3304 **Section 104. For the purpose of incorporating the**
 3305 **amendment made by this act to section 193.461, Florida Statutes,**
 3306 **in a reference thereto, paragraph (a) of subsection (5) of**
 3307 **section 810.011, Florida Statutes, is reenacted to read:**

3308 810.011 Definitions.—As used in this chapter:

3309 (5) (a) "Posted land" is land upon which any of the
 3310 following are placed:

3311 1. Signs placed not more than 500 feet apart along and at
 3312 each corner of the boundaries of the land or, for land owned by
 3313 a water control district that exists pursuant to chapter 298 or
 3314 was created by special act of the Legislature, signs placed at
 3315 or near the intersection of any district canal right-of-way and
 3316 a road right-of-way or, for land classified as agricultural
 3317 pursuant to s. 193.461, signs placed at each point of ingress
 3318 and at each corner of the boundaries of the agricultural land,
 3319 which prominently display in letters of not less than 2 inches
 3320 in height the words "no trespassing" and the name of the owner,
 3321 lessee, or occupant of the land. The signs must be placed along
 3322 the boundary line of posted land in a manner and in such
 3323 position as to be clearly noticeable from outside the boundary
 3324 line; or

3325 2.a. A conspicuous no trespassing notice is painted on

3326 trees or posts on the property, provided that the notice is:

3327 (I) Painted in an international orange color and
 3328 displaying the stenciled words "No Trespassing" in letters no
 3329 less than 2 inches high and 1 inch wide either vertically or
 3330 horizontally;

3331 (II) Placed so that the bottom of the painted notice is
 3332 not less than 3 feet from the ground or more than 5 feet from
 3333 the ground; and

3334 (III) Placed at locations that are readily visible to any
 3335 person approaching the property and no more than 500 feet apart
 3336 on agricultural land.

3337 b. When a landowner uses the painted no trespassing
 3338 posting to identify a no trespassing area, those painted notices
 3339 must be accompanied by signs complying with subparagraph 1. and
 3340 must be placed conspicuously at all places where entry to the
 3341 property is normally expected or known to occur.

3342 **Section 105. For the purpose of incorporating the**
 3343 **amendment made by this act to section 193.461, Florida Statutes,**
 3344 **in a reference thereto, paragraph (a) of subsection (5) and**
 3345 **paragraph (a) of subsection (6) of section 741.30, Florida**
 3346 **Statutes, are reenacted to read:**

3347 741.30 Domestic violence; injunction; powers and duties of
 3348 court and clerk; petition; notice and hearing; temporary
 3349 injunction; issuance of injunction; statewide verification
 3350 system; enforcement; public records exemption.—

3351 (5) (a) If it appears to the court that an immediate and
3352 present danger of domestic violence exists, the court may grant
3353 a temporary injunction ex parte, pending a full hearing, and may
3354 grant such relief as the court deems proper, including an
3355 injunction:

3356 1. Restraining the respondent from committing any acts of
3357 domestic violence.

3358 2. Awarding to the petitioner the temporary exclusive use
3359 and possession of the dwelling that the parties share or
3360 excluding the respondent from the residence of the petitioner.

3361 3. On the same basis as provided in s. 61.13, providing
3362 the petitioner a temporary parenting plan, including a time-
3363 sharing schedule, which may award the petitioner up to 100
3364 percent of the time-sharing. If temporary time-sharing is
3365 awarded to the respondent, the exchange of the child must occur
3366 at a neutral safe exchange location as provided in s. 125.01(8)
3367 or a location authorized by a supervised visitation program as
3368 defined in s. 753.01 if the court determines it is in the best
3369 interests of the child after consideration of all of the factors
3370 specified in s. 61.13(3). The temporary parenting plan remains
3371 in effect until the order expires or an order is entered by a
3372 court of competent jurisdiction in a pending or subsequent civil
3373 action or proceeding affecting the placement of, access to,
3374 parental time with, adoption of, or parental rights and
3375 responsibilities for the minor child.

3376 4. If the petitioner and respondent have an existing
3377 parenting plan or time-sharing schedule under another court
3378 order, designating that the exchange of the minor child or
3379 children of the parties must occur at a neutral safe exchange
3380 location as provided in s. 125.01(8) or a location authorized by
3381 a supervised visitation program as defined in s. 753.01 if the
3382 court determines it is in the best interests of the child after
3383 consideration of all of the factors specified in s. 61.13(3).

3384 5. Awarding to the petitioner the temporary exclusive
3385 care, possession, or control of an animal that is owned,
3386 possessed, harbored, kept, or held by the petitioner, the
3387 respondent, or a minor child residing in the residence or
3388 household of the petitioner or respondent. The court may order
3389 the respondent to temporarily have no contact with the animal
3390 and prohibit the respondent from taking, transferring,
3391 encumbering, concealing, harming, or otherwise disposing of the
3392 animal. This subparagraph does not apply to an animal owned
3393 primarily for a bona fide agricultural purpose, as defined under
3394 s. 193.461, or to a service animal, as defined under s. 413.08,
3395 if the respondent is the service animal's handler.

3396 (6) (a) Upon notice and hearing, when it appears to the
3397 court that the petitioner is either the victim of domestic
3398 violence as defined by s. 741.28 or has reasonable cause to
3399 believe he or she is in imminent danger of becoming a victim of
3400 domestic violence, the court may grant such relief as the court

3401 | deems proper, including an injunction:

3402 | 1. Restraining the respondent from committing any acts of
3403 | domestic violence.

3404 | 2. Awarding to the petitioner the exclusive use and
3405 | possession of the dwelling that the parties share or excluding
3406 | the respondent from the residence of the petitioner.

3407 | 3. On the same basis as provided in chapter 61, providing
3408 | the petitioner with 100 percent of the time-sharing in a
3409 | temporary parenting plan that remains in effect until the order
3410 | expires or an order is entered by a court of competent
3411 | jurisdiction in a pending or subsequent civil action or
3412 | proceeding affecting the placement of, access to, parental time
3413 | with, adoption of, or parental rights and responsibilities for
3414 | the minor child.

3415 | 4. If the petitioner and respondent have an existing
3416 | parenting plan or time-sharing schedule under another court
3417 | order, designating that the exchange of the minor child or
3418 | children of the parties must occur at a neutral safe exchange
3419 | location as provided in s. 125.01(8) or a location authorized by
3420 | a supervised visitation program as defined in s. 753.01 if the
3421 | court determines it is in the best interests of the child after
3422 | consideration of all of the factors specified in s. 61.13(3).

3423 | 5. On the same basis as provided in chapter 61,
3424 | establishing temporary support for a minor child or children or
3425 | the petitioner. An order of temporary support remains in effect

3426 until the order expires or an order is entered by a court of
3427 competent jurisdiction in a pending or subsequent civil action
3428 or proceeding affecting child support.

3429 6. Ordering the respondent to participate in treatment,
3430 intervention, or counseling services to be paid for by the
3431 respondent. When the court orders the respondent to participate
3432 in a batterers' intervention program, the court, or any entity
3433 designated by the court, must provide the respondent with a list
3434 of batterers' intervention programs from which the respondent
3435 must choose a program in which to participate.

3436 7. Referring a petitioner to a certified domestic violence
3437 center. The court must provide the petitioner with a list of
3438 certified domestic violence centers in the circuit which the
3439 petitioner may contact.

3440 8. Awarding to the petitioner the exclusive care,
3441 possession, or control of an animal that is owned, possessed,
3442 harbored, kept, or held by the petitioner, the respondent, or a
3443 minor child residing in the residence or household of the
3444 petitioner or respondent. The court may order the respondent to
3445 have no contact with the animal and prohibit the respondent from
3446 taking, transferring, encumbering, concealing, harming, or
3447 otherwise disposing of the animal. This subparagraph does not
3448 apply to an animal owned primarily for a bona fide agricultural
3449 purpose, as defined under s. 193.461, or to a service animal, as
3450 defined under s. 413.08, if the respondent is the service

3451 animal's handler.

3452 9. Ordering such other relief as the court deems necessary
 3453 for the protection of a victim of domestic violence, including
 3454 injunctions or directives to law enforcement agencies, as
 3455 provided in this section.

3456 **Section 106. For the purpose of incorporating the**
 3457 **amendment made by this act to section 193.461, Florida Statutes,**
 3458 **in a reference thereto, subsection (6) of section 823.14,**
 3459 **Florida Statutes, is reenacted to read:**

3460 823.14 Florida Right to Farm Act.—

3461 (6) LIMITATION ON DUPLICATION OF GOVERNMENT REGULATION.—It
 3462 is the intent of the Legislature to eliminate duplication of
 3463 regulatory authority over farm operations as expressed in this
 3464 subsection. Except as otherwise provided for in this section and
 3465 s. 487.051(2), and notwithstanding any other provision of law, a
 3466 local government may not adopt any ordinance, regulation, rule,
 3467 or policy to prohibit, restrict, regulate, or otherwise limit an
 3468 activity of a bona fide farm operation on land classified as
 3469 agricultural land pursuant to s. 193.461, where such activity is
 3470 regulated through implemented best management practices or
 3471 interim measures developed by the Department of Environmental
 3472 Protection, the Department of Agriculture and Consumer Services,
 3473 or water management districts and adopted under chapter 120 as
 3474 part of a statewide or regional program. When an activity of a
 3475 farm operation takes place within a wellfield protection area as

3476 defined in any wellfield protection ordinance adopted by a local
 3477 government, and the adopted best management practice or interim
 3478 measure does not specifically address wellfield protection, a
 3479 local government may regulate that activity pursuant to such
 3480 ordinance. This subsection does not limit the powers and duties
 3481 provided for in s. 373.4592 or limit the powers and duties of
 3482 any local government to address an emergency as provided for in
 3483 chapter 252.

3484 **Section 107. For the purpose of incorporating the**
 3485 **amendment made by this act to section 388.271, Florida Statutes,**
 3486 **in a reference thereto, paragraph (a) of subsection (1) of**
 3487 **section 189.062, Florida Statutes, is reenacted to read:**

3488 189.062 Special procedures for inactive districts.—

3489 (1) The department shall declare inactive any special
 3490 district in this state by documenting that:

3491 (a) The special district meets one of the following
 3492 criteria:

3493 1. The registered agent of the district, the chair of the
 3494 governing body of the district, or the governing body of the
 3495 appropriate local general-purpose government notifies the
 3496 department in writing that the district has taken no action for
 3497 2 or more years;

3498 2. The registered agent of the district, the chair of the
 3499 governing body of the district, or the governing body of the
 3500 appropriate local general-purpose government notifies the

3501 department in writing that the district has not had a governing
 3502 body or a sufficient number of governing body members to
 3503 constitute a quorum for 2 or more years;

3504 3. The registered agent of the district, the chair of the
 3505 governing body of the district, or the governing body of the
 3506 appropriate local general-purpose government fails to respond to
 3507 an inquiry by the department within 21 days;

3508 4. The department determines, pursuant to s. 189.067, that
 3509 the district has failed to file any of the reports listed in s.
 3510 189.066;

3511 5. The district has not had a registered office and agent
 3512 on file with the department for 1 or more years;

3513 6. The governing body of a special district provides
 3514 documentation to the department that it has unanimously adopted
 3515 a resolution declaring the special district inactive. The
 3516 special district is responsible for payment of any expenses
 3517 associated with its dissolution;

3518 7. The district is an independent special district or a
 3519 community redevelopment district created under part III of
 3520 chapter 163 that has reported no revenue, no expenditures, and
 3521 no debt under s. 189.016(9) or s. 218.32 for at least 5
 3522 consecutive fiscal years beginning no earlier than October 1,
 3523 2018. This subparagraph does not apply to a community
 3524 development district established under chapter 190 or to any
 3525 independent special district operating pursuant to a special act

3526 that provides that any amendment to chapter 190 to grant
 3527 additional powers constitutes a power of that district; or

3528 8. For a mosquito control district created pursuant to
 3529 chapter 388, the department has received notice from the
 3530 Department of Agriculture and Consumer Services that the
 3531 district has failed to file a tentative work plan and tentative
 3532 detailed work plan budget as required by s. 388.271.

3533 **Section 108. For the purpose of incorporating the**
 3534 **amendment made by this act to section 388.271, Florida Statutes,**
 3535 **in a reference thereto, subsection (7) of section 388.261,**
 3536 **Florida Statutes, is reenacted to read:**

3537 388.261 State aid to counties and districts for arthropod
 3538 control; distribution priorities and limitations.—

3539 (7) The department may use state funds appropriated for a
 3540 county or district under subsection (1) or subsection (2) to
 3541 provide state mosquito or other arthropod control equipment,
 3542 supplies, or services when requested by a county or district
 3543 eligible to receive state funds under s. 388.271.

3544 **Section 109. For the purpose of incorporating the**
 3545 **amendment made by this act to section 482.161, Florida Statutes,**
 3546 **in a reference thereto, paragraph (b) of subsection (3) of**
 3547 **section 482.072, Florida Statutes, is reenacted to read:**

3548 482.072 Pest control customer contact centers.—

3549 (3)

3550 (b) Notwithstanding any other provision of this section:

3551 1. A customer contact center licensee is subject to
3552 disciplinary action under s. 482.161 for a violation of this
3553 section or a rule adopted under this section committed by a
3554 person who solicits pest control services or provides customer
3555 service in a customer contact center.

3556 2. A pest control business licensee may be subject to
3557 disciplinary action under s. 482.161 for a violation of this
3558 section or a rule adopted under this section committed by a
3559 person who solicits pest control services or provides customer
3560 service in a customer contact center operated by a licensee if
3561 the licensee participates in the violation.

3562 **Section 110. For the purpose of incorporating the**
3563 **amendment made by this act to section 482.161, Florida Statutes,**
3564 **in a reference thereto, section 482.163, Florida Statutes, is**
3565 **reenacted to read:**

3566 482.163 Responsibility for pest control activities of
3567 employee.—Proper performance of pest control activities by a
3568 pest control business employee is the responsibility not only of
3569 the employee but also of the certified operator in charge, and
3570 the certified operator in charge may be disciplined pursuant to
3571 the provisions of s. 482.161 for the pest control activities of
3572 an employee. A licensee may not automatically be considered
3573 responsible for violations made by an employee. However, the
3574 licensee may not knowingly encourage, aid, or abet violations of
3575 this chapter.

3576 **Section 111. For the purpose of incorporating the**
 3577 **amendment made by this act to section 487.044, Florida Statutes,**
 3578 **in a reference thereto, section 487.156, Florida Statutes, is**
 3579 **reenacted to read:**

3580 487.156 Governmental agencies.—All governmental agencies
 3581 shall be subject to the provisions of this part and rules
 3582 adopted under this part. Public applicators using or supervising
 3583 the use of restricted-use pesticides shall be subject to
 3584 examination as provided in s. 487.044.

3585 **Section 112. For the purpose of incorporating the**
 3586 **amendment made by this act to section 496.405, Florida Statutes,**
 3587 **in a reference thereto, subsection (2) of section 496.4055,**
 3588 **Florida Statutes, is reenacted to read:**

3589 496.4055 Charitable organization or sponsor board duties.—

3590 (2) The board of directors, or an authorized committee
 3591 thereof, of a charitable organization or sponsor required to
 3592 register with the department under s. 496.405 shall adopt a
 3593 policy regarding conflict of interest transactions. The policy
 3594 shall require annual certification of compliance with the policy
 3595 by all directors, officers, and trustees of the charitable
 3596 organization. A copy of the annual certification shall be
 3597 submitted to the department with the annual registration
 3598 statement required by s. 496.405.

3599 **Section 113. For the purpose of incorporating the**
 3600 **amendment made by this act to section 496.405, Florida Statutes,**

3601 **in a reference thereto, subsections (2) and (4) of section**
 3602 **496.406, Florida Statutes, are reenacted to read:**

3603 496.406 Exemption from registration.—

3604 (2) Before soliciting contributions, a charitable
 3605 organization or sponsor claiming to be exempt from the
 3606 registration requirements of s. 496.405 under paragraph (1)(d)
 3607 must submit annually to the department, on forms prescribed by
 3608 the department:

3609 (a) The name, street address, and telephone number of the
 3610 charitable organization or sponsor, the name under which it
 3611 intends to solicit contributions, the purpose for which it is
 3612 organized, and the purpose or purposes for which the
 3613 contributions to be solicited will be used.

3614 (b) The tax exempt status of the organization.

3615 (c) The date on which the organization's fiscal year ends.

3616 (d) The names, street addresses, and telephone numbers of
 3617 the individuals or officers who have final responsibility for
 3618 the custody of the contributions and who will be responsible for
 3619 the final distribution of the contributions.

3620 (e) A financial statement of support, revenue, and
 3621 expenses and a statement of functional expenses that must
 3622 include, but not be limited to, expenses in the following
 3623 categories: program, management and general, and fundraising. In
 3624 lieu of the financial statement, a charitable organization or
 3625 sponsor may submit a copy of its Internal Revenue Service Form

3626 990 and all attached schedules or Internal Revenue Service Form
 3627 990-EZ and Schedule O.

3628 (4) Exemption from the registration requirements of s.
 3629 496.405 does not limit the applicability of other provisions of
 3630 this section to a charitable organization or sponsor.

3631 **Section 114. For the purpose of incorporating the**
 3632 **amendment made by this act to section 500.12, Florida Statutes,**
 3633 **in a reference thereto, paragraph (a) of subsection (1) of**
 3634 **section 500.80, Florida Statutes, is reenacted to read:**

3635 500.80 Cottage food operations.—

3636 (1) (a) A cottage food operation must comply with the
 3637 applicable requirements of this chapter but is exempt from the
 3638 permitting requirements of s. 500.12 if the cottage food
 3639 operation complies with this section and has annual gross sales
 3640 of cottage food products that do not exceed \$250,000.

3641 **Section 115. For the purpose of incorporating the**
 3642 **amendment made by this act to section 500.172, Florida Statutes,**
 3643 **in a reference thereto, subsection (6) of section 500.121,**
 3644 **Florida Statutes, is reenacted to read:**

3645 500.121 Disciplinary procedures.—

3646 (6) If the department determines that a food offered in a
 3647 food establishment is labeled with nutrient claims that are in
 3648 violation of this chapter, the department shall retest or
 3649 reexamine the product within 90 days after notification to the
 3650 manufacturer and to the firm at which the product was collected.

3651 If the product is again found in violation, the department shall
3652 test or examine the product for a third time within 60 days
3653 after the second notification. The product manufacturer shall
3654 reimburse the department for the cost of the third test or
3655 examination. If the product is found in violation for a third
3656 time, the department shall exercise its authority under s.
3657 500.172 and issue a stop-sale or stop-use order. The department
3658 may impose additional sanctions for violations of this
3659 subsection.

3660 **Section 116. For the purpose of incorporating the**
3661 **amendment made by this act to section 790.06, Florida Statutes,**
3662 **in a reference thereto, section 790.061, Florida Statutes, is**
3663 **reenacted to read:**

3664 790.061 Judges and justices; exceptions from licensure
3665 provisions.—A county court judge, circuit court judge, district
3666 court of appeal judge, justice of the supreme court, federal
3667 district court judge, or federal court of appeals judge serving
3668 in this state is not required to comply with the provisions of
3669 s. 790.06 in order to receive a license to carry a concealed
3670 weapon or firearm, except that any such justice or judge must
3671 comply with the provisions of s. 790.06(2)(h). The Department of
3672 Agriculture and Consumer Services shall issue a license to carry
3673 a concealed weapon or firearm to any such justice or judge upon
3674 demonstration of competence of the justice or judge pursuant to
3675 s. 790.06(2)(h).

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3676

Section 117. This act shall take effect July 1, 2025.