

1 A bill to be entitled
2 An act relating to the 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.
6 163.3162, F.S.; providing definitions; prohibiting
7 governmental entities from adopting or enforcing any
8 legislation that inhibits the construction or
9 installation of housing for legally verified
10 agricultural workers on agricultural land operated as
11 a bona fide farm; requiring that the construction or
12 installation of such housing units on agricultural
13 lands satisfies certain criteria; requiring that local
14 ordinances comply with certain regulations;
15 authorizing governmental entities to adopt local land
16 use regulations that are less restrictive; requiring
17 property owners to maintain certain records for a
18 specified timeframe; requiring that use of a housing
19 site be discontinued and authorizing the removal of a
20 such site under certain circumstances; specifying
21 applicability of permit allocation systems in certain
22 areas of critical state concern; authorizing the
23 continued use of housing sites constructed before the
24 effective date of the act if certain conditions are
25 met; requiring the department to adopt certain rules;

26 providing for enforcement; requiring the department to
27 submit certain information to the State Board of
28 Immigration Enforcement on a certain schedule;
29 amending s. 201.25, F.S.; conforming a provision to
30 changes made by the act; amending s. 253.0341, F.S.;
31 authorizing the department to surplus certain lands
32 determined to be suitable for bona fide agricultural
33 production; requiring the department to consult with
34 the Department of Environmental Protection before
35 making such determination; requiring the Department of
36 Agriculture and Consumer Services to retain a rural-
37 lands-protection easement for all surplus lands and
38 deposit all proceeds into a specified trust fund;
39 requiring the department to provide a report of lands
40 surplus to the board of trustees; providing that
41 certain lands are ineligible to be surplus;
42 providing for retroactive applicability; amending s.
43 330.41, F.S.; providing definitions; prohibiting a
44 person from knowingly or willfully performing certain
45 actions on lands classified as agricultural or on
46 private property, state wildlife management lands, or
47 a sport shooting and training range; providing
48 criminal penalties; providing applicability; creating
49 s. 366.20, F.S.; requiring that certain lands acquired
50 or owned by an electric utility be offered for fee

51 simple acquisition by the department before the land
52 may be offered for sale or transferred to a private
53 individual or entity; providing retroactive
54 applicability; amending s. 366.94, F.S.; defining the
55 term "electric vehicle charging station"; authorizing
56 the department to adopt rules; requiring local
57 governmental entities to issue permits for electric
58 vehicle charging stations based on specified standards
59 and provisions of law; requiring that an electric
60 vehicle charger be registered with the department
61 before being placed into service for use by the
62 public; providing the department with certain
63 authority relating to electric vehicle charging
64 stations; providing a penalty; authorizing the
65 department to issue an immediate final order to an
66 electric vehicle charging station under certain
67 circumstances; providing that the department may bring
68 an action to enjoin a violation of specified
69 provisions or rules; requiring the court to issue a
70 temporary or permanent injunction under certain
71 circumstances; amending s. 388.011, F.S.; revising the
72 definition of the terms "board of commissioners" and
73 "district"; defining the term "program"; amending s.
74 388.021, F.S.; making a technical change; amending s.
75 388.181, F.S.; authorizing programs to perform

76 specified actions; amending s. 388.201, F.S.;

77 requiring that the tentative work plan budget covering

78 the proposed operations and requirements for arthropod

79 control measures show the estimated amount to be

80 raised by county, municipality, or district taxes;

81 requiring that county commissioners' or a similar

82 governing body's mosquito control budget be made and

83 adopted pursuant to specified provisions and requiring

84 that summary figures be incorporated into the county

85 budgets as prescribed by the department; amending s.

86 388.241, F.S.; providing that certain rights, powers,

87 and duties be vested in the board of county

88 commissioners or similar governing body of a county or

89 municipality; amending s. 388.261, F.S.; increasing

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

91 equipment for a certain number of years for any new

92 program for the control of mosquitos and other

93 arthropods which serves an area not previously served

94 by a county, municipality, or district; amending s.

95 388.271, F.S.; requiring each program participating in

96 arthropod control activities to file a tentative

97 integrated arthropod management plan with the

98 department by a specified date; conforming provisions

99 to changes made by the act; amending s. 388.281, F.S.;

100 requiring that all funds, supplies, and services

101 released to programs be used in accordance with the
102 integrated arthropod management plan and certified
103 budget; requiring that such integrated arthropod
104 management plan and certified budget be approved by
105 both the department and the board of county
106 commissioners and an appropriate representative;
107 conforming provisions to changes made by the act;
108 amending s. 388.291, F.S.; providing that a program
109 may perform certain source reduction measures in any
110 area providing that the department has approved the
111 operating or construction plan as outlined in the
112 integrated arthropod management plan; conforming
113 provisions to changes made by the act; amending s.
114 388.301, F.S.; revising the schedule by which state
115 funds for the control of mosquitos and other
116 arthropods may be paid; amending ss. 388.311 and
117 388.321, F.S.; conforming provisions to changes made
118 by the act; amending s. 388.322, F.S.; requiring the
119 department to maintain a record and inventory of
120 certain property purchased with state funds for
121 arthropod control use; amending s. 388.323, F.S.;
122 providing that certain equipment no longer needed by a
123 program be first offered for sale to other programs
124 engaged in arthropod control at a specified price;
125 requiring that all proceeds from the sale of certain

126 property owned by a program and purchased using state
127 funds be deposited in the program's state fund
128 account; amending s. 388.341, F.S.; requiring a
129 program receiving state aid to submit a monthly report
130 of all expenditures from all funds for arthropod
131 control by a specified timeframe as may be required by
132 the department; amending ss. 388.351 and 388.361,
133 F.S.; conforming provisions to changes made by the
134 act; amending s. 388.3711, F.S.; revising the
135 department's enforcement powers; amending ss. 388.381,
136 388.391, and 388.401, F.S.; conforming provisions to
137 changes made by the act; amending s. 388.46, F.S.;
138 revising the composition of the Florida Coordinating
139 Council on Mosquito Control; amending s. 403.067,
140 F.S.; providing an exception for inspection
141 requirements for certain agricultural producers;
142 authorizing the department to adopt rules establishing
143 an enrollment in best management practices by rule
144 process; authorizing the department to identify best
145 management practices for specified landowners;
146 requiring the department to perform onsite inspections
147 annually of a certain percentage of all enrollments
148 that meet specified qualifications within a specified
149 area; providing requirements for such inspections;
150 requiring agricultural producers enrolled by rule in a

151 best management practice to submit nutrient records
152 annually to the department; requiring the department
153 to collect and retain such records; amending s.
154 403.852, F.S.; defining the term "water quality
155 additive"; amending s. 403.859, F.S.; providing that
156 the use of certain additives in a water system which
157 do not meet the definition of water quality additive
158 or certain other additives is prohibited and violates
159 specified provisions; amending s. 482.111, F.S.;
160 revising requirements for the renewal of a pest
161 control operator's certificate; authorizing a third-
162 party vendor to collect and retain a convenience fee;
163 amending s. 482.141, F.S.; requiring the department to
164 provide in-person and remote testing for the
165 examination through a third-party vendor for an
166 individual seeking pest control operator
167 certification; authorizing a third-party vendor to
168 collect and retain a convenience fee; amending s.
169 482.155, F.S.; requiring the department to provide in-
170 person and remote testing for the examination through
171 a third-party vendor for an individual seeking limited
172 certification for a governmental pesticide applicator
173 or a private applicator; authorizing a third-party
174 vendor to collect and retain a convenience fee;
175 deleting provisions requiring the department to make

176 such examination readily accessible and available to
177 all applicants on a specified schedule; amending s.
178 482.156, F.S.; requiring the department to provide in-
179 person and remote testing for the examination through
180 a third-party vendor for an individual seeking a
181 limited certification for commercial landscape
182 maintenance; authorizing a third-party vendor to
183 collect and retain a convenience fee; removing
184 provisions requiring the department to make such
185 examination readily accessible and available to all
186 applicants on a specified schedule; amending s.
187 482.157, F.S.; revising requirements for issuance of a
188 limited certification for commercial wildlife
189 management personnel; authorizing a third-party vendor
190 to collect and retain a convenience fee; deleting
191 provisions requiring the department to make an
192 examination readily accessible and available to all
193 applicants on a specified schedule; amending s.
194 482.161, F.S.; authorizing the department to take
195 specified disciplinary action upon the issuance of a
196 final order imposing civil penalties or a criminal
197 conviction pursuant to the Federal Insecticide,
198 Fungicide, and Rodenticide Act; amending s. 487.044,
199 F.S.; requiring the department to provide in-person
200 and remote testing through a third-party vendor for

201 the examination of an individual seeking a limited
202 certification for pesticide application; authorizing a
203 third-party vendor to collect and retain a convenience
204 fee; amending s. 487.175, F.S.; providing that the
205 department may suspend, revoke, or deny licensure of a
206 pesticide applicator upon issuance of a final order to
207 a licensee which imposes civil penalties or a criminal
208 conviction under the Federal Insecticide, Fungicide,
209 and Rodenticide Act; amending s. 496.404, F.S.;
210 defining the terms "controlling interest," "foreign
211 country of concern," and "foreign source of concern";
212 amending s. 496.405, F.S.; revising which documents a
213 charitable organization or sponsor must file before
214 engaging in specified activities; requiring that any
215 changes to such documents be reported to the
216 department on a specified form in a specified
217 timeframe; revising the requirements of the charitable
218 organization's initial registration statement;
219 authorizing the department to investigate or refer to
220 the Florida Elections Commission certain violations of
221 the charitable organization or sponsor; amending s.
222 496.415, F.S.; prohibiting specified persons from
223 soliciting or accepting anything of value from a
224 foreign source of concern; amending s. 496.417, F.S.;

225 authorizing the department to investigate or refer to

226 the Florida Elections Commission certain violations of
227 a charitable organization or sponsor; amending s.
228 496.419, F.S.; providing penalties for a charitable
229 organization or sponsor whose registration is denied
230 or revoked for submitting a false attestation;
231 creating s. 496.431, F.S.; requiring the department to
232 create the Honest Service Registry to provide
233 residents with information relating to charitable
234 organizations; requiring a charitable organization
235 included in the Honest Services Registry to submit an
236 attestation statement to the department; requiring the
237 department to publish the Honest Services Registry on
238 the department's website; requiring the department to
239 adopt rules; amending s. 500.03, F.S.; revising the
240 definition of the term "cottage food product";
241 amending s. 500.12, F.S.; providing that the
242 department requires a food permit from any person or
243 business that operates a food establishment; revising
244 exceptions; revising the schedule for renewing certain
245 food permits; authorizing the department to establish
246 a single permit renewal date for certain food
247 establishments; amending s. 500.166, F.S.; requiring
248 certain persons engaged in interstate commerce to
249 retain all records that show certain information for a
250 specified timeframe; amending s. 500.172, F.S.;

251 authorizing the department to facilitate the
252 destruction of certain articles that violate specified
253 provisions; prohibiting certain persons from certain
254 actions without permission from, or in accord with a
255 written agreement with, the department; creating s.
256 500.75, F.S.; providing that it is unlawful to
257 transport or offer to transport, import into this
258 state, sell or offer for sale, furnish, or give away
259 certain spores or mycelium; providing penalties;
260 creating s. 500.93, F.S.; providing definitions;
261 requiring the department to adopt rules to enforce the
262 Food and Drug Administration's standard of identity
263 for milk, meat, poultry, and eggs to prohibit the sale
264 of plant-based products mislabeled as milk, meat,
265 poultry, or eggs; providing contingent effective
266 dates; requiring the department to adopt rules;
267 providing construction; repealing s. 501.135, F.S.,
268 relating to consumer unit pricing; amending s.
269 501.912, F.S.; revising the definition of the term
270 "antifreeze"; creating s. 525.19, F.S.; requiring the
271 department to create an annual petroleum registration
272 program for petroleum owners or operators; requiring
273 the department to adopt rules for such registration
274 which include specified information; requiring that
275 the registration program be free for all registrants;

276 authorizing the department to require registrants to
277 provide certain information during a state of
278 emergency; creating s. 526.147, F.S.; creating the
279 Florida Retail Fuel Transfer Switch Modernization
280 Grant Program within the department; requiring the
281 grant program to provide funds up to a certain amount
282 to be used for installation and equipment costs
283 relating to installing or modernizing transfer switch
284 infrastructure at retail fuel facilities; requiring
285 the department to award funds based on specified
286 criteria; requiring retail fuel facilities awarded
287 grant funds to comply with specified provisions;
288 requiring such facilities to install a transfer switch
289 with specified capabilities; requiring retail fuel
290 facilities to provide specified documentation before
291 being awarded funding; prohibiting certain facilities
292 from being awarded funding; requiring the department,
293 in consultation with the Division of Emergency
294 Management, to adopt rules; requiring that such rules
295 include specified information; amending s. 531.48,
296 F.S.; requiring that certain packages bear specified
297 information on the outside of the package; amending s.
298 531.49, F.S.; revising requirements for the
299 advertising of a packaged commodity; amending s.
300 564.06, F.S.; conforming a provision to changes made

301 by the act; amending s. 570.07, F.S.; requiring the
302 department to foster and encourage the employment and
303 retention of qualified veterinary pathologists;
304 providing that the department may reimburse the
305 educational expenses of certain veterinary
306 pathologists who enter into a certain agreement with
307 the department; requiring the department to adopt
308 certain rules; requiring the department to extend
309 certain opportunities to public school students
310 enrolled in agricultural education to support Future
311 Farmers of America programming; requiring the
312 department to use contracts procured by agencies;
313 defining the term "agency"; amending s. 570.544, F.S.;
314 revising which provisions the director of the Division
315 of Consumer Services must enforce; creating s.
316 570.546, F.S.; authorizing the department to create a
317 process for the bulk renewal of licenses; authorizing
318 the department to create a process that will allow
319 licensees to align the expiration dates of licenses
320 within a specified program; authorizing the department
321 to change the expiration date for current licenses for
322 a certain purpose; requiring the department to prorate
323 the licensing fee for certain licenses; requiring the
324 department to adopt rules; creating s. 570.694, F.S.;
325 creating the Florida Aquaculture Foundation as a

326 direct support organization within the department;
327 providing the purpose of the foundation; providing
328 governance for the foundation; authorizing the
329 department to appoint an advisory committee adjunct to
330 the foundation; amending s. 570.822, F.S.; revising
331 the definition of the terms "declared natural
332 disaster" and "program"; providing that loan funds
333 from the department may be used to restock
334 aquaculture; authorizing the department to renew a
335 loan application under certain circumstances;
336 authorizing the department to defer or waive loan
337 payments under certain circumstances; creating s.
338 570.823, F.S.; providing definitions; establishing the
339 silviculture emergency recovery program within the
340 department to administer a grant program to assist
341 certain timber landowners; requiring that such grants
342 be used for certain purposes; requiring that only
343 timber lands located on agricultural property are
344 eligible for the program; requiring the department to
345 coordinate with state agencies to provide financial
346 assistance to timber landowners after a specified
347 declared emergency; providing construction;
348 authorizing the department to adopt rules; providing
349 construction; amending s. 581.1843, F.S.; removing
350 provisions that exclude certain citrus nurseries from

351 certain requirements and that regulate areas around
352 the perimeter of commercial citrus nurseries;
353 repealing ss. 593.101, 593.102, 593.103, 593.104,
354 593.105, 593.106, 593.107, 593.108, 593.109, 593.11,
355 593.111, 593.112, 593.113, 593.114, 593.1141,
356 593.1142, 593.115, 593.116, and 593.117, F.S.,
357 relating to the Florida Boll Weevil Eradication Law;
358 definitions; powers and duties of Department of
359 Agriculture and Consumer Services; the entry of
360 premises to carry out boll weevil eradication
361 activities and inspections; reports by persons growing
362 cotton; quarantine areas and the regulation of
363 articles within a boll weevil eradication zone; the
364 regulation of collection, transportation,
365 distribution, and movement of cotton; cooperative
366 programs for persons engaged in growing, processing,
367 marketing, or handling cotton; the department's
368 authority to designate eradication zones, prohibit
369 planting of cotton, and require participation in
370 eradication program; regulation of the pasturage of
371 livestock, entry by persons, and location of honeybee
372 colonies in eradication zones and other areas;
373 eligibility for certification of cotton growers'
374 organization; the certification of cotton growers'
375 organization; a referendum; an assessment; the

376 department's authority to enter agreements with the
377 Farm Service Agency; liens; mandamus or injunction;
378 penalty for violation; and the handling of moneys
379 received, respectively; amending s. 595.404, F.S.;
380 revising the department's powers and duties regarding
381 school nutrition programs; amending s. 599.002, F.S.;
382 renaming the Viticulture Advisory Council as the
383 Florida Wine Advisory Council; revising the membership
384 of the Florida Wine Advisory Council; amending s.
385 599.003, F.S.; renaming the State Viticulture Plan as
386 the State Wine Plan; amending s. 599.004, F.S.;
387 providing that wineries that fail to recertify
388 annually or pay a specified licensing fee are subject
389 to certain actions and costs; amending s. 599.012,
390 F.S.; conforming provisions to changes made by the
391 act; amending s. 616.12, F.S.; removing provisions
392 requiring a person who operates a minstrel show in
393 connection with any certain public fairs to pay
394 specified license taxes; removing a provision that
395 exempts such person from paying specified taxes;
396 creating s. 687.16, F.S.; providing a short title;
397 providing definitions; prohibiting a financial
398 institution from discriminating in the provision of
399 financial services to an agricultural producer based
400 on an ESG factor; providing an inference with regard

401 to a certain violation; providing that the financial
402 institution may overcome the inference by making
403 certain demonstrations regarding its denial or
404 restriction of financial services to an agricultural
405 producer; authorizing the Attorney General to enforce
406 specified provisions; providing that a violation of
407 specified provisions constitutes an unfair and
408 deceptive trade practice; authorizing the Attorney
409 General to investigate and seek remedies for such
410 unfair trade practices; authorizing an aggrieved party
411 to seek an action for damages; amending s. 741.0305,
412 F.S.; conforming a cross-reference; amending s.
413 790.06, F.S.; revising the circumstances under which
414 the department may temporarily suspend a person's
415 license to carry a concealed weapon or concealed
416 firearm or the processing of an application for such
417 license; requiring the department to notify certain
418 licensees or applicants of his or her right to a
419 hearing; requiring that the hearing regarding such
420 suspension of license be for a limited purpose;
421 requiring the department to issue an order lifting the
422 suspension of an applicant's license upon a certain
423 disposition of the criminal case; requiring that the
424 suspension remain in effect upon a certain disposition
425 of the criminal case; providing construction;

426 providing legislative findings; revising the duties of
427 the department after the date of receipt of a
428 completed application for a license to carry a
429 concealed weapon or concealed firearm; requiring that
430 a license issued under this section be temporarily
431 suspended or revoked if the license was issued in
432 error or if the licensee commits certain actions;
433 amending s. 812.0151, F.S.; revising the elements of
434 third degree and second degree felony retail fuel
435 theft; creating s. 812.136, F.S.; providing
436 definitions; providing elements for the crime of mail
437 theft; providing elements of theft of or unauthorized
438 reproduction of a mail depository key or lock;
439 providing criminal penalties; amending s. 934.50,
440 F.S.; removing certain exceptions from the prohibited
441 uses of drones; creating s. 1013.373, F.S.;

442 prohibiting a local government from adopting any
443 measure to limit the activities of public educational
444 facilities or auxiliary facilities constructed by
445 certain organizations; requiring that lands used for
446 agricultural education or for the Future Farmers of
447 America or 4-H activities be considered agricultural
448 lands; reenacting s. 295.07(5)(a), F.S., relating to
449 preference in appointment and retention, to
450 incorporate the amendment made to s. 110.205, F.S., in

451 a reference thereto; reenacting ss. 189.062(1)(a) and
452 388.261(7), F.S., relating to special procedures for
453 inactive districts and state aid to counties and
454 districts for arthropod control, respectively, to
455 incorporate the amendment made to s. 388.271, F.S., in
456 references thereto; reenacting ss. 482.072(3)(b) and
457 482.163, F.S., relating to pest control customer
458 contact centers and responsibility for pest control
459 activities of employee, respectively, to incorporate
460 the amendment made to s. 482.161, F.S., in references
461 thereto; reenacting s. 487.156, F.S., relating to
462 governmental agencies, to incorporate the amendment
463 made to s. 487.044, F.S., in a reference thereto;
464 reenacting ss. 496.4055(2) and 496.406(2) and (4),
465 F.S., relating to charitable organization or sponsor
466 board duties and exemption from registration,
467 respectively, to incorporate the amendment made to s.
468 496.405, F.S., in references thereto; reenacting s.
469 500.80(1)(a), F.S., relating to cottage food
470 operations, to incorporate the amendment made to s.
471 500.12, F.S., in a reference thereto; reenacting s.
472 500.121(6), F.S., relating to disciplinary procedures,
473 to incorporate the amendment made to s. 500.172, F.S.,
474 in a reference thereto; reenacting s. 790.061, F.S.,
475 relating to judges and justices, to incorporate the

476 amendment made to s. 790.06, F.S., in a reference
 477 thereto; providing effective dates.

478
 479 Be It Enacted by the Legislature of the State of Florida:

480
 481 **Section 1. Paragraph (m) of subsection (2) of section**
 482 **110.205, Florida Statutes, is amended to read:**

483 110.205 Career service; exemptions.—

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

486 (m) All assistant division director, deputy division
 487 director, and bureau chief positions in any department, and
 488 those positions determined by the department to have managerial
 489 responsibilities comparable to such positions, which include,
 490 but are not limited to:

491 1. Positions in The Department of Health and the
 492 Department of Children and Families which are assigned primary
 493 duties of serving as the superintendent or assistant
 494 superintendent of an institution.

495 2. Positions in The Department of Corrections which are
 496 assigned primary duties of serving as the warden, assistant
 497 warden, colonel, or major of an institution or that are assigned
 498 primary duties of serving as the circuit administrator or deputy
 499 circuit administrator.

500 3. Positions in The Department of Transportation which are

501 assigned primary duties of serving as regional toll managers and
 502 managers of offices, as specified in s. 20.23(3)(b) and (4)(c).

503 4. Positions in The Department of Environmental Protection
 504 which are assigned the duty of an Environmental Administrator or
 505 program administrator.

506 5. Positions in The Department of Health which are
 507 assigned the duties of Environmental Administrator, Assistant
 508 County Health Department Director, and County Health Department
 509 Financial Administrator.

510 6. Positions in The Department of Highway Safety and Motor
 511 Vehicles which are assigned primary duties of serving as
 512 captains in the Florida Highway Patrol.

513 7. Positions in the Department of Agriculture and Consumer
 514 Services which are assigned primary duties of serving as
 515 captains or majors in the Office of Agricultural Law
 516 Enforcement.

517
 518 Unless otherwise fixed by law, the department shall set the
 519 salary and benefits of the positions listed in this paragraph in
 520 accordance with the rules established for the Selected Exempt
 521 Service.

522 **Section 2. Paragraphs (a) through (d) of subsection (2) of**
 523 **section 163.3162, Florida Statutes, are redesignated as**
 524 **paragraphs (b) through (e), respectively, new paragraph (a) and**
 525 **paragraphs (f) and (g) are added to that subsection, and**

526 **subsections (5), (6), and (7) are added to that section, to**
 527 **read:**

528 163.3162 Agricultural Lands and Practices.—

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

530 (a) "Department" means the Department of Agriculture and
 531 Consumer Services.

532 (f) "Housing site" means the totality of development
 533 supporting authorized housing, including buildings, mobile
 534 homes, barracks, dormitories used as living quarters, parking
 535 areas, common areas such as athletic fields or playgrounds,
 536 storage structures, and other related structures.

537 (g) "Legally verified agricultural worker" means a person
 538 who:

539 1. Is lawfully present in the United States;

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

542 3. Has been verified through the process provided in s.
 543 448.095(2) and is authorized to work at the time of employment;

544 4. Is seasonally or annually employed in a bona fide
 545 agricultural production;

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

548 6. Is not an unauthorized alien as defined in s.
 549 448.095(1).

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

551 (a) A governmental entity may not adopt or enforce any
552 legislation, regulation, or ordinance to inhibit the
553 construction or installation of housing for legally verified
554 agricultural workers on land classified as agricultural land
555 pursuant to s. 193.461 which is operated as a bona fide farm
556 except as provided in this subsection.

557 (b) Construction or installation of housing units for
558 legally verified agricultural workers on parcels of land
559 classified as agricultural land under s. 193.461 must satisfy
560 all of the following criteria:

561 1. The dwelling units must meet federal, state, and local
562 building standards, including standards of the Department of
563 Health adopted pursuant to ss. 381.008-381.00897 and federal
564 standards for H-2A visa housing. If a written notice of intent
565 is required to be submitted to the Department of Health pursuant
566 to s. 381.0083, the appropriate governmental entity with
567 jurisdiction over the agricultural lands may also require
568 submittal of a copy of the written notice.

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

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

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

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

581 6. A housing site may not be located less than 100 feet
582 from a property line adjacent to property zoned for residential
583 use. If the housing site is located less than 250 feet from any
584 property line, screening must be provided between the housing
585 site and any residentially developed adjacent parcels that are
586 under different ownership. The screening may be designed in any
587 of the following ways:

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

591 b. A masonry wall at least 6 feet in height and finished
592 on all sides with brick, stone, or painted or pigmented stucco;

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

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

598 e. A berm made with a combination of the materials listed
599 in sub-subparagraphs a.-d., which is at least 6 feet in height
600 and provides an overall screening opacity of 75 percent at the

601 time of installation.

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

605 (c) Any local ordinance adopted pursuant to this
606 subsection must comply with all state and federal regulations
607 for migrant farmworker housing, as applicable, including rules
608 adopted by the Department of Health pursuant to ss. 381.008-
609 381.00897 and federal regulations under the Migrant and Seasonal
610 Agricultural Worker Protection Act or the H-2A visa program. A
611 governmental entity may adopt local government land use
612 regulations that are less restrictive than this subsection, but
613 which still meet regulations established by the Department of
614 Health pursuant to ss. 381.008-381.00897 and federal regulations
615 under the Migrant and Seasonal Agricultural Worker Protection
616 Act or the H-2A visa program. An ordinance adopted pursuant to
617 this paragraph may not conflict with the definition and
618 requirements of a legally verified agricultural worker.

619 (d) Beginning July 1, 2025, a property owner must maintain
620 records of all approved permits, including successor permits,
621 for migrant labor camps or residential migrant housing as
622 required under s. 381.0081. A property owner must maintain such
623 records for at least 3 years and make the records available for
624 inspection within 14 days after receipt of a request for records
625 by a governmental entity.

626 (e) A housing site may not continue to be used and may be
 627 required to be removed under the following circumstances:
 628 1. If, for any reason, a housing site is not being used
 629 for legally verified agricultural workers for longer than 365
 630 days, any structure used as living quarters must be removed from
 631 the housing site within 180 days after receipt of written
 632 notification from the county unless the property owner can
 633 demonstrate that use of the site for housing legally verified
 634 agricultural workers will occur within 90 days after the written
 635 notification.
 636 2. If the property on which the housing site is located
 637 ceases to be classified as agricultural land pursuant to s.
 638 193.461.
 639 3. If the permit authorized by the Department of Health
 640 for the housing site is revoked, all structures must be removed
 641 from the housing site within 180 days after receipt of written
 642 notification from the county unless the permit is reinstated by
 643 the Department of Health.
 644 4. If a housing site is found to be occupied by any person
 645 who does not meet the definition of a legally verified
 646 agricultural worker, or is otherwise unlawfully present in the
 647 United States. A property owner who violates this subparagraph
 648 is subject to a Class I fine pursuant to s. 570.971, not to
 649 exceed \$1,000, for the first violation, and a Class II fine, not
 650 to exceed \$5,000, for any subsequent violations. The fines shall

651 be collected by the clerk of the court of the county in which
652 the violation occurred.

653 (f) Notwithstanding this subsection, the construction or
654 installation of housing for legally verified agricultural
655 workers in the Florida Keys Area of Critical State Concern and
656 the City of Key West Area of Critical State Concern is subject
657 to the permit allocation systems of the Florida Keys Area of
658 Critical State Concern and the City of Key West Area of Critical
659 State Concern, respectively.

660 (g) A housing site that was constructed and in use before
661 July 1, 2024, may continue to be used, and the property owner
662 may not be required by a governmental entity to make changes to
663 meet the requirements of this subsection, unless the housing
664 site will be enlarged, remodeled, renovated, or rehabilitated.
665 The property owner of a housing site authorized under this
666 paragraph must provide regular maintenance and repair, including
667 compliance with health and safety regulations and maintenance
668 standards, for such housing site to ensure the health, safety,
669 and habitability of the housing site.

670 (6) DATA COLLECTION.—The department shall adopt rules
671 providing for:

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

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

678
 679 Governmental entities shall provide this information quarterly
 680 to the department in a format and timeframe prescribed by rule.

681 (7) ENFORCEMENT.—

682 (a) In addition to the enforcement methods of employment
 683 verification outlined in s. 448.095, the department shall
 684 enforce the requirements of subsection (5). Enforcement includes
 685 completing routine inspections based on a random sample of data
 686 collected by governmental entities and submitted to the
 687 department, the investigation and review of complaints, and the
 688 enforcement of violations.

689 (b) The department shall submit the information collected
 690 to the State Board of Immigration Enforcement on a quarterly
 691 basis, except that the first quarter shall begin 60 days after
 692 the first quarterly data report under subsection (6) by a
 693 governmental entity is received and reviewed by the department.

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

696 201.25 Tax exemptions for certain loans.—There shall be
 697 exempt from all taxes imposed by this chapter:

698 (3) Any loan made by the Agriculture and Aquaculture
 699 Producers Emergency Natural Disaster Recovery Loan Program
 700 pursuant to s. 570.822.

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

703 253.0341 Surplus of state-owned lands.—

704 (19) Notwithstanding any other law or rule, the Department
705 of Agriculture and Consumer Services may surplus lands acquired
706 pursuant to s. 366.20 which are determined to be suitable for
707 bona fide agricultural production, as defined in s. 193.461. The
708 Department of Agriculture and Consumer Services shall consult
709 with the Department of Environmental Protection in the process
710 of making such determination. In the event that lands acquired
711 pursuant to s. 366.20, which are determined to be suitable for
712 bona fide agricultural production are surplus, the Department
713 of Agriculture and Consumer Services must retain a rural-lands-
714 protection easements pursuant to s. 570.71(3), and all proceeds
715 must be deposited into the Incidental Trust Fund within the
716 Department of Agriculture and Consumer Services for less than
717 fee simple land acquisition pursuant to ss. 570.71 and 570.715.
718 By January 1, 2026, and each January 1 thereafter, the
719 Department of Agriculture and Consumer Services shall provide a
720 report of lands surplus pursuant to this subsection to the
721 board.

722 (a) Any lands designated as a state forest, state park, or
723 wildlife management area are ineligible to be surplus pursuant
724 to this subsection.

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

726 Section 5. Paragraphs (a) through (d) and (e) of
727 subsection (2) of section 330.41, Florida Statutes, are
728 redesignated as paragraphs (b) through (e) and (j),
729 respectively, subsection (6) is renumbered as subsection (8),
730 paragraph (d) of subsection (4) of that section is amended, a
731 new paragraph (a) and paragraphs (f) through (i) are added to
732 subsection (2), and new subsections (6) and (7) are added to
733 that section, to read:

734 330.41 Unmanned Aircraft Systems Act.—

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

736 (a) "Commercial property" means real property other than
737 residential property. The term includes, but is not limited to,
738 a property zoned multifamily residential which is comprised of
739 five or more dwelling units, and real property used for
740 commercial, industrial, or agricultural purposes.

741 (f) "Private property" means any residential or commercial
742 property.

743 (g) "Property owner" means the owner or owners of record
744 of real property. The term includes real property held in trust
745 for the benefit of one or more individuals, in which case the
746 individual or individuals may be considered as the property
747 owner or owners, provided that the trustee provides written
748 consent. The term does not include persons renting, using,
749 living, or otherwise occupying real property.

750 (h) "Residential property" means real property zoned as

751 residential or multifamily residential and composed of four or
752 fewer dwelling units.

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

755 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

760 (6) PROTECTION OF AGRICULTURAL LANDS.—

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

764 1. Operate a drone.

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

767 3. Allow a drone to come within a distance close enough to
768 such lands to interfere with or cause a disturbance to
769 agricultural production.

770 (b) A person who violates paragraph (a) commits a
771 misdemeanor of the second degree, punishable as provided in s.
772 775.082 or s. 775.083. A person who commits a second or
773 subsequent violation commits a misdemeanor of the first degree,
774 punishable as provided in s. 775.082 or s. 775.083.

775 (c) This subsection does not apply to actions identified

776 in paragraph (a) which are committed by:

777 1. The owner of the agricultural lands;

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

780 3. A person or entity acting in compliance with the
781 provisions of s. 934.50.

782 (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING
783 LANDS.—

784 (a) A person may not knowingly or willfully allow a drone
785 to make contact with private property, state wildlife management
786 lands, or a sport shooting and training range or any person or
787 object on the premises of or within such property with the
788 intent to harass.

789 (b) A person who violates paragraph (a) commits a
790 misdemeanor of the second degree, punishable as provided in s.
791 775.082 or s. 775.083. A person who commits a second or
792 subsequent violation commits a misdemeanor of the first degree,
793 punishable as provided in s. 775.082 or s. 775.083.

794 (c) A person who violates paragraph (a) and records video
795 of the private property, state wildlife management lands, or
796 sport shooting and training range, including any person or
797 object on the premises of or within the private property, state
798 wildlife management lands, or sport shooting and training range,
799 commits a misdemeanor of the first degree, punishable as
800 provided in s. 775.082 or s. 775.083. A person who commits a

801 second or subsequent violation commits a felony of the third
 802 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 803 775.084.

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

806 1. The owner of the private property or sport shooting and
 807 training range;

808 2. A person acting under the prior written consent of the
 809 owner of the private property or sport shooting and training
 810 range; or

811 3. A person or entity acting in compliance with the
 812 provisions of s. 934.50.

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

815 366.20 Sale and management of lands owned by electric
 816 utilities.—

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

825 (2) Lands owned by an electric utility, as defined in s.

826 366.02(4), on or after January 1, 2009, which were classified as
827 agricultural lands pursuant to s. 193.461 at any time in the 5
828 years preceding the date of acquisition of the land by the
829 electric utility must be offered for fee simple acquisition to
830 the Department of Agriculture and Consumer Services through the
831 process outlined in subsection (3) before offering for sale or
832 transferring the land to a private individual or entity.

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

838 (b) Within 30 days after the date of receipt by certified
839 mail of the written intent to sell by an electric utility, the
840 Commissioner of Agriculture may issue a written intent to
841 purchase by certified mail to the electric utility. If the
842 Commissioner of Agriculture declines, or does not issue an
843 intent to purchase within 30 days, the electric utility is
844 released from the requirements of this section.

845 (4) Offers accepted by the Department of Agriculture and
846 Consumer Services pursuant to paragraph (3) (b) which are
847 received no later than 6 months before the start of the regular
848 legislative session must be executed no later than July 31
849 following that regular legislative session.

850 (5) The Department of Agriculture and Consumer Services

851 shall adopt rules to implement this section.

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

856 366.94 Electric vehicle charging.—

857 (2) (a) As used in this section, the term "electric vehicle
858 charging station" means the area in the immediate vicinity of
859 electric vehicle supply equipment and includes the electric
860 vehicle supply equipment, supporting equipment, and associated
861 parking spaces. The regulation of electric vehicle charging
862 stations is preempted to the state.

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

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

870 (b) The department may adopt rules to protect the public
871 health, safety, and welfare and establish standards for the
872 placement, design, installation, maintenance, and operation of
873 electric vehicle charging stations.

874 (c) Local governmental entities shall issue permits for
875 electric vehicle charging stations based solely upon standards

876 established by department rule and other applicable provisions
877 of state law. The department shall prescribe by rule the time
878 period for approving or denying permit applications.

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

883 (e) The department shall have the authority to inspect
884 electric vehicle charging stations, conduct investigations, and
885 enforce this subsection and any rules adopted under this
886 subsection. The department may impose one or more of the
887 following penalties against a person who violates this
888 subsection or any rule adopted under this subsection:

- 889 1. Issuance of a warning letter.
890 2. Imposition of an administrative fine in the Class II
891 category pursuant to s. 570.971 for each violation.

892 (f) If the department determines that an electric vehicle
893 charging station or any associated equipment presents a threat
894 to the public health, safety, or welfare, the department may
895 issue an immediate final order prohibiting the use of the
896 electric vehicle charging station or any portion thereof.

897 (g) In addition to the remedies provided in this
898 subsection, and notwithstanding the existence of any adequate
899 remedy at law, the department may bring an action to enjoin a
900 violation of this subsection or rules adopted under this

901 subsection in the circuit court of the county in which the
 902 violation occurs or is about to occur. Upon demonstration of
 903 competent and substantial evidence by the department to the
 904 court of the violation or threatened violation, the court shall
 905 immediately issue the temporary or permanent injunction sought
 906 by the department. The injunction must be issued without bond.

907 **Section 8. Subsections (10) and (11) of section 388.011,**
 908 **Florida Statutes, are renumbered as subsections (11) and (12),**
 909 **respectively, subsections (2) and (5) of that section are**
 910 **amended, and a new subsection (10) is added to that section, to**
 911 **read:**

912 388.011 Definitions.—As used in this chapter:

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

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

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

923 **Section 9. Section 388.021, Florida Statutes, is amended**
 924 **to read:**

925 388.021 Creation of mosquito control special districts.—

926 (1) The abatement or suppression of arthropods, whether
 927 disease-bearing or merely pestiferous, within any or all
 928 counties of this state is advisable and necessary for the
 929 maintenance and betterment of the comfort, health, and welfare
 930 of the people thereof and is found and declared to be for public
 931 purposes. Areas where arthropods incubate, hatch, or occur in
 932 significant numbers so as to constitute a public health,
 933 welfare, or nuisance problem may be controlled or abated as
 934 provided in this chapter or the rules adopted under this chapter
 935 ~~promulgated hereunder~~. Therefore, any municipality ~~city~~, town,
 936 or county, or any portion or portions thereof, whether such
 937 portion or portions include incorporated territory or portions
 938 of two or more counties in the state, may be created into a
 939 special taxing district for the control of arthropods under the
 940 provisions of this chapter.

941 (2) It is the legislative intent that ~~these~~ mosquito
 942 control districts established prior to July 1, 1980, pursuant to
 943 the petition process contained in former s. 388.031, may
 944 continue to operate as outlined in this chapter. However, on and
 945 after that date, no mosquito control districts may be created
 946 except pursuant to s. 125.01.

947 **Section 10. Section 388.181, Florida Statutes, is amended**
 948 **to read:**

949 388.181 Power to do all things necessary.—The respective
 950 programs ~~districts~~ of the state are hereby fully authorized to

951 do and perform all things necessary to carry out the intent and
952 purposes of this law.

953 **Section 11. Subsections (1), (2), (4), and (5) of section**
954 **388.201, Florida Statutes, are amended to read:**

955 388.201 Program ~~District~~ budgets; hearing.—

956 (1) The fiscal year of programs ~~districts~~ operating under
957 ~~the provisions of~~ this chapter shall be the 12-month period
958 extending from October 1 of one year through September 30 of the
959 following year. The governing board of the programs ~~district~~
960 shall before July 15 of each year complete the preparation of a
961 tentative detailed work plan budget covering its proposed
962 operations and requirements for arthropod control measures
963 during the ensuing fiscal year and, for the purpose of
964 determining eligibility for state aid, shall submit copies as
965 may be required to the department for review and approval. The
966 tentative detailed work plan budget must ~~shall~~ set forth,
967 classified by account number, title and program items, and by
968 fund from which to be paid, the proposed expenditures of the
969 program ~~district~~ for construction, for acquisition of land, and
970 other purposes, for the operation and maintenance of the
971 program's ~~district's~~ works, the conduct of the program ~~district~~
972 generally, to which may be added an amount to be held as a
973 reserve.

974 (2) The tentative detailed work plan budget must ~~shall~~
975 also show the estimated amount which will appear at the

976 beginning of the fiscal year as obligated upon commitments made
 977 but uncompleted, ~~There shall be shown~~ the estimated unobligated
 978 or net balance which will be on hand at the beginning of the
 979 fiscal year, and the estimated amount to be raised by county,
 980 municipality, or district taxes and from any and all other
 981 sources for meeting the program's ~~the district's~~ requirements.

982 (4) The governing board shall:

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

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

991 (5) County commissioners' mosquito and arthropod control
 992 budgets or the budgets of a similar governing body of a county,
 993 city, or town must ~~shall~~ be made and adopted as prescribed by
 994 subsections (1) and (2); summary figures must ~~shall~~ be
 995 incorporated into the county budgets as prescribed by the
 996 Department of Financial Services.

997 **Section 12. Section 388.241, Florida Statutes, is amended**
 998 **to read:**

999 388.241 Board of county commissioners vested with powers
 1000 and duties of board of commissioners in certain counties.—In

1001 those counties or municipalities where there has been no
 1002 formation of a separate or special board of commissioners, all
 1003 the rights, powers, and duties of a board of commissioners as
 1004 conferred in this chapter shall be vested in the board of county
 1005 commissioners or similar governing body of such ~~said~~ county or
 1006 municipality.

1007 **Section 13. Section 388.261, Florida Statutes, is amended**
 1008 **to read:**

1009 388.261 State aid to counties, municipalities, and
 1010 districts for arthropod control; distribution priorities and
 1011 limitations.-

1012 (1) A county, municipality, or district may, without
 1013 contributing matching funds, receive state funds, supplies,
 1014 services, or equipment in an amount of no more than \$75,000
 1015 ~~\$50,000~~ per year for up to 3 years for any new program for the
 1016 control of mosquitoes and other arthropods which serves an area
 1017 not previously served by the county, municipality, or district.
 1018 These funds may be expended for any and all types of control
 1019 measures approved by the department.

1020 (2) Every county, municipality, or district budgeting
 1021 local funds to be used exclusively for the control of mosquitoes
 1022 and other arthropods, under a plan submitted by the county,
 1023 municipality, or district and approved by the department, is
 1024 eligible to receive state funds and supplies, services, and
 1025 equipment on a dollar-for-dollar matching basis to the amount of

1026 local funds budgeted. If state funds appropriated by the
 1027 Legislature are insufficient to grant each county, municipality,
 1028 or district state funds on a dollar-for-dollar matching basis to
 1029 the amount budgeted in local funds, the department must ~~shall~~
 1030 distribute the funds as prescribed by rule. Such rules must
 1031 ~~shall~~ provide for up to 80 percent of the funds to be
 1032 distributed to programs with local funds for mosquito control
 1033 budgets of less than \$1 million, if the county, municipality, or
 1034 district meets the eligibility requirements. The funds must
 1035 ~~shall~~ be distributed as equally as possible within the category
 1036 of counties pursuant to this section. The remaining funds must
 1037 ~~shall~~ be distributed as prescribed by rule among the remaining
 1038 counties to support mosquito control and to support research,
 1039 education, and outreach.

1040 (3) Every county shall be limited to receive a total of
 1041 \$120,000 of state funds, exclusive of state funds brought
 1042 forward, during any one year.

1043 (4) Up to 20 percent of the annual funds appropriated to
 1044 local governments for arthropod control may be used for
 1045 arthropod control research or demonstration projects as approved
 1046 by the department.

1047 (5) If more than one program ~~local mosquito control agency~~
 1048 exists in a county or municipality, the funds must ~~shall~~ be
 1049 prorated between the programs ~~agencies~~ based on the population
 1050 served by each program ~~agency~~.

1051 (6) The Commissioner of Agriculture may exempt counties,
 1052 municipalities, or districts from the requirements in subsection
 1053 (1) or ~~subsection (2), or subsection (3)~~ when the department
 1054 determines state funds, supplies, services, or equipment are
 1055 necessary for the immediate control of mosquitoes and other
 1056 arthropods that pose a threat to human or animal health.

1057 (7) The department may use state funds appropriated for a
 1058 county, municipality, or district under subsection (1) or
 1059 subsection (2) to provide state mosquito or other arthropod
 1060 control equipment, supplies, or services when requested by a
 1061 county, municipality, or district eligible to receive state
 1062 funds under s. 388.271.

1063 (8) The department is authorized to use up to 5 percent of
 1064 the funds appropriated annually by the Legislature under this
 1065 section to provide technical assistance to the counties,
 1066 municipalities, or districts, or to purchase equipment,
 1067 supplies, or services necessary to administer the provisions of
 1068 this chapter.

1069 **Section 14. Subsections (1) and (2) of section 388.271,**
 1070 **Florida Statutes, are amended to read:**

1071 388.271 Prerequisites to participation.—

1072 (1) When state funds are involved, it is the duty of the
 1073 department to guide, review, approve, and coordinate the
 1074 activities of all county and municipal governments and special
 1075 districts receiving state funds in furtherance of the goal of

1076 integrated arthropod control. Each program county eligible to
 1077 participate may, and each district must, begin participation on
 1078 October 1 of any year by filing with the department not later
 1079 than July 15 a tentative integrated arthropod management plan
 1080 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for
 1081 the control of arthropods. Following approval of the plan and
 1082 budget by the department, a copy ~~two copies~~ of the program's
 1083 ~~county's or district's~~ certified budget based on the approved
 1084 integrated arthropod management ~~work plan~~ and detailed ~~work plan~~
 1085 budget must ~~shall~~ be submitted to the department by September 30
 1086 ~~following~~. State funds, supplies, and services must ~~shall~~ be
 1087 made available to such program county ~~or district~~ by and through
 1088 the department ~~immediately~~ upon release of funds by the
 1089 Executive Office of the Governor.

1090 (2) All purchases of supplies, materials, and equipment by
 1091 programs must ~~counties or districts shall~~ be made in accordance
 1092 with the laws governing purchases by boards of county
 1093 commissioners or similar governing bodies, except that programs
 1094 ~~districts~~ with special laws relative to competitive bidding
 1095 shall make purchases in accordance therewith.

1096 **Section 15. Subsections (1) and (3) of section 388.281,**
 1097 **Florida Statutes, are amended to read:**

1098 388.281 Use of state matching funds.—

1099 (1) All funds, supplies, and services released to programs
 1100 under this chapter must ~~counties and districts hereunder shall~~

1101 be used in accordance with the integrated arthropod management
 1102 ~~detailed work~~ plan and certified budget approved by both the
 1103 department and the board of commissioners or an appropriate
 1104 representative county or district. The integrated arthropod
 1105 management plan and budget may be amended at any time upon prior
 1106 approval of the department.

1107 (3) In any program ~~county or district~~ where the arthropod
 1108 problem has been eliminated, or reduced to such an extent that
 1109 it does not constitute a health, comfort, or economic problem as
 1110 determined by the department, the maximum amount of state funds
 1111 available under this chapter shall be reduced to the amount
 1112 necessary to meet actual need.

1113 **Section 16. Subsections (1) and (2) of section 388.291,**
 1114 **Florida Statutes, are amended to read:**

1115 388.291 Source reduction measures; supervision by
 1116 department.—

1117 (1) Any program ~~county or district~~ may perform source
 1118 reduction measures in conformity with good engineering practices
 1119 in any area, provided that the department cooperating with the
 1120 county, municipality, or district has approved the operating or
 1121 construction plan as outlined in the integrated arthropod
 1122 management plan and that it has been determined by criteria
 1123 contained in rule that the area or areas to be controlled would
 1124 produce arthropods in significant numbers to constitute a health
 1125 or nuisance problem.

1126 (2) The program ~~county or district~~ shall manage the
1127 detailed business affairs and supervise the ~~said~~ work, and the
1128 department shall advise the programs ~~districts~~ as to the best
1129 and most effective measures to be used in bringing about better
1130 temporary control and the permanent elimination of breeding
1131 conditions. The department may at its discretion discontinue any
1132 state aid provided under this chapter if ~~hereunder in the event~~
1133 it finds the jointly agreed upon program is not being followed
1134 or is not efficiently and effectively administered.

1135 **Section 17. Section 388.301, Florida Statutes, is amended**
1136 **to read:**

1137 388.301 Payment of state funds; supplies and services.—
1138 State funds shall be payable ~~quarterly~~, in accordance with the
1139 rules of the department, upon requisition by the department to
1140 the Chief Financial Officer. The department is authorized to
1141 furnish insecticides, chemicals, materials, equipment, vehicles,
1142 and personnel in lieu of state funds where mass purchasing may
1143 save funds for the state, or where it would be more practical
1144 and economical to use equipment, supplies, and services between
1145 two or more programs ~~counties or districts~~.

1146 **Section 18. Section 388.311, Florida Statutes, is amended**
1147 **to read:**

1148 388.311 Carry over of state funds and local funds.—State
1149 and local funds budgeted for the control of mosquitoes and other
1150 arthropods shall be carried over at the end of the program's

1151 ~~county or district's~~ fiscal year, and rebudgeted for such
1152 control measures the following fiscal year.

1153 **Section 19. Section 388.321, Florida Statutes, is amended**
1154 **to read:**

1155 388.321 Equipment to become property of a program ~~the~~
1156 ~~county or district.~~—All equipment purchased under this chapter
1157 with state funds made available directly to a program ~~the county~~
1158 ~~or district~~ shall become the property of the program ~~county or~~
1159 ~~district~~ unless otherwise provided, and may be traded in on
1160 other equipment, or sold, when no longer needed by the program
1161 ~~county or district.~~

1162 **Section 20. Section 388.322, Florida Statutes, is amended**
1163 **to read:**

1164 388.322 Record and inventory of certain property.—A record
1165 and inventory of certain property purchased with state funds for
1166 arthropod control use owned by the program must ~~district shall~~
1167 be maintained in accordance with s. 274.02.

1168 **Section 21. Section 388.323, Florida Statutes, is amended**
1169 **to read:**

1170 388.323 Disposal of surplus property.—Surplus property
1171 shall be disposed of according to the provisions set forth in s.
1172 274.05 with the following exceptions:

1173 (1) Serviceable equipment purchased using state funds for
1174 arthropod control use no longer needed by a program must ~~county~~
1175 ~~or district shall~~ first be offered to any ~~or all~~ other programs

1176 ~~counties or districts~~ engaged in arthropod control at a price
1177 established by the board of commissioners owning the equipment.

1178 (2) The alternative procedure for disposal of surplus
1179 property, as prescribed in s. 274.06, must ~~shall~~ be followed if
1180 it is determined that no other program ~~county or district~~
1181 engaged in arthropod control has need for the equipment.

1182 (3) All proceeds from the sale of any real or tangible
1183 personal property owned by the program and purchased using state
1184 funds ~~county or district~~ shall be deposited in the program's
1185 ~~county's or district's~~ state fund account unless otherwise
1186 specifically designated by the department.

1187 **Section 22. Section 388.341, Florida Statutes, is amended**
1188 **to read:**

1189 388.341 Reports of expenditures and accomplishments.—Each
1190 program receiving state aid ~~county and district participating~~
1191 ~~under the provisions of~~ this chapter shall within 30 days after
1192 the end of each month submit to the department a monthly report
1193 for the preceding month of expenditures from all funds for
1194 arthropod control, and each program participating under this
1195 chapter shall provide such reports of activities and
1196 accomplishments as may be required by the department.

1197 **Section 23. Section 388.351, Florida Statutes, is amended**
1198 **to read:**

1199 388.351 Transfer of equipment, personnel, and supplies
1200 during an emergency.—The department, upon notifying a program

1201 ~~county or district~~ and obtaining its approval, is authorized to
 1202 transfer equipment, materials, and personnel from one program
 1203 ~~district~~ to another in the event of an emergency brought about
 1204 by an arthropod-borne epidemic or other disaster requiring
 1205 emergency control.

1206 **Section 24. Subsection (7) of section 388.361, Florida**
 1207 **Statutes, is amended to read:**

1208 388.361 Department authority and rules; administration.—

1209 (7) The department shall have the authority to collect,
 1210 detect, suppress, and control mosquitoes and other arthropods
 1211 that are determined by the State Health Officer to pose a threat
 1212 to public health, or determined by the Commissioner of
 1213 Agriculture to pose a threat to animal health, wherever they may
 1214 occur on public or private land in this state, and to do all
 1215 things necessary in the exercise of such authority. Before ~~Prior~~
 1216 ~~to~~ the start of treatments for the control of mosquitoes or
 1217 other arthropods, the department shall consult with the mosquito
 1218 control programs ~~districts~~ in the proposed treatment areas, the
 1219 Department of Health, the Department of Environmental
 1220 Protection, and the Fish and Wildlife Conservation Commission
 1221 regarding the proposed locations, dates, and methods to be used.

1222 **Section 25. Subsections (2) and (3) of section 388.3711,**
 1223 **Florida Statutes, are amended to read:**

1224 388.3711 Enforcement.—

1225 (2) The department may issue a written warning, impose a

1226 fine; deny, suspend, or revoke any license or certification, or
 1227 the disbursal of state aid; or deny participation, in accordance
 1228 with the provisions of chapter 120, upon any one or more of the
 1229 following grounds as may be applicable:

1230 (a) Violation of any rule of the department or provision
 1231 of this chapter.

1232 (b) Violation of FIFRA or any relevant EPA rule or
 1233 regulation pertaining to the use of arthropod control pesticides
 1234 by the licensee.

1235 (c) Failure to give the department, or any authorized
 1236 representative thereof, true information upon request regarding
 1237 methods and materials used, work performed, or other information
 1238 essential to the administration of this chapter.

1239 (3) The department may, if it finds a violation is of such
 1240 nature or circumstances that imposition of a fine, or denial,
 1241 revocation, or suspension of a certification or license or
 1242 disbursal of state aid would be detrimental to the public or be
 1243 unnecessarily harsh under the circumstances, in its discretion,
 1244 place the offending party on probation for a period of not more
 1245 than 2 years. If the department determines that the terms of
 1246 such probation have been violated, it may reinstitute license or
 1247 certification or state aid denial, suspension, or revocation
 1248 proceedings.

1249 **Section 26. Section 388.381, Florida Statutes, is amended**
 1250 **to read:**

1251 388.381 Cooperation by programs ~~counties and district~~.—Any
 1252 program conducting ~~county or district~~ carrying on an arthropod
 1253 control ~~program~~ may cooperate with another county, district, or
 1254 municipality in carrying out work ~~a program~~ for the control of
 1255 mosquitoes and other arthropods, by agreement as to the program
 1256 and reimbursement thereof, when approved by the department.

1257 **Section 27. Section 388.391, Florida Statutes, is amended**
 1258 **to read:**

1259 388.391 Control measures in municipalities and portions of
 1260 counties located outside boundaries of programs ~~districts~~.—Any
 1261 program ~~district~~ whose operation is limited to a portion of the
 1262 county in which it is located may perform any control measures
 1263 authorized by this chapter in any municipality located in the
 1264 same county or in any portions of the same county, where there
 1265 is no established program ~~district~~, when requested to do so by
 1266 the municipality or county, pursuant to s. 388.381.

1267 **Section 28. Section 388.401, Florida Statutes, is amended**
 1268 **to read:**

1269 388.401 Penalty for damage to property or operations.—
 1270 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of
 1271 any program ~~county or district~~ created under this or other
 1272 chapters, or any works constructed, maintained, or controlled by
 1273 such program ~~county or district~~, or who obstructs ~~shall obstruct~~
 1274 or causes ~~cause~~ to be obstructed any of the operations of such
 1275 program ~~county or district~~, or who ~~shall~~ knowingly or willfully

1276 violates ~~violate~~ any provisions of this chapter or any rule or
 1277 regulation adopted ~~promulgated~~ by any board of commissioners of
 1278 any program, commits county or district shall be guilty of a
 1279 misdemeanor of the second degree, punishable as provided in s.
 1280 775.082 or s. 775.083.

1281 **Section 29. Paragraph (a) of subsection (2) of section**
 1282 **388.46, Florida Statutes, is amended to read:**

1283 388.46 Florida Coordinating Council on Mosquito Control;
 1284 establishment; membership; organization; responsibilities.—

1285 (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

1286 (a) *Membership*.—The Florida Coordinating Council on
 1287 Mosquito Control shall be composed ~~comprised~~ of the following
 1288 representatives or their authorized designees:

- 1289 1. The Secretary of Environmental Protection.
- 1290 2. The State Surgeon General.
- 1291 3. The executive director of the Fish and Wildlife
 1292 Conservation Commission.
- 1293 4. The state epidemiologist.
- 1294 5. The Commissioner of Agriculture.
- 1295 6. The Board of Trustees of the Internal Improvement Trust
 1296 Fund.
- 1297 7. Representatives from:
 - 1298 a. The University of Florida, Institute of Food and
 1299 Agricultural Sciences, Florida Medical Entomological Research
 1300 Laboratory.

- 1301 b. The United States Environmental Protection Agency.
- 1302 c. The United States Department of Agriculture, Center of
- 1303 Medical, Agricultural, and Veterinary Entomology Insects
- 1304 ~~Affecting Man Laboratory.~~
- 1305 d. The United States Fish and Wildlife Service.
- 1306 8. Four ~~Two~~ mosquito control directors to be nominated by
- 1307 the Florida Mosquito Control Association, two representatives of
- 1308 Florida environmental groups, and two private citizens who are
- 1309 property owners whose lands are regularly subject to mosquito
- 1310 control operations, to be appointed to 4-year terms by the
- 1311 Commissioner of Agriculture and serve until his or her successor
- 1312 is appointed.

Section 30. Paragraph (d) of subsection (7) of section 403.067, Florida Statutes, is amended to read:

403.067 Establishment and implementation of total maximum daily loads.—

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

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

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

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

2. No later than January 1, 2017:

1326 a. The department, in consultation with the water
 1327 management districts and the Department of Agriculture and
 1328 Consumer Services, shall initiate rulemaking to adopt procedures
 1329 to verify implementation of water quality monitoring required in
 1330 lieu of implementation of best management practices or other
 1331 measures pursuant to sub-subparagraph (b)2.g.;

1332 b. The department, in consultation with the water
 1333 management districts and the Department of Agriculture and
 1334 Consumer Services, shall initiate rulemaking to adopt procedures
 1335 to verify implementation of nonagricultural interim measures,
 1336 best management practices, or other measures adopted by rule
 1337 pursuant to subparagraph (c)1.; and

1338 c. The Department of Agriculture and Consumer Services, in
 1339 consultation with the water management districts and the
 1340 department, shall initiate rulemaking to adopt procedures to
 1341 verify implementation of agricultural interim measures, best
 1342 management practices, or other measures adopted by rule pursuant
 1343 to subparagraph (c)2.

1344
 1345 The rules required under this subparagraph shall include
 1346 enforcement procedures applicable to the landowner, discharger,
 1347 or other responsible person required to implement applicable
 1348 management strategies, including best management practices or
 1349 water quality monitoring as a result of noncompliance.

1350 3. At least every 2 years, the Department of Agriculture

1351 and Consumer Services shall perform onsite inspections of each
1352 agricultural producer that enrolls in a best management
1353 practice, except those enrolled by rule in subparagraph 4., to
1354 ensure that such practice is being properly implemented. Such
1355 verification must include a collection and review of the best
1356 management practice documentation from the previous 2 years
1357 required by rules adopted pursuant to subparagraph (c)2.,
1358 including, but not limited to, nitrogen and phosphorus
1359 ~~fertilizer~~ application records, which must be collected and
1360 retained pursuant to subparagraphs (c)3., 4., and 6. The
1361 Department of Agriculture and Consumer Services shall initially
1362 prioritize the inspection of agricultural producers located in
1363 the basin management action plans for Lake Okeechobee, the
1364 Indian River Lagoon, the Caloosahatchee River and Estuary, and
1365 Silver Springs.

1366 4. The Department of Agriculture and Consumer Services is
1367 authorized to adopt rules establishing an enrollment in best
1368 management practices by rule process that agricultural pollutant
1369 sources and agricultural producers may use in lieu of the best
1370 management practices adopted in paragraph (c) and identify best
1371 management practices for landowners of parcels which meet all of
1372 the following requirements:

1373 a. A parcel not more than 25 acres in size.

1374 b. A parcel designated as agricultural land use by the
1375 county in which it is located or the parcel is granted

1376 agricultural tax classification by the county property appraiser
1377 of the county in which it is located.

1378 c. A parcel with water use not exceeding 100,000 gallons
1379 per day on average unless the entire use is met using recycled
1380 water from wet detention treatment ponds or reuse water.

1381 d. A parcel where the agricultural activity on the parcel
1382 is not a vegetable crop, an agronomic crop, a nursery, or a
1383 dairy operation.

1384 e. A parcel not abutting an impaired water body identified
1385 in subsection (4).

1386 f. A parcel not part of a larger operation that is
1387 enrolled in the Department of Agriculture and Consumer Services
1388 best management practices or conducting water quality monitoring
1389 prescribed by the department or a water management district.

1390
1391 Such requirements must specify design or performance criteria
1392 that, if applied, would result in compliance with appropriate
1393 water quality standards. The Department of Agriculture and
1394 Consumer Services is authorized to adopt additional eligibility
1395 criteria for landowners or producers to use enrollment by rule
1396 and to revoke enrollment by rule.

1397 5. The Department of Agriculture and Consumer Services
1398 shall annually perform onsite inspections of 20 percent for all
1399 enrollments that meet the qualifications pursuant to
1400 subparagraph 4. by rule within basin management action plan

1401 areas, to ensure that practices are being properly implemented.
1402 Such inspections must include a collection and review of the
1403 identified best management practice documentation from the
1404 previous 2 years required by rules adopted pursuant to
1405 subparagraph (c)2. All agricultural producers enrolled by rule
1406 in a best management practice must annually submit nutrient
1407 records, including nitrogen and phosphorus application records
1408 for the previous calendar year, to the Department of Agriculture
1409 and Consumer Services as required by rules adopted pursuant to
1410 subparagraph (c)2. The Department of Agriculture and Consumer
1411 Services shall collect and retain these nutrient records
1412 pursuant to subparagraphs (c)3., 4., and 6.

1413 **Section 31. Subsection (19) is added to section 403.852,**
1414 **Florida Statutes, to read:**

1415 403.852 Definitions; ss. 403.850-403.864.—As used in ss.
1416 403.850-403.864:

1417 (19) "Water quality additive" means any chemical,
1418 additive, or substance that is used in a public water system for
1419 the purpose of:

1420 (a) Meeting or surpassing primary or secondary drinking
1421 water standards;

1422 (b) Preventing, reducing, or removing contaminants; or

1423 (c) Improving water quality.

1424 **Section 32. Subsection (8) is added to section 403.859,**
1425 **Florida Statutes, to read:**

1426 403.859 Prohibited acts.—The following acts and the
 1427 causing thereof are prohibited and are violations of this act:

1428 (8) The use of any additive in a public water system that
 1429 does not meet the definition of a water quality additive as
 1430 defined in s. 403.852(19).

1431 **Section 33. Subsection (10) of section 482.111, Florida**
 1432 **Statutes, is amended to read:**

1433 482.111 Pest control operator's certificate.—

1434 (10) In order to renew a certificate, the
 1435 certificateholder must complete 2 hours of approved continuing
 1436 education on legislation, safety, pesticide labeling, and
 1437 integrated pest management and 2 hours of approved continuing
 1438 education in each category of her or his certificate or must
 1439 pass an examination that the department shall provide in person
 1440 and remotely through a third-party vendor. The third-party
 1441 vendor may collect and retain a convenience fee ~~given by the~~
 1442 department. The department may not renew a certificate if the
 1443 continuing education or examination requirement is not met.

1444 (a) Courses or programs, to be considered for credit, must
 1445 include one or more of the following topics:

1446 1. The law and rules of this state pertaining to pest
 1447 control.

1448 2. Precautions necessary to safeguard life, health, and
 1449 property in the conducting of pest control and the application
 1450 of pesticides.

1451 3. Pests, their habits, recognition of the damage they
1452 cause, and identification of them by accepted common name.

1453 4. Current accepted industry practices in the conducting
1454 of fumigation, termites and other wood-destroying organisms pest
1455 control, lawn and ornamental pest control, and household pest
1456 control.

1457 5. How to read labels, a review of current state and
1458 federal laws on labeling, and a review of changes in or
1459 additions to labels used in pest control.

1460 6. Integrated pest management.

1461 (b) The certificateholder must submit with her or his
1462 application for renewal a statement certifying that she or he
1463 has completed the required number of hours of continuing
1464 education. The statement must be on a form prescribed by the
1465 department and must identify at least the date, location,
1466 provider, and subject of the training and must provide such
1467 other information as required by the department.

1468 (c) The department shall charge the same fee for
1469 examination as provided in s. 482.141(2).

1470 **Section 34. Subsection (1) of section 482.141, Florida**
1471 **Statutes, is amended to read:**

1472 482.141 Examinations.—

1473 (1) Each individual seeking certification must
1474 satisfactorily pass an examination which must be written but
1475 ~~which~~ may include practical demonstration. The department shall

1476 provide in-person and remote testing through a third-party
1477 vendor. A third-party vendor may collect and retain a
1478 convenience fee ~~held at least two examinations each year.~~ An
1479 applicant may seek certification in one or more categories.

1480 **Section 35. Paragraph (b) of subsection (1) of section**
1481 **482.155, Florida Statutes, is amended to read:**

1482 482.155 Limited certification for governmental pesticide
1483 applicators or private applicators.—

1484 (1)

1485 (b) A person seeking limited certification under this
1486 subsection must pass an examination that the department shall
1487 provide in person and remotely through a third-party vendor. The
1488 third-party vendor may collect and retain a convenience fee
1489 ~~given or approved by the department.~~ Each application for
1490 examination must be accompanied by an examination fee set by the
1491 department, in an amount of not more than \$150 or less than \$50;
1492 and a recertification fee of \$25 every 4 years. Until rules
1493 setting these fees are adopted by the department, the
1494 examination fee is \$50. Application for recertification must be
1495 accompanied by proof of having completed 4 classroom hours of
1496 acceptable continuing education. The limited certificate expires
1497 4 years after the date of issuance. If the certificateholder
1498 fails to renew his or her certificate and provide proof of
1499 completion of the required continuing education units within 60
1500 days after the expiration date, the certificateholder may be

1501 recertified only after reexamination. The department shall make
1502 available ~~provide~~ the appropriate reference material and ~~make~~
1503 ~~the examination readily accessible and available to all~~
1504 ~~applicants at least quarterly or as necessary in each county.~~

1505 **Section 36. Subsection (2) of section 482.156, Florida**
1506 **Statutes, is amended to read:**

1507 482.156 Limited certification for commercial landscape
1508 maintenance personnel.—

1509 (2) (a) A person seeking limited certification under this
1510 section must pass an examination that the department shall
1511 provide in person and remotely through a third-party vendor. The
1512 third-party vendor may collect and retain a convenience fee
1513 ~~given by the department.~~ Each application for examination must
1514 be accompanied by an examination fee set by rule of the
1515 department, in an amount of not more than \$150 or less than \$50.
1516 Before the department issues a limited certification under this
1517 section, each person applying for the certification must furnish
1518 proof of having a certificate of insurance which states that the
1519 employer meets the requirements for minimum financial
1520 responsibility for bodily injury and property damage required by
1521 s. 482.071(4).

1522 (b) The department shall make available ~~provide~~ the
1523 appropriate reference materials for the examination and provide
1524 in-person and remote testing through a third-party vendor. A
1525 third-party vendor may collect and retain a convenience fee ~~make~~

1526 ~~the examination readily accessible and available to applicants~~
 1527 ~~at least quarterly or as necessary in each county.~~

1528 **Section 37. Subsection (2) of section 482.157, Florida**
 1529 **Statutes, is amended to read:**

1530 482.157 Limited certification for commercial wildlife
 1531 management personnel.—

1532 (2) The department shall issue a limited certificate to an
 1533 applicant who:

1534 (a) Submits an application and examination fee of at least
 1535 \$150, but not more than \$300, as prescribed by the department by
 1536 rule;

1537 (b) Passes an examination that the department shall
 1538 provide in person and remotely through a third-party vendor. The
 1539 third-party vendor may collect and retain a convenience fee
 1540 administered by the department. The department shall make
 1541 available ~~provide~~ the appropriate study materials for the
 1542 examination and ~~make the examination readily available to~~
 1543 ~~applicants in each county as necessary, but not less frequently~~
 1544 ~~than quarterly;~~ and

1545 (c) Provides proof, including a certificate of insurance,
 1546 that the applicant has met the minimum bodily injury and
 1547 property damage insurance requirements in s. 482.071(4).

1548 **Section 38. Paragraph (m) is added to subsection (1) of**
 1549 **section 482.161, Florida Statutes, to read:**

1550 482.161 Disciplinary grounds and actions; reinstatement.—

1551 (1) The department may issue a written warning to or
1552 impose a fine against, or deny the application for licensure or
1553 licensure renewal of, a licensee, certified operator, limited
1554 certificateholder, identification cardholder, or special
1555 identification cardholder or any other person, or may suspend,
1556 revoke, or deny the issuance or renewal of any license,
1557 certificate, limited certificate, identification card, or
1558 special identification card that is within the scope of this
1559 chapter, in accordance with chapter 120, upon any of the
1560 following grounds:

1561 (m) Upon the issuance of a final order imposing civil
1562 penalties under subsection 14(a) of the Federal Insecticide,
1563 Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction
1564 under subsection 14(b) of FIFRA.

1565 **Section 39. Subsection (2) of section 487.044, Florida**
1566 **Statutes, is amended to read:**

1567 487.044 Certification; examination.—

1568 (2) The department shall require each applicant for a
1569 certified applicator's license to demonstrate competence by a
1570 written or oral examination in which the applicant must
1571 demonstrate adequate knowledge concerning the proper use and
1572 application of restricted-use pesticides in each classification
1573 for which application for license is made. The department shall
1574 provide in-person and remote testing through a third-party
1575 vendor. A third-party vendor may collect and retain a

1576 convenience fee. The examination may be prepared, administered,
 1577 and evaluated by the department. Each applicant for a certified
 1578 applicator's license must ~~shall~~ demonstrate minimum competence
 1579 as to:

1580 (a) The proper use of the equipment.

1581 (b) The environmental hazards that may be involved in
 1582 applying restricted-use pesticides.

1583 (c) Calculating the concentration of restricted-use
 1584 pesticides to be used in particular circumstances.

1585 (d) Identification of common pests to be controlled and
 1586 the damages caused by such pests.

1587 (e) Protective clothing and respiratory equipment required
 1588 during the handling and application of restricted-use
 1589 pesticides.

1590 (f) General precautions to be followed in the disposal of
 1591 containers, as well as the cleaning and decontamination of the
 1592 equipment which the applicant proposes to use.

1593 (g) Applicable state and federal pesticide laws, rules,
 1594 and regulations.

1595 (h) General safety precautions.

1596 **Section 40. Subsection (6) is added to section 487.175,**
 1597 **Florida Statutes, to read:**

1598 487.175 Penalties; administrative fine; injunction.-

1599 (6) Licensure may be suspended, revoked, or denied by the
 1600 department, upon the issuance of a final order to a licensee

1601 imposing civil penalties under subsection 14(a) of the Federal
1602 Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a
1603 criminal conviction under subsection 14(b) of FIFRA.

1604 **Section 41. Subsections (13) through (28) of section**
1605 **496.404, Florida Statutes, are renumbered as subsections (15)**
1606 **through (30), respectively, and new subsections (13) and (14)**
1607 **are added to that section, to read:**

1608 496.404 Definitions.—As used in ss. 496.401-496.424, the
1609 term:

1610 (13) "Foreign country of concern" has the same meaning as
1611 in s. 286.101(1) (b).

1612 (14) "Foreign source of concern" means any of the
1613 following:

1614 (a) The government or any official of the government of a
1615 foreign country of concern;

1616 (b) A political party or member of a political party or
1617 any subdivision of a political party in a foreign country of
1618 concern;

1619 (c) A partnership, an association, a corporation, an
1620 organization, or other combination of persons organized under
1621 the laws of or having its principal place of business in a
1622 foreign country of concern, or a subsidiary of such entity;

1623 (d) Any person who is domiciled in a foreign country of
1624 concern and is not a citizen or lawful permanent citizen of the
1625 United States;

1626 (e) An agent, including a subsidiary or an affiliate of a
1627 foreign legal entity, acting on behalf of a foreign source of
1628 concern; or

1629 (f) An entity in which a person, entity, or collection of
1630 persons or entities described in paragraphs (a)-(e) has a
1631 controlling interest. As used in this paragraph, the term
1632 "controlling interest" means the possession of the power to
1633 direct or cause the direction of the management or policies of
1634 an entity, whether through ownership of securities, by contract,
1635 or otherwise. A person or an entity that directly or indirectly
1636 has the right to vote 25 percent or more of the voting interest
1637 of the company or is entitled to 25 percent or more of its
1638 profits is presumed to possess a controlling interest.

1639 **Section 42. Paragraphs (d) through (g) of subsection (2)**
1640 **of section 496.405, Florida Statutes, are redesignated as**
1641 **paragraphs (f) through (i), respectively, new paragraphs (d) and**
1642 **(e) are added to that subsection, subsection (11) is added to**
1643 **that section, and subsection (1) and paragraph (b) of subsection**
1644 **(7) of that section are amended, to read:**

1645 496.405 Registration statements by charitable
1646 organizations and sponsors.—

1647 (1) A charitable organization or sponsor, unless exempted
1648 pursuant to s. 496.406, which intends to solicit contributions
1649 in or from this state by any means or have funds solicited on
1650 its behalf by any other person, charitable organization,

1651 sponsor, commercial co-venturer, or professional solicitor, or
1652 that participates in a charitable sales promotion or sponsor
1653 sales promotion, must, before engaging in any of these
1654 activities, file an initial registration statement, which
1655 includes an attestation statement, and a renewal statement
1656 annually thereafter, with the department.

1657 (a) Except as provided in paragraph (b), any changes in
1658 the information submitted on the initial registration statement
1659 or the last renewal statement must be updated annually on a
1660 renewal statement provided by the department on or before the
1661 date that marks 1 year after the date the department approved
1662 the initial registration statement as provided in this section.
1663 The department shall annually provide a renewal statement to
1664 each registrant by mail or by electronic mail at least 30 days
1665 before the renewal date.

1666 (b) Any changes to the information submitted to the
1667 department pursuant to paragraph (2) (f) ~~(2) (d)~~ on the initial
1668 registration statement, which includes an attestation statement,
1669 or the last renewal statement must be reported to the department
1670 on a form prescribed by the department within 10 days after the
1671 change occurs.

1672 (c) A charitable organization or sponsor that is required
1673 to file an initial registration statement or annual renewal
1674 statement may not, before approval of its statement by the
1675 department in accordance with subsection (7), solicit

1676 contributions or have contributions solicited on its behalf by
1677 any other person, charitable organization, sponsor, commercial
1678 co-venturer, or professional solicitor or participate in a
1679 charitable sales promotion or sponsor sales promotion.

1680 (d) The registration of a charitable organization or
1681 sponsor may not continue in effect and shall expire without
1682 further action of the department under either of the following
1683 circumstances:

1684 1. After the date the charitable organization or sponsor
1685 should have filed, but failed to file, its renewal statement in
1686 accordance with this section.

1687 2. For failure to provide a financial statement within any
1688 extension period provided under s. 496.407.

1689 (2) The initial registration statement must be submitted
1690 on a form prescribed by the department, signed by an authorized
1691 official of the charitable organization or sponsor who shall
1692 certify that the registration statement is true and correct, and
1693 include the following information or material:

1694 (d) An attestation statement, which must be submitted on a
1695 form prescribed by the department and signed by an authorized
1696 official of the charitable organization, who shall certify and
1697 attest that the charitable organization, if engaged in
1698 activities that would require registration pursuant to chapter
1699 106 is registered with the Department of State, pursuant to
1700 chapter 106.

1701 (e) An attestation statement on a form prescribed by the
1702 department, signed by an authorized official of the charitable
1703 organization, who shall certify and attest that the charitable
1704 organization, if prohibited by applicable federal or state law,
1705 is not engaged in activities that would require registration
1706 with the Department of State pursuant to chapter 106.

1707 (7)

1708 (b) If a charitable organization or sponsor discloses
1709 information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~
1710 in the initial registration statement or annual renewal
1711 statement, the time limits set forth in paragraph (a) are
1712 waived, and the department shall process such initial
1713 registration statement or annual renewal statement in accordance
1714 with the time limits set forth in chapter 120. The registration
1715 of a charitable organization or sponsor shall be automatically
1716 suspended for failure to disclose any information specified in
1717 subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the
1718 required information is submitted to the department.

1719 (11) The department may investigate and refer a charitable
1720 organization or sponsor to the Florida Elections Commission for
1721 investigation of violations pursuant to chapters 104 and 106.

1722 **Section 43. Subsection (20) is added to section 496.415,**
1723 **Florida Statutes, to read:**

1724 496.415 Prohibited acts.—It is unlawful for any person in
1725 connection with the planning, conduct, or execution of any

1726 solicitation or charitable or sponsor sales promotion to:
 1727 (20) Solicit or accept contributions or anything of value
 1728 from a foreign source of concern.

1729 (a) The first violation of this subsection is considered
 1730 involuntary, and shall result in no punitive action from the
 1731 department if a charitable organization satisfies all of the
 1732 following requirements:

1733 1. Provides the department with a solicitation or
 1734 contribution form containing an attestation from such foreign
 1735 source or country of concern in which the person, country, or
 1736 entity falsely certifies that they are not a foreign country of
 1737 concern as defined in s. 496.404(13) or a foreign source of
 1738 concern as defined in s. 496.404(14).

1739 2. Provides the department with a copy of a refund to the
 1740 foreign source or country of concern within 30 days after
 1741 notification by the department of the prohibited act.

1742 3. Provides the department with a plan of action to
 1743 prevent the acceptance of contributions from a foreign country
 1744 or source of concern in future solicitation activities by the
 1745 charitable organization.

1746 (b) A second or subsequent violation of this subsection is
 1747 considered voluntary, and the charitable organization or sponsor
 1748 is subject to the penalties specified in s. 496.419(5) at the
 1749 discretion of the department.

1750 **Section 44. Section 496.417, Florida Statutes, is amended**

1751 **to read:**

1752 496.417 Criminal penalties.—Except as otherwise provided
 1753 in ss. 496.401-496.424, and in addition to any administrative or
 1754 civil penalties, any person who willfully and knowingly violates
 1755 ss. 496.401-496.424 commits a felony of the third degree,
 1756 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
 1757 For a second or subsequent conviction, such violation
 1758 constitutes a felony of the second degree, punishable as
 1759 provided in s. 775.082, s. 775.083, or s. 775.084. The
 1760 department may also investigate and refer a charitable
 1761 organization or sponsor to the Florida Elections Commission for
 1762 investigation of violations pursuant to chapters 104 and 106.

1763 **Section 45. Subsection (11) is added to section 496.419,**
 1764 **Florida Statutes, to read:**

1765 496.419 Powers of the department.—

1766 (11) A charitable organization or sponsor whose
 1767 registration is denied or revoked for submitting a false
 1768 attestation required pursuant to s. 496.405(2)(d) or (2)(e) is
 1769 subject to the penalties specified in subsection (5) at the
 1770 discretion of the department.

1771 **Section 46. Section 496.431, Florida Statutes, is created**
 1772 **to read:**

1773 496.431 Honest Services Registry.—

1774 (1) The department shall create the Honest Services
 1775 Registry to provide the residents of this state with the

1776 information necessary to make an informed choice when deciding
1777 which charitable organizations to support.

1778 (2) To be included on the Honest Services Registry, a
1779 charitable organization must, at a minimum, submit to the
1780 department an attestation statement on a form prescribed by the
1781 department, verified as provided in s. 92.525, attesting to all
1782 of the following:

1783 (a) That the organization does not solicit or accept,
1784 directly or indirectly, contributions, funding, support, or
1785 services from a foreign source of concern.

1786 (b) That the organization's messaging and content are not
1787 directly or indirectly produced or influenced by a foreign
1788 source of concern.

1789 (3) The department shall publish the Honest Services
1790 Registry on the department's website.

1791 (4) The department shall adopt rules to implement this
1792 section.

1793 **Section 47. Paragraph (j) of subsection (1) of section**
1794 **500.03, Florida Statutes, is amended to read:**

1795 500.03 Definitions; construction; applicability.—

1796 (1) For the purpose of this chapter, the term:

1797 (j) "Cottage food product" means food that is not time or
1798 temperature controlled for safety or a potentially hazardous
1799 food as defined by department rule which is sold by a cottage
1800 food operation in accordance with s. 500.80.

1801 **Section 48. Paragraphs (a) and (b) of subsection (1) of**
 1802 **section 500.12, Florida Statutes, are amended to read:**

1803 500.12 Food permits; building permits.—

1804 (1) (a) A food permit from the department is required of
 1805 any person or business that ~~who~~ operates a food establishment,
 1806 except:

1807 1. Persons or businesses operating minor food outlets that
 1808 sell food that is commercially prepackaged, not potentially
 1809 hazardous, not age restricted, and not time or temperature
 1810 controlled for safety, if the shelf space for those items does
 1811 not exceed 12 total linear feet and no other food is sold by the
 1812 person or business minor food outlet.

1813 2. Persons subject to continuous, onsite federal or state
 1814 inspection.

1815 3. Persons selling only legumes in the shell, either
 1816 parched, roasted, or boiled.

1817 4. Persons selling sugar cane or sorghum syrup that has
 1818 been boiled and bottled on a premise located within this state.
 1819 Such bottles must contain a label listing the producer's name
 1820 and street address, all added ingredients, the net weight or
 1821 volume of the product, and a statement that reads, "This product
 1822 has not been produced in a facility permitted by the Florida
 1823 Department of Agriculture and Consumer Services."

1824 (b) Each food establishment regulated under this chapter
 1825 must apply for and receive a food permit before operation

1826 begins. An application for a food permit from the department
1827 must be accompanied by a fee in an amount determined by
1828 department rule. The department shall adopt by rule a schedule
1829 of fees to be paid by each food establishment as a condition of
1830 issuance or renewal of a food permit. Such fees may not exceed
1831 \$650 and must be used solely for the recovery of costs for the
1832 services provided, except that the fee accompanying an
1833 application for a food permit for operating a bottled water
1834 plant may not exceed \$1,000 and the fee accompanying an
1835 application for a food permit for operating a packaged ice plant
1836 may not exceed \$250. The fee for operating a bottled water plant
1837 or a packaged ice plant must be set by rule of the department.
1838 Food permits are not transferable from one person or physical
1839 location to another. Food permits must be renewed in accordance
1840 with subparagraphs 1.-3. If an application for renewal of a food
1841 permit is not received by the department on or before its due
1842 date, a late fee not exceeding \$100 must be paid in addition to
1843 the food permit fee before the department may issue the food
1844 permit. The moneys collected must be deposited in the General
1845 Inspection Trust Fund.

1846 1. A food permit issued to a new food establishment ~~on or~~
1847 ~~after September 1, 2023,~~ is valid for 1 calendar year after the
1848 date of issuance and must be renewed annually on or before that
1849 date thereafter.

1850 2. ~~Effective January 1, 2024,~~ A food permit issued before

1851 September 1, 2023, expires on the month and day the initial
 1852 permit was issued to the food establishment and must be renewed
 1853 annually on or before that date thereafter. The department may
 1854 charge a prorated permit fee for purposes of this subparagraph.

1855 3. The department may establish a single permit renewal
 1856 date for multiple food establishments owned by the same entity
 1857 ~~The owner of 100 or more permitted food establishment locations~~
 1858 ~~may elect to set the expiration of food permits for such~~
 1859 ~~establishments as December 31 of each calendar year.~~

1860 **Section 49. Section 500.166, Florida Statutes, is amended**
 1861 **to read:**

1862 500.166 Records of interstate shipment.—For the purpose of
 1863 enforcing this chapter, carriers engaged in interstate commerce
 1864 and persons receiving food in interstate commerce shall retain
 1865 all records for 3 years from the date of the record showing the
 1866 movement in interstate commerce of any food, and the quantity,
 1867 shipper and consignee thereof and, upon the request by an
 1868 officer or employee duly designated by the department, permit
 1869 the officer or employee to have access to and to copy all
 1870 records showing the movement in interstate commerce of any food,
 1871 and the quantity, shipper, and consignee thereof.

1872 **Section 50. Subsection (1) of section 500.172, Florida**
 1873 **Statutes, is amended to read:**

1874 500.172 Embargoing, detaining, destroying of food, food
 1875 processing equipment, or areas that are in violation.—

1876 (1) When the department, or its duly authorized agent who
1877 has received appropriate education and training regarding the
1878 legal requirements of this chapter, finds or has probable cause
1879 to believe that any food, food processing equipment, food
1880 processing area, or food storage area is in violation of this
1881 chapter or any rule adopted under this chapter so as to be
1882 dangerous, unwholesome, mislabeled, fraudulent, or insanitary
1883 within the meaning of this chapter, an agent of the department
1884 may issue and enforce a stop-sale, stop-use, removal, or hold
1885 order, which order gives notice that such article, processing
1886 equipment, processing area, or storage area is or is suspected
1887 of being in violation and has been detained or embargoed and
1888 which order warns all persons not to remove, use, or dispose of
1889 such article, processing equipment, processing area, or storage
1890 area by sale or otherwise until permission for removal, use, or
1891 disposal is given by the department or the court. The department
1892 is authorized to enter into a written agreement with the owner
1893 of such food, food processing equipment, food processing area,
1894 or food storage area, or otherwise facilitate the destruction of
1895 any article found or suspected by the department to be in
1896 violation of this section. A person may not remove, use, or
1897 dispose of such detained or embargoed article, processing
1898 equipment, processing area, or storage area by sale or otherwise
1899 without such permission from or in accordance with a written
1900 agreement with the department.

1901 **Section 51. Section 500.75, Florida Statutes, is created**
1902 **to read:**

1903 500.75 Mushroom spores and mycelium; offenses.—It is
1904 unlawful to transport or offer to transport, import into this
1905 state, sell or offer for sale, furnish, or give away spores or
1906 mycelium capable of producing mushrooms or other material which
1907 will contain a controlled substance, including psilocybin or
1908 psilocyn, during its lifecycle. A person who violates this
1909 section commits a misdemeanor of the first degree, punishable as
1910 provided in s. 775.082 or s. 775.083.

1911 **Section 52. Section 500.93, Florida Statutes, is created**
1912 **to read:**

1913 500.93 Mislabeleding of plant-based products as milk, meat,
1914 poultry, or eggs.—

1915 (1) As used in this section, the term:

1916 (a) "Egg" and "egg product" have the same meanings as in
1917 21 U.S.C. s. 1033 and the Egg Products Inspection Act.

1918 (b) "FDA" means the United States Food and Drug
1919 Administration.

1920 (c) "Meat" has the same meaning as in 9 C.F.R. s. 301.2
1921 and the Federal Meat Inspection Act.

1922 (d) "Milk" has the same meaning as in 21 C.F.R. s. 131.110
1923 and the Grade "A" pasteurized milk ordinance.

1924 (e) "Poultry" and "poultry product" have the same meanings
1925 as in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

1926 (2) (a) In accordance with the established standard of
1927 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade
1928 "A" pasteurized milk ordinance, the department shall adopt rules
1929 to enforce the FDA's standard of identity for milk, as adopted
1930 in state law, to prohibit the sale of plant-based products
1931 mislabeled as milk in this state.

1932 (b) This subsection is effective upon the enactment into
1933 law of a mandatory labeling requirement to prohibit the sale of
1934 plant-based products mislabeled as milk that is consistent with
1935 this section by any 11 of the group of 14 states composed of
1936 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
1937 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
1938 Texas, Virginia, and West Virginia.

1939 (3) (a) In accordance with the established standard of
1940 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal
1941 Meat Inspection Act, and both poultry and poultry products
1942 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection
1943 Act, the department shall adopt rules to enforce the FDA's
1944 standard of identity for meat, poultry, and poultry products as
1945 adopted in this section, to prohibit the sale of plant-based
1946 products mislabeled as meat, poultry, or poultry products in
1947 this state.

1948 (b) This subsection is effective upon the enactment into
1949 law of a mandatory labeling requirement to prohibit the sale of
1950 plant-based products mislabeled as meat, poultry, or poultry

1951 products which is consistent with this section by any 11 of the
1952 group of 14 states composed of Alabama, Arkansas, Florida,
1953 Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,
1954 South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1955 (4) (a) In accordance with the established standard of
1956 identity for eggs and egg products defined in 21 U.S.C. s. 1033
1957 and the Egg Products Inspection Act, the department shall adopt
1958 rules to enforce the FDA's standard of identity for eggs and egg
1959 products, as adopted in state law, to prohibit the sale of
1960 plant-based products mislabeled as egg or egg products in this
1961 state.

1962 (b) This subsection is effective upon the enactment into
1963 law of a mandatory labeling requirement to prohibit the sale of
1964 plant-based products mislabeled as egg or egg products that is
1965 consistent with this section by any 11 of the group of 14 states
1966 composed of Alabama, Arkansas, Florida, Georgia, Kentucky,
1967 Louisiana, Maryland, Mississippi, Oklahoma, South Carolina,
1968 Tennessee, Texas, Virginia, and West Virginia.

1969 (5) The Department of Agriculture and Consumer Services
1970 shall notify the Division of Law Revision upon the enactment
1971 into law by any 11 of the group of 14 states composed of
1972 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
1973 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
1974 Texas, Virginia, and West Virginia of the mandatory labeling
1975 requirements pursuant to subsections (2) and (3).

1976 (6) The department shall adopt rules to implement this
 1977 section.

1978 (7) This section does not limit the department's authority
 1979 to enforce its laws and regulations.

1980 **Section 53.** Section 501.135, Florida Statutes, is
 1981 repealed.

1982 **Section 54. Subsection (1) of section 501.912, Florida**
 1983 **Statutes, is amended to read:**

1984 501.912 Definitions.—As used in ss. 501.91-501.923:

1985 (1) "Antifreeze" means any substance or preparation,
 1986 including, but not limited to, coolant, antifreeze-coolant,
 1987 antifreeze and summer coolant, or summer coolant, that is sold,
 1988 distributed, or intended for use:

1989 (a) As the cooling liquid, or to be added to the cooling
 1990 liquid, in the cooling system of ~~internal combustion engines of~~
 1991 motor vehicles to prevent freezing of the cooling liquid or to
 1992 lower its freezing point; or

1993 (b) To raise the boiling point of water, aid in vehicle
 1994 component cooling, or for the prevention of engine overheating,
 1995 whether or not the liquid is used as a year-round cooling system
 1996 fluid.

1997 **Section 55. Section 525.19, Florida Statutes, is created**
 1998 **to read:**

1999 525.19 Petroleum registration.—

2000 (1) The department shall create an annual petroleum

2001 registration program for petroleum owners or operators and shall
 2002 adopt rules detailing the requirements for such registration
 2003 that include, at minimum:

- 2004 (a) Name of the petroleum owner or operator;
- 2005 (b) Address of the petroleum owner or operator;
- 2006 (c) Phone number of the petroleum owner or operator;
- 2007 (d) E-mail address of the petroleum owner or operator;
- 2008 (e) Requirements for the transfer switch;
- 2009 (f) Fuel and petroleum infrastructure; and
- 2010 (g) Fuel and petroleum inventory and delivery information.
- 2011 (2) The registration program must be free for all
 2012 registrants.

2013 (3) The department has the authority to require
 2014 registrants to provide updates related to the status of
 2015 infrastructure, inventory, and delivery information during a
 2016 state of emergency as declared by an executive order issued by
 2017 the Governor.

2018 **Section 56. Section 526.147, Florida Statutes, is created**
 2019 **to read:**

2020 526.147 Florida Retail Fuel Transfer Switch Modernization
 2021 Grant Program.—

2022 (1) (a) There is created, subject to appropriation, the
 2023 Florida Retail Fuel Transfer Switch Modernization Grant Program
 2024 within the Department of Agriculture and Consumer Services.

2025 (b) The grant program shall provide grant funds, not to

2026 exceed \$10,000 per retail fuel facility, to be used for
2027 installation and equipment costs related to installing or
2028 modernizing transfer switch infrastructure at retail fuel
2029 facilities to allow for the continuity of fueling operations
2030 under generated power.

2031 (c) The department shall award funds based upon the
2032 following criteria:

2033 1. Up to \$10,000, of costs for transfer switch purchase
2034 and installation for retail fuel locations in fiscally
2035 constrained counties as designated under s. 218.67(1).

2036 2. Up to \$5,000, of costs for transfer switch purchase and
2037 installation for all other retail fuel locations.

2038 (d) Retail fuel facilities which are awarded grant funds
2039 must comply with s. 526.143 and must install a transfer switch
2040 capable of operating all fuel pumps, dispensing equipment, life
2041 safety systems, and payment acceptance equipment using an
2042 alternative generated power source.

2043 (e) Before being awarded funding from the department,
2044 retail fuel facilities must provide documentation on transfer
2045 switch installation and required generator sizing to the
2046 department.

2047 (f) Marinas and fueling facilities with fewer than four
2048 fueling positions are excluded from being awarded funding
2049 through this program.

2050 (g) Fueling facilities subject to s. 526.143(2) are

2051 excluded from being awarded funding through this program.

2052 (2) The department, in consultation with the Division of
 2053 Emergency Management, shall adopt rules to implement and
 2054 administer this section, including establishing grant
 2055 application processes for the Florida Retail Fuel Transfer
 2056 Switch Modernization Grant Program. The rules must include
 2057 application deadlines and establish the supporting documentation
 2058 necessary to be provided to the department.

2059 **Section 57. Section 531.48, Florida Statutes, is amended**
 2060 **to read:**

2061 531.48 Declarations of unit price on random packages.—In
 2062 addition to the declarations required by s. 531.47, any package
 2063 being one of a lot containing random weights of the same
 2064 commodity must ~~and bearing the total selling price of the~~
 2065 ~~package shall~~ bear on the outside of the package a plain and
 2066 conspicuous declaration of the price per single unit of weight
 2067 and the total retail price of the package, as defined by
 2068 department rule.

2069 **Section 58. Section 531.49, Florida Statutes, is amended**
 2070 **to read:**

2071 531.49 Advertising packages for sale.—~~Whenever~~ A packaged
 2072 commodity ~~is advertised in any manner with the retail price~~
 2073 ~~stated, there shall be~~ closely and conspicuously associated with
 2074 the retail price must have a declaration of quantity as is
 2075 required by law or rule to appear on the package.

2076 **Section 59. Subsection (10) of section 564.06, Florida**
 2077 **Statutes, is amended to read:**

2078 564.06 Excise taxes on wines and beverages.—

2079 (10) Fifty percent of all revenues collected from the
 2080 excise taxes imposed by this section on wine produced by
 2081 manufacturers in this state from products grown in the state
 2082 must be deposited into the Florida Wine ~~Viticulture~~ Trust Fund
 2083 established pursuant to s. 599.012.

2084 **Section 60. Subsections (44), (45), and (46) of section**
 2085 **570.07, Florida Statutes, are renumbered as subsections (47),**
 2086 **(48), and (49), respectively, and new subsections (44), (45),**
 2087 **and (46) are added to that section, to read:**

2088 570.07 Department of Agriculture and Consumer Services;
 2089 functions, powers, and duties.—The department shall have and
 2090 exercise the following functions, powers, and duties:

2091 (44) (a) To foster and encourage the employment and
 2092 retention of qualified veterinary pathologists. The department
 2093 may reimburse the educational expenses of qualified veterinary
 2094 pathologists who enter into an agreement with the department to
 2095 retain employment for a specified period of time.

2096 (b) The department shall adopt rules to administer this
 2097 subsection.

2098 (45) Subject to appropriation, to extend state and
 2099 national Future Farmers of America opportunities to any public
 2100 school student enrolled in agricultural education, at little or

2101 no cost to the student or school district, and to support
 2102 statewide Future Farmers of America programming that helps such
 2103 students develop their potential for premier leadership,
 2104 personal growth, and career success.

2105 (46) (a) Notwithstanding ss. 287.042 and 287.057, to use
 2106 contracts procured by another agency.

2107 (b) As used in this subsection, the term "agency" has the
 2108 same meaning as provided in s. 287.012.

2109 **Section 61. Subsection (2) of section 570.544, Florida**
 2110 **Statutes, is amended to read:**

2111 570.544 Division of Consumer Services; director; powers;
 2112 processing of complaints; records.—

2113 (2) The director shall supervise, direct, and coordinate
 2114 the activities of the division and shall, under the direction of
 2115 the department, enforce the provisions of ss. 366.94 and ~~ss.~~
 2116 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526,
 2117 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

2118 **Section 62. Section 570.546, Florida Statutes, is created**
 2119 **to read:**

2120 570.546 Licensing.—

2121 (1) The department is authorized to:

2122 (a) Create a process for the bulk renewal of licenses
 2123 which will allow licensees the ability, upon request, to submit
 2124 all license applications of the same type, notwithstanding any
 2125 provisions of law applicable to each application process.

2126 (b) Create a process that will allow licensees, upon
 2127 request, to align the expiration dates of licenses within a
 2128 statutory program.

2129 (c) Change the expiration dates for current licensees for
 2130 the purpose of reducing large numbers of license expirations
 2131 that occur during the same month.

2132 (2) The department shall prorate any licensing fee for
 2133 which the term of the license was reduced for the purposes of
 2134 alignment.

2135 (3) The department shall adopt rules to implement this
 2136 section.

2137 **Section 63. Section 570.694, Florida Statutes, is created**
 2138 **to read:**

2139 570.694 Florida Aquaculture Foundation.—

2140 (1) The Florida Aquaculture Foundation is established as a
 2141 direct-support organization within the Department of Agriculture
 2142 and Consumer Services. The purpose of the foundation is to:

2143 (a) Conduct programs and activities related to the
 2144 assistance, promotion, and furtherance of aquaculture and
 2145 aquaculture producers in this state.

2146 (b) Identify and pursue methods to provide statewide
 2147 resources and materials for these programs.

2148 (2) The foundation shall be governed by s. 570.691.

2149 (3) The department is authorized to appoint an advisory
 2150 committee adjunct to the foundation pursuant to s. 570.232.

2151 **Section 64. Section 570.822, Florida Statutes, is amended**
 2152 **to read:**

2153 570.822 Agriculture and Aquaculture Producers Emergency
 2154 ~~Natural Disaster~~ Recovery Loan Program.—

2155 (1) DEFINITIONS.—As used in this section, the term:

2156 (a) "Bona fide farm operation" means a farm operation
 2157 engaged in a good faith commercial agricultural use of land on
 2158 land classified as agricultural pursuant to s. 193.461 or on
 2159 sovereign submerged land that is leased to the applicant by the
 2160 department pursuant to s. 597.010 and that produces agricultural
 2161 products within the definition of agriculture under s. 570.02.

2162 (b) "Declared emergency natural disaster" means an
 2163 emergency ~~a natural disaster~~ for which a state of emergency is
 2164 declared pursuant to s. 252.36 or s. 570.07(21).

2165 (c) "Department" means the Department of Agriculture and
 2166 Consumer Services.

2167 (d) "Essential physical property" means fences; equipment;
 2168 structural production facilities, such as shade houses and
 2169 greenhouses; or other agriculture or aquaculture facilities or
 2170 infrastructure.

2171 (e) "Program" means the Agriculture and Aquaculture
 2172 Producers Emergency ~~Natural Disaster~~ Recovery Loan Program.

2173 (2) USE OF LOAN FUNDS; LOAN TERMS.—

2174 (a) The program is established within the department to
 2175 make loans to agriculture and aquaculture producers that have

2176 | experienced damage or destruction from a declared emergency
 2177 | ~~natural disaster~~. Loan funds may be used to restore, repair, or
 2178 | replace essential physical property or remove vegetative debris
 2179 | from essential physical property, or restock aquaculture. A
 2180 | structure or building constructed using loan proceeds must
 2181 | comply with storm-hardening standards for nonresidential farm
 2182 | buildings as defined in s. 604.50(2). The department shall adopt
 2183 | such standards by rule.

2184 | (b) The department may make a low-interest or interest-
 2185 | free loan to an eligible applicant. The maximum amount that an
 2186 | applicant may receive during the application period for a loan
 2187 | is \$500,000. An applicant may not receive more than one loan per
 2188 | application period and no more than two loans per year or no
 2189 | more than five loans in any 3-year period. A loan term is 10
 2190 | years.

2191 | (3) ELIGIBLE APPLICANTS.—To be eligible for the program,
 2192 | an applicant must:

2193 | (a) Own or lease a bona fide farm operation that is
 2194 | located in a county named in a declared emergency ~~natural~~
 2195 | ~~disaster~~ and that was damaged or destroyed as a result of such
 2196 | declared emergency ~~natural disaster~~.

2197 | (b) Maintain complete and acceptable farm records,
 2198 | pursuant to criteria published by the department, and present
 2199 | them as proof of production levels and bona fide farm
 2200 | operations.

2201 (4) LOAN APPLICATION AND AGREEMENT.—

2202 (a) Requests for loans must be made by application to the
2203 department. Upon a determination that funding for loans is
2204 available, the department shall publicly notice an application
2205 period for the declared emergency ~~natural disaster~~, beginning
2206 within 60 days after the date of the declared emergency ~~natural~~
2207 ~~disaster~~ and running up to 1 year after the date of the declared
2208 emergency ~~natural disaster~~ or until all available loan funds are
2209 exhausted, whichever occurs first. The application period may be
2210 renewed upon a determination from the department and pursuant to
2211 an active declared emergency.

2212 (b) An applicant must demonstrate the need for financial
2213 assistance and an ability to repay or meet a standard credit
2214 rating determined by the department.

2215 (c) Loans must be made pursuant to written agreements
2216 specifying the terms and conditions agreed to by the approved
2217 applicant and the department. The loan agreement must specify
2218 that the loan is due upon sale if the property or other
2219 collateral for the loan is sold.

2220 (d) An approved applicant must agree to stay in production
2221 for the duration of the loan. A loan is not assumable.

2222 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured
2223 by a lien, subordinate only to any mortgage held by a financial
2224 institution as defined in s. 655.005, on property or other
2225 collateral as set forth in the loan agreement. The specific type

2226 of collateral required may vary depending upon the loan purpose,
2227 repayment ability, and the particular circumstances of the
2228 applicant. The department shall record the lien in public
2229 records in the county where the property is located and, in the
2230 case of personal property, perfect the security interest by
2231 filing appropriate Uniform Commercial Code forms with the
2232 Florida Secured Transaction Registry as required pursuant to
2233 chapter 679.

2234 (6) LOAN REPAYMENT.—

2235 (a) A loan is due and payable in accordance with the terms
2236 of the loan agreement.

2237 (b) The department shall defer payments for the first 3
2238 years of the loan. After 3 years, the department shall reduce
2239 the principal balance annually through the end of the loan term
2240 such that the original principal balance is reduced by 30
2241 percent. If the principal balance is repaid before the end of
2242 the 10th year, the applicant may not be required to pay more
2243 than 70 percent of the original principal balance. The approved
2244 applicant must continue to be actively engaged in production in
2245 order to receive the original principal balance reductions and
2246 must continue to meet the loan agreement terms to the
2247 satisfaction of the department.

2248 (c) An approved applicant may make payments on the loan at
2249 any time without penalty. Early repayment is encouraged as other
2250 funding sources or revenues become available to the approved

2251 applicant.

2252 (d) All repayments of principal and interest, if
 2253 applicable, received by the department in a fiscal year must be
 2254 returned to the loan fund and made available for loans to other
 2255 applicants in the next application period.

2256 (e) The department may periodically review an approved
 2257 applicant to determine whether he or she continues to be in
 2258 compliance with the terms of the loan agreement. If the
 2259 department finds that an applicant is no longer in production or
 2260 has otherwise violated the loan agreement, the department may
 2261 seek repayment of the full original principal balance
 2262 outstanding, including any interest or costs, as applicable, and
 2263 excluding any applied or anticipated original principal balance
 2264 reductions.

2265 (f) The department may defer or waive loan payments if at
 2266 any time during the repayment period of a loan, the approved
 2267 applicant experiences a significant hardship such as crop loss
 2268 from a weather-related event or from impacts from a natural
 2269 disaster or declared emergency.

2270 (7) ADMINISTRATION.—

2271 (a) The department shall create and maintain a separate
 2272 account in the General Inspection Trust Fund as a fund for the
 2273 program. All repayments must be returned to the loan fund and
 2274 made available as provided in this section. Notwithstanding s.
 2275 216.301, funds appropriated for the loan program are not subject

2276 to reversion. The department shall manage the fund, establishing
 2277 loan practices that must include, but are not limited to,
 2278 procedures for establishing loan interest rates, uses of
 2279 funding, application procedures, and application review
 2280 procedures. The department is authorized to contract with a
 2281 third-party administrator to administer the program and manage
 2282 the loan fund. A contract for a third-party administrator that
 2283 includes management of the loan fund must, at a minimum, require
 2284 maintenance of the loan fund to ensure that the program may
 2285 operate in a revolving manner.

2286 (b) The department shall coordinate with other state
 2287 agencies and other entities to ensure to the greatest extent
 2288 possible that agriculture and aquaculture producers in this
 2289 state have access to the maximum financial assistance available
 2290 following a declared emergency ~~natural disaster~~. The
 2291 coordination must endeavor to ensure that there is no
 2292 duplication of financial assistance between the loan program and
 2293 other funding sources, such as any federal or other state
 2294 programs, including public assistance requests to the Federal
 2295 Emergency Management Agency or financial assistance from the
 2296 United States Department of Agriculture, which could render the
 2297 approved applicant ineligible for other financial assistance.

2298 (8) PUBLIC RECORDS EXEMPTION.—

2299 (a) The following information held by the department
 2300 pursuant to its administration of the program is exempt from s.

2301 119.07(1) and s. 24(a), Art. I of the State Constitution:
 2302 1. Tax returns.
 2303 2. Credit history information, credit reports, and credit
 2304 scores.
 2305 (b) This subsection does not prohibit the disclosure of
 2306 information held by the department pursuant to its
 2307 administration of the program in an aggregated and anonymized
 2308 format.
 2309 (c) This subsection is subject to the Open Government
 2310 Sunset Review Act in accordance with s. 119.15 and shall stand
 2311 repealed on October 2, 2029, unless reviewed and saved from
 2312 repeal through reenactment by the Legislature.
 2313 (9) RULES.—The department shall adopt rules to implement
 2314 this section.
 2315 (10) REPORTS.—By December 1, 2024, and each December 1
 2316 thereafter, the department shall provide a report on program
 2317 activities during the previous fiscal year to the President of
 2318 the Senate and the Speaker of the House of Representatives. The
 2319 report must include information on noticed application periods,
 2320 the number and value of loans awarded under the program for each
 2321 application period, the number and value of loans outstanding,
 2322 the number and value of any loan repayments received, and an
 2323 anticipated repayment schedule for all loans.
 2324 (11) SUNSET.—This section expires July 1, 2043, unless
 2325 reviewed and saved from repeal through reenactment by the

2326 Legislature.

2327 **Section 65. Section 570.823, Florida Statutes, is created**
 2328 **to read:**

2329 570.823 Silviculture emergency recovery program.—

2330 (1) DEFINITIONS.—As used in this section, the term:

2331 (a) "Bona fide farm operation" means a farm operation
 2332 engaged in a good faith commercial agricultural use of land on
 2333 land classified as agricultural pursuant to s. 193.461 that
 2334 produces agricultural products within the definition of
 2335 agriculture under s. 570.02.

2336 (b) "Declared emergency" means an emergency for which a
 2337 state of emergency is declared pursuant to s. 252.36 or s.
 2338 570.07(21).

2339 (c) "Department" means the Department of Agriculture and
 2340 Consumer Services.

2341 (d) "Program" means the silviculture emergency recovery
 2342 program.

2343 (2) USE OF GRANT FUNDS; GRANT TERMS.—

2344 (a) The silviculture emergency recovery program is
 2345 established within the department to administer a grant program
 2346 to assist timber landowners whose timber land was damaged as a
 2347 result of a declared emergency. Grants provided to eligible
 2348 timber landowners must be used for:

2349 1. Timber stand restoration, including downed tree removal
 2350 on land which will retain the existing trees on site which are

2351 lightly or completely undamaged;
2352 2. Site preparation, and tree replanting; or
2353 3. Road and trail clearing on private timber lands to
2354 provide emergency access and facilitate salvage operations.
2355 (b) Only timber land located on lands classified as
2356 agricultural lands under s. 193.461 are eligible for the
2357 program.
2358 (c) The department shall coordinate with state agencies
2359 and other entities to ensure to the greatest extent possible
2360 that timber landowners have access to the maximum financial
2361 assistance available following a specified declared emergency.
2362 The coordination must endeavor to ensure that there is no
2363 duplication of financial assistance between these funds and
2364 other funding sources, such as any federal or other state
2365 programs, including public assistance requests to the Federal
2366 Emergency Management Agency or financial assistance from the
2367 United States Department of Agriculture, which would render the
2368 approved applicant ineligible for other financial assistance.
2369 (d) The department is authorized to adopt rules to
2370 implement this section, including emergency rules.
2371 Notwithstanding any other provision of law, emergency rules
2372 adopted pursuant to this subsection are effective for 6 months
2373 after adoption and may be renewed during the pendency of
2374 procedures to adopt permanent rules addressing the subject of
2375 the emergency rules.

2376 **Section 66. Section 570.831, Florida Statutes, is created**
 2377 **to read:**

2378 570.831 Florida beef marketing program.—The Cattle
 2379 Enhancement Board, Inc., in coordination with the department,
 2380 shall, subject to appropriation, establish a Florida beef
 2381 marketing program to conduct research designed to expand the
 2382 uses of beef and beef products and strengthen the market
 2383 position of Florida's cattle industry through marketing
 2384 campaigns and promotions within this state and the nation.

2385 **Section 67. Subsections (2) and (5) of section 581.1843,**
 2386 **Florida Statutes, are amended to read:**

2387 581.1843 Citrus nursery stock propagation and production
 2388 and the establishment of regulated areas around citrus
 2389 nurseries.—

2390 (2) Effective January 1, 2007, it is unlawful for any
 2391 person to propagate for sale or movement any citrus nursery
 2392 stock that was not propagated or grown on a site and within a
 2393 protective structure approved by the department ~~and that is not~~
 2394 ~~at least 1 mile away from commercial citrus groves. A citrus~~
 2395 ~~nursery registered with the department prior to April 1, 2006,~~
 2396 ~~shall not be required to comply with the 1-mile setback from~~
 2397 ~~commercial citrus groves while continuously operating at the~~
 2398 ~~same location for which it was registered. However, the nursery~~
 2399 shall be required to propagate citrus within a protective
 2400 structure approved by the department. Effective January 1, 2008,

2401 it is ~~shall be~~ unlawful to distribute any citrus nursery stock
2402 that was not produced in a protective structure approved by the
2403 department.

2404 ~~(5) The department shall establish regulated areas around~~
2405 ~~the perimeter of commercial citrus nurseries that were~~
2406 ~~established on sites after April 1, 2006, not to exceed a radius~~
2407 ~~of 1 mile. The planting of citrus in an established regulated~~
2408 ~~area is prohibited. The planting of citrus within a 1-mile~~
2409 ~~radius of commercial citrus nurseries that were established on~~
2410 ~~sites prior to April 1, 2006, must be approved by the~~
2411 ~~department. Citrus plants planted within a regulated area prior~~
2412 ~~to the establishment of the regulated area may remain in the~~
2413 ~~regulated area unless the department determines the citrus~~
2414 ~~plants to be infected or infested with citrus canker or citrus~~
2415 ~~greening. The department shall require the removal of infected~~
2416 ~~or infested citrus, nonapproved planted citrus, and citrus that~~
2417 ~~has sprouted by natural means in regulated areas. The property~~
2418 ~~owner shall be responsible for the removal of citrus planted~~
2419 ~~without proper approval. Notice of the removal of citrus trees,~~
2420 ~~by immediate final order of the department, shall be provided to~~
2421 ~~the owner of the property on which the trees are located. An~~
2422 ~~immediate final order issued by the department under this~~
2423 ~~section shall notify the property owner that the citrus trees,~~
2424 ~~which are the subject of the immediate final order, must be~~
2425 ~~removed and destroyed unless the property owner, no later than~~

2426 ~~10 days after delivery of the immediate final order, requests~~
2427 ~~and obtains a stay of the immediate final order from the~~
2428 ~~district court of appeal with jurisdiction to review such~~
2429 ~~requests. The property owner shall not be required to seek a~~
2430 ~~stay from the department of the immediate final order prior to~~
2431 ~~seeking a stay from the district court of appeal.~~

2432 **Section 68.** Sections 593.101, 593.102, 593.103, 593.104,
2433 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,
2434 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116,
2435 and 593.117, Florida Statutes, are repealed.

2436 **Section 69. Subsection (11) of section 595.404, Florida**
2437 **Statutes, is amended to read:**

2438 595.404 School food and other nutrition programs; powers
2439 and duties of the department.—The department has the following
2440 powers and duties:

2441 (11) To adopt and implement an appeal process by rule, as
2442 required by federal regulations, for applicants and participants
2443 under the programs implemented pursuant to this chapter,
2444 notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss.~~
2445 ~~120.569 and 120.57-120.595.~~

2446 **Section 70. Section 599.002, Florida Statutes, is amended**
2447 **to read:**

2448 599.002 Florida Wine Viticulture ~~Viticulture~~ Advisory Council.—

2449 (1) There is created within the Department of Agriculture
2450 and Consumer Services the Florida Wine ~~Viticulture~~ Advisory

2451 Council, to be composed ~~consist~~ of eight members as follows: the
 2452 president of the Florida Wine and Grape Growers Association
 2453 ~~Florida Grape Growers' Association~~ or a designee thereof; a
 2454 representative from the Institute of Food and Agricultural
 2455 Sciences; a representative from the viticultural science program
 2456 at Florida Agricultural and Mechanical University; and five
 2457 additional commercial members, to be appointed for a 2-year term
 2458 each by the Commissioner of Agriculture, including a wine
 2459 producer, a fresh fruit producer, a nonwine product (juice,
 2460 jelly, pie fillings, etc.) producer, and a viticultural nursery
 2461 operator.

2462 (2) The meetings, powers and duties, procedures, and
 2463 recordkeeping of the Florida Wine ~~Viticulture~~ Advisory Council
 2464 shall be pursuant to s. 570.232.

2465 (3) The primary responsibilities of the Florida Wine
 2466 ~~Viticulture~~ Advisory Council are to submit to the Commissioner
 2467 of Agriculture, annually, the industry's recommendations for
 2468 wine and viticultural research, promotion, and education and, as
 2469 necessary, the industry's recommendations for revisions to the
 2470 State Wine ~~Viticulture~~ Plan.

2471 **Section 71. Section 599.003, Florida Statutes, is amended**
 2472 **to read:**

2473 599.003 State Wine ~~Viticulture~~ Plan.—

2474 (1) The Commissioner of Agriculture, in consultation with
 2475 the Florida Wine ~~Viticulture~~ Advisory Council, shall develop and

2476 | coordinate the implementation of the State Wine ~~Viticulture~~
2477 | Plan, which shall identify problems and constraints of the wine
2478 | and viticulture industry, propose possible solutions to those
2479 | problems, and develop planning mechanisms for the orderly growth
2480 | of the industry, including:

2481 | (a) Criteria for wine and viticultural research, service,
2482 | and management priorities.

2483 | (b) Additional proposed legislation that may be required.

2484 | (c) Plans and goals to improve research and service
2485 | capabilities at Florida Agricultural and Mechanical University
2486 | and the University of Florida in their efforts to address
2487 | current and future needs of the industry.

2488 | (d) The potential for viticulture products in terms of
2489 | market and needs for development.

2490 | (e) Evaluation of wine policy alternatives, including, but
2491 | not limited to, continued improvement in wine quality, blending
2492 | considerations, promotion and advertising, labeling and vineyard
2493 | designations, and development of production and marketing
2494 | strategies.

2495 | (f) Evaluation of production and fresh fruit policy
2496 | alternatives, including, but not limited to, setting minimum
2497 | grades and standards, promotion and advertising, development of
2498 | production and marketing strategies, and setting minimum
2499 | standards on types and quality of nursery plants.

2500 | (g) Evaluation of policy alternatives for nonwine

2501 processed products, including, but not limited to, setting
 2502 minimum quality standards and development of production and
 2503 marketing strategies.

2504 (h) Research and service priorities for further
 2505 development of the wine and viticulture industry.

2506 (i) The identification of state agencies and public and
 2507 private institutions concerned with research, education,
 2508 extension, services, planning, promotion, and marketing
 2509 functions related to wine and viticultural development and the
 2510 delineation of contributions and responsibilities.

2511 (j) Business planning, investment potential, financial
 2512 risks, and economics of production and utilization.

2513 (2) A revision and update of the State Wine Viticulture
 2514 Plan must ~~shall~~ be submitted biennially to the President of the
 2515 Senate, the Speaker of the House of Representatives, and the
 2516 chairs of appropriate committees of the Senate and House of
 2517 Representatives, and a progress report and budget request must
 2518 ~~shall~~ be submitted annually.

2519 **Section 72. Paragraph (a) of subsection (2) and subsection**
 2520 **(3) of section 599.004, Florida Statutes, are amended, and**
 2521 **paragraph (d) is added to subsection (2) of that section, to**
 2522 **read:**

2523 599.004 Florida Farm Winery Program; registration; logo;
 2524 fees.—

2525 (2) (a) The department, in coordination with the Florida

2526 Wine ~~Viticulture~~ Advisory Council, shall develop and designate
 2527 by rule a Florida Farm Winery logo, emblem, and directional sign
 2528 to guide the public to certified Florida Farm Wineries ~~Winery~~
 2529 ~~tourist attractions~~. The logo and emblem of certified Florida
 2530 Farm Winery signs must ~~shall~~ be uniform.

2531 (d) Wineries that fail to recertify annually or pay the
 2532 licensing fee required in paragraph (c) are subject to having
 2533 the signs referenced in paragraph (b) removed and will be
 2534 responsible for all costs incurred by the Department of
 2535 Transportation in connection with the removal.

2536 (3) All fees collected, except as otherwise provided by
 2537 this section, shall be deposited into the Florida Wine
 2538 ~~Viticulture~~ Trust Fund and used to develop consumer information
 2539 on the native characteristics and proper use of wines.

2540 **Section 73. Section 599.012, Florida Statutes, is amended**
 2541 **to read:**

2542 599.012 Florida Wine ~~Viticulture~~ Trust Fund; creation.—

2543 (1) There is established the Florida Wine ~~Viticulture~~
 2544 Trust Fund within the Department of Agriculture and Consumer
 2545 Services. The department shall use the moneys deposited in the
 2546 trust fund pursuant to subsection (2) to do all the following:

2547 (a) Develop and coordinate the implementation of the State
 2548 Viticulture Plan.

2549 (b) Promote viticulture products manufactured from
 2550 products grown in the state.

2551 (c) Provide grants for viticultural research.

2552 (2) Fifty percent of the revenues collected from the
 2553 excise taxes imposed under s. 564.06 on wine produced by
 2554 manufacturers in this state from products grown in the state
 2555 will be deposited in the Florida Wine ~~Viticulture~~ Trust Fund in
 2556 accordance with that section.

2557 **Section 74. Subsection (1) of section 616.12, Florida**
 2558 **Statutes, is amended to read:**

2559 616.12 Licenses upon certain shows; distribution of fees;
 2560 exemptions.—

2561 (1) Each person who operates any traveling show,
 2562 exhibition, amusement enterprise, carnival, vaudeville, exhibit,
 2563 ~~minstrel~~, rodeo, theatrical, game or test of skill, riding
 2564 device, dramatic repertoire, other show or amusement, or
 2565 concession, including a concession operating in a tent,
 2566 enclosure, or other temporary structure, within the grounds of,
 2567 and in connection with, any annual public fair held by a fair
 2568 association shall pay the license taxes provided by law.

2569 However, if the association satisfies the requirements of this
 2570 chapter, including securing the required fair permit from the
 2571 department, the license taxes and local business tax authorized
 2572 in chapter 205 are waived and the department shall issue a tax
 2573 exemption certificate. The department shall adopt the proper
 2574 forms and rules to administer this section, including the
 2575 necessary tax exemption certificate, showing that the fair

2576 association has met all requirements and that the traveling
2577 show, exhibition, amusement enterprise, carnival, vaudeville,
2578 exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill,
2579 riding device, dramatic repertoire, other show or amusement, or
2580 concession is exempt.

2581 **Section 75. Section 687.16, Florida Statutes, is created**
2582 **to read:**

2583 687.16 Florida Farmer Financial Protection Act.—

2584 (1) SHORT TITLE.—This section may be cited as the "Florida
2585 Farmer Financial Protection Act."

2586 (2) DEFINITIONS.—As used in this section, the term:

2587 (a) "Agriculture producer" means a person or company
2588 authorized to do business in this state and engaged in the
2589 production of goods derived from plants or animals, including,
2590 but not limited to, the growing of crops, silviculture, animal
2591 husbandry, or the production of livestock or dairy products.

2592 (b) "Agritourism activity" has the same meaning as
2593 provided in s. 570.86.

2594 (c) "Commissioner" means the Commissioner of Agriculture.

2595 (d) "Company" means a for-profit organization,
2596 association, corporation, partnership, joint venture, sole
2597 proprietorship, limited partnership, limited liability
2598 partnership, or limited liability company, including a wholly
2599 owned subsidiary, majority-owned subsidiary, parent company, or
2600 affiliate of those entities or business associations authorized

2601 to do business in this state.

2602 (e) "Denies or restricts" means refusing to provide
2603 services, terminating existing services, or restricting or
2604 burdening the scope or nature of services offered or provided.

2605 (f) "Discriminate in the provision of financial services"
2606 means to deny or restrict services and thereby decline to
2607 provide financial services.

2608 (g) "Environmental, social, and governance (ESG) factor"
2609 means any factor or consideration that is collateral to or not
2610 reasonably likely to affect or impact financial risk and
2611 includes the promotion, furtherance, or achievement of
2612 environmental, social, or political goals, objectives, or
2613 outcomes, which may include the agriculture producer's
2614 greenhouse gas emissions, use of fossil-fuel derived fertilizer,
2615 or use of fossil-fuel powered machinery.

2616 (h) "Farm" means the land, buildings, support facilities,
2617 machinery, and other appurtenances used in the production of
2618 farm or aquaculture products.

2619 (i) "Financial institution" means a company, as defined
2620 under s. 655.005(1)(h) and (i), which has total assets of more
2621 than \$100 million. The term includes any affiliate as defined
2622 under s. 655.005(1)(a) or subsidiary company as defined under s.
2623 655.005(1)(x), even if that affiliate or subsidiary company is
2624 also a financial institution.

2625 (j) "Financial service" means any product or service that

2626 is of a financial nature and is offered by a financial
 2627 institution.

2628 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

2629 (a) A financial institution may not discriminate in the
 2630 provision of financial services to an agriculture producer
 2631 based, in whole or in part, upon an ESG factor.

2632 (b) If a financial institution has made any ESG commitment
 2633 related to agriculture, there is an inference that the
 2634 institution's denial or restriction of a financial service to an
 2635 agriculture producer violates paragraph (a).

2636 (c) A financial institution may overcome the inference in
 2637 paragraph (b) by demonstrating that its denial or restriction of
 2638 a financial service was based solely on documented risk
 2639 analysis, and not on any ESG factor.

2640 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney
 2641 General, in consultation with the Office of Financial
 2642 Regulation, is authorized to enforce subsection (3). Any
 2643 violation of subsection (3) constitutes an unfair trade practice
 2644 under part II of chapter 501 and the Attorney General is
 2645 authorized to investigate and seek remedies as provided in
 2646 general law. Actions for damages may be sought by an aggrieved
 2647 party.

2648 **Section 76. Paragraph (a) of subsection (3) of section**
 2649 **741.0305, Florida Statutes, is amended to read:**

2650 741.0305 Marriage fee reduction for completion of

2651 premarital preparation course.—

2652 (3) (a) All individuals electing to participate in a
2653 premarital preparation course shall choose from the following
2654 list of qualified instructors:

2655 1. A psychologist licensed under chapter 490.

2656 2. A clinical social worker licensed under chapter 491.

2657 3. A marriage and family therapist licensed under chapter
2658 491.

2659 4. A mental health counselor licensed under chapter 491.

2660 5. An official representative of a religious institution
2661 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the
2662 representative has relevant training.

2663 6. Any other provider designated by a judicial circuit,
2664 including, but not limited to, school counselors who are
2665 certified to offer such courses. Each judicial circuit may
2666 establish a roster of area course providers, including those who
2667 offer the course on a sliding fee scale or for free.

2668 **Section 77. Paragraph (h) of subsection (2), subsection**
2669 **(3), paragraph (c) of subsection (6), and subsection (10) of**
2670 **section 790.06, Florida Statutes, are amended to read:**

2671 790.06 License to carry concealed weapon or concealed
2672 firearm.—

2673 (2) The Department of Agriculture and Consumer Services
2674 shall issue a license if the applicant:

2675 (h) Demonstrates competence with a firearm by any one of

2676 the following:

2677 1. Completion of any hunter education or hunter safety
2678 course approved by the Fish and Wildlife Conservation Commission
2679 or a similar agency of another state;

2680 2. Completion of any National Rifle Association firearms
2681 safety or training course;

2682 3. Completion of any firearms safety or training course or
2683 class available to the general public offered by a law
2684 enforcement agency, junior college, college, or private or
2685 public institution or organization or firearms training school,
2686 using instructors certified by the National Rifle Association,
2687 Criminal Justice Standards and Training Commission, or the
2688 Department of Agriculture and Consumer Services;

2689 4. Completion of any law enforcement firearms safety or
2690 training course or class offered for security guards,
2691 investigators, special deputies, or any division or subdivision
2692 of a law enforcement agency or security enforcement;

2693 5. Presents evidence of equivalent experience with a
2694 firearm through participation in organized shooting competition
2695 or United States military service;

2696 6. Is licensed or has been licensed to carry a concealed
2697 weapon or concealed firearm in this state or a county or
2698 municipality of this state, unless such license has been revoked
2699 for cause; or

2700 7. Completion of any firearms training or safety course or

2701 class conducted by a state-certified or National Rifle
2702 Association certified firearms instructor;
2703
2704 A photocopy of a certificate of completion of any of the courses
2705 or classes; an affidavit from the instructor, school, club,
2706 organization, or group that conducted or taught such course or
2707 class attesting to the completion of the course or class by the
2708 applicant; or a copy of any document that shows completion of
2709 the course or class or evidences participation in firearms
2710 competition shall constitute evidence of qualification under
2711 this paragraph. A person who conducts a course pursuant to
2712 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as
2713 an instructor, attests to the completion of such courses, must
2714 maintain records certifying that he or she observed the student
2715 safely handle and discharge the firearm in his or her physical
2716 presence and that the discharge of the firearm included live
2717 fire using a firearm and ammunition as defined in s. 790.001;
2718 (3) (a) The Department of Agriculture and Consumer Services
2719 shall deny a license if the applicant has been found guilty of,
2720 had adjudication of guilt withheld for, or had imposition of
2721 sentence suspended for one or more crimes of violence
2722 constituting a misdemeanor, unless 3 years have elapsed since
2723 probation or any other conditions set by the court have been
2724 fulfilled or the record has been sealed or expunged. The
2725 Department of Agriculture and Consumer Services shall revoke a

2726 license if the licensee has been found guilty of, had
2727 adjudication of guilt withheld for, or had imposition of
2728 sentence suspended for one or more crimes of violence within the
2729 preceding 3 years. The department shall, upon notification by a
2730 law enforcement agency, a court, clerk's office, or the Florida
2731 Department of Law Enforcement ~~and subsequent written~~
2732 ~~verification~~, temporarily suspend a license or the processing of
2733 an application for a license if the licensee or applicant is
2734 arrested or formally charged with a crime that would disqualify
2735 such person from having a license under this section, until
2736 final disposition of the case. The department shall suspend a
2737 license or the processing of an application for a license if the
2738 licensee or applicant is issued an injunction that restrains the
2739 licensee or applicant from committing acts of domestic violence
2740 or acts of repeat violence. The department shall notify the
2741 licensee or applicant suspended under this section of his or her
2742 right to a hearing pursuant to chapter 120. If the criminal case
2743 or injunction results in a nondisqualifying disposition and the
2744 applicant or licensee is otherwise eligible, the suspension
2745 shall end. The department must issue an order confirming the end
2746 of the suspension within 90 days after the applicant or
2747 licensee's submission to the department of a copy of the final
2748 resolution of the criminal case or injunction. The copy provided
2749 to the department must be sent by electronic mail or certified
2750 mail to a location that must be specified on the notice of

2751 suspension received by the licensee or applicant. If the
2752 criminal case results in a disqualifying disposition, the
2753 suspension remains in effect and the department must proceed
2754 with denial or revocation proceedings pursuant to chapter 120.

2755 (b) This subsection does not limit, restrict, or inhibit
2756 the constitutional right to bear arms and carry a concealed
2757 weapon in this state. The Legislature finds it a matter of
2758 public policy and public safety that it is necessary to ensure
2759 that potentially disqualifying information about an applicant or
2760 licensee is investigated and processed in a timely manner by the
2761 department pursuant to this section. The Legislature intends to
2762 clarify that suspensions pursuant to this section are temporary,
2763 and the department has the duty to make an eligibility
2764 determination and issue a license in the time frame prescribed
2765 in this subsection.

2766 (6)

2767 (c) The Department of Agriculture and Consumer Services
2768 shall, within 90 days after the date of receipt of the items
2769 listed in subsection (5):

2770 1. Issue the license; or

2771 2. Deny the application based solely on the ground that
2772 the applicant fails to qualify under the criteria listed in
2773 subsection (2) or subsection (3). If the Department of
2774 Agriculture and Consumer Services denies the application, it
2775 shall notify the applicant in writing, stating the ground for

2776 denial and informing the applicant of any right to a hearing
2777 pursuant to chapter 120.

2778 3. In the event the result of the criminal history
2779 screening identifies ~~department receives~~ criminal history
2780 information related to a crime that may disqualify the applicant
2781 but does not contain ~~with no~~ final disposition of the crime or
2782 lacks sufficient information to make an eligibility
2783 determination ~~on a crime which may disqualify the applicant,~~ the
2784 time limitation prescribed by this paragraph may be extended for
2785 up to an additional 45 days after the receipt of the information
2786 suspended until receipt of the final disposition or proof of
2787 restoration of civil and firearm rights. The department may make
2788 a request for information to the jurisdiction where the criminal
2789 history information originated but must issue a license if it
2790 does not obtain a disposition or sufficient information to make
2791 an eligibility determination within the additional 45 days if
2792 the applicant is otherwise eligible. The department may take any
2793 action authorized in this section if it receives disqualifying
2794 criminal history information during the additional 45-day review
2795 period or after issuance of a license.

2796 (10) A license issued under this section must ~~shall~~ be
2797 temporarily suspended as provided for in subparagraph (6)(c)3.,
2798 or revoked pursuant to chapter 120 if the license was issued in
2799 error or if the licensee:

2800 (a) Is found to be ineligible under the criteria set forth

2801 in subsection (2);

2802 (b) Develops or sustains a physical infirmity which

2803 prevents the safe handling of a weapon or firearm;

2804 (c) Is convicted of a felony which would make the licensee

2805 ineligible to possess a firearm pursuant to s. 790.23;

2806 (d) Is found guilty of a crime under chapter 893, or

2807 similar laws of any other state, relating to controlled

2808 substances;

2809 (e) Is committed as a substance abuser under chapter 397,

2810 or is deemed a habitual offender under s. 856.011(3), or similar

2811 laws of any other state;

2812 (f) Is convicted of a second violation of s. 316.193, or a

2813 similar law of another state, within 3 years after a first

2814 conviction of such section or similar law of another state, even

2815 though the first violation may have occurred before the date on

2816 which the application was submitted;

2817 (g) Is adjudicated an incapacitated person under s.

2818 744.331, or similar laws of any other state; or

2819 (h) Is committed to a mental institution under chapter

2820 394, or similar laws of any other state.

2821

2822 Notwithstanding s. 120.60(5), service of a notice of the

2823 suspension or revocation of a concealed weapon or concealed

2824 firearm license must be given by either certified mail, return

2825 receipt requested, to the licensee at his or her last known

2826 mailing address furnished to the Department of Agriculture and
2827 Consumer Services, or by personal service. If a notice given by
2828 certified mail is returned as undeliverable, a second attempt
2829 must be made to provide notice to the licensee at that address,
2830 by either first-class mail in an envelope, postage prepaid,
2831 addressed to the licensee at his or her last known mailing
2832 address furnished to the department, or, if the licensee has
2833 provided an e-mail address to the department, by e-mail. Such
2834 mailing by the department constitutes notice, and any failure by
2835 the licensee to receive such notice does not stay the effective
2836 date or term of the suspension or revocation. A request for
2837 hearing must be filed with the department within 21 days after
2838 notice is received by personal delivery, or within 26 days after
2839 the date the department deposits the notice in the United States
2840 mail (21 days plus 5 days for mailing). The department shall
2841 document its attempts to provide notice, and such documentation
2842 is admissible in the courts of this state and constitutes
2843 sufficient proof that notice was given.

2844 **Section 78. Subsection (2) of section 812.0151, Florida**
2845 **Statutes, is amended to read:**

2846 812.0151 Retail fuel theft.—

2847 (2) (a) A person commits a felony of the third degree,
2848 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2849 if he or she willfully, knowingly, and without authorization:

2850 1. Breaches a retail fuel dispenser or accesses any

2851 internal portion of a retail fuel dispenser; or

2852 2. Possesses any device constructed for the purpose of
2853 fraudulently altering, manipulating, or interrupting the normal
2854 functioning of a retail fuel dispenser.

2855 (b) A person commits a felony of the second degree,
2856 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2857 if he or she willfully, knowingly, and without authorization:

2858 1. Physically tampers with, manipulates, removes,
2859 replaces, or interrupts any mechanical or electronic component
2860 located on ~~within~~ the internal or external portion of a retail
2861 fuel dispenser; or

2862 2. Uses any form of electronic communication to
2863 fraudulently alter, manipulate, or interrupt the normal
2864 functioning of a retail fuel dispenser.

2865 (c) A person commits a felony of the third degree,
2866 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2867 if he or she:

2868 1. Obtains fuel as a result of violating paragraph (a) or
2869 paragraph (b); ~~or~~

2870 2. Modifies a vehicle's factory installed fuel tank or
2871 possesses any item used to hold fuel which was not fitted to a
2872 vehicle or conveyance at the time of manufacture with the intent
2873 to use such fuel tank or item to hold or transport fuel obtained
2874 as a result of violating paragraph (a) or paragraph (b); or

2875 3. Possesses or uses any form of a payment instrument that

2876 can be used, alone or in conjunction with another access device,
2877 to authorize a fuel transaction or obtain fuel, including, but
2878 not limited to, a plastic payment card with a magnetic stripe or
2879 a chip encoded with account information or both, with the intent
2880 to defraud the fuel retailer, the authorized payment instrument
2881 financial account holder, or the banking institution that issued
2882 the payment instrument financial account.

2883 **Section 79. Section 812.136, Florida Statutes, is created**
2884 **to read:**

2885 812.136 Mail theft.—

2886 (1) As used in this section, unless the context otherwise
2887 requires:

2888 (a) "Mail" means any letter, postal card, parcel,
2889 envelope, package, bag, or any other sealed article addressed to
2890 another, along with its contents.

2891 (b) "Mail depository" means a mail box, letter box, mail
2892 route, or mail receptacle of a postal service, an office of a
2893 postal service, or mail carrier of a postal service, or a
2894 vehicle of a postal service or any other authorized receptacle.

2895 (c) "Postal service" means the United States Postal
2896 Service or its contractors, or any commercial courier that
2897 delivers mail.

2898 (2) A person commits mail theft if he or she:

2899 (a) Knowingly removes mail from a mail depository or takes
2900 mail from a mail carrier of a postal service with an intent to

2901 temporarily or permanently:

2902 1. Deprive the intended recipient of his or her right to

2903 the mail.

2904 2. Appropriate the mail to his or her own use or the use

2905 of any person not entitled to the use of the mail.

2906 (b) Knowingly obtains custody of mail by fraud or

2907 deception with an intent to temporarily or permanently:

2908 1. Deprive the intended recipient of his or her right to

2909 the mail.

2910 2. Appropriate the mail to his or her own use or the use

2911 of any person not entitled to the use of the mail.

2912 (c) Sells, receives, possesses, transfers, buys, or

2913 conceals mail obtained in violation of paragraph (a) or

2914 paragraph (b) of this subsection, while he or she knows or

2915 should know the mail was obtained illegally.

2916 (3) A person commits theft of or unauthorized reproduction

2917 of a mail depository key or lock if he or she:

2918 (a) Knowingly obtains or uses, or endeavors to obtain or

2919 use, any key or lock used by a postal service for a mail

2920 depository with the intent to temporarily or permanently:

2921 1. Deprive the owner of the key or lock of his or her

2922 right to the key or lock.

2923 2. Appropriate the key or lock to his or her own use or

2924 the use of any person not entitled to the use of the key or

2925 lock.

2926 (b) Knowingly and unlawfully makes, forges, or
 2927 counterfeits any key adopted by a postal service for a mail
 2928 depository for the deposit or delivery of mail with an intent to
 2929 defraud any person or violate any provision of this section.

2930 (c) Sells, receives, possesses, transfers, buys, or
 2931 conceals a key or lock obtained in violation of paragraph (a) or
 2932 paragraph (b) while he or she knows or should know the key or
 2933 lock was obtained illegally.

2934 (4) (a) Except as provided in paragraph (b), a violation of
 2935 this section is a misdemeanor of the first degree, punishable as
 2936 provided in s. 775.082 or s. 775.083.

2937 (b) A second or subsequent violation of this section is a
 2938 felony of the third degree, punishable as provided in s. 775.082
 2939 or s. 775.084.

2940 **Section 80. Paragraphs (j) through (q) of subsection (4)**
 2941 **of section 934.50, Florida Statutes, are redesignated as**
 2942 **paragraphs (i) through (p), respectively, present paragraph (i)**
 2943 **of that subsection is amended, and a new paragraph (q) is added**
 2944 **to that subsection, to read:**

2945 934.50 Searches and seizure using a drone.—

2946 (4) EXCEPTIONS.—This section does not prohibit the use of
 2947 a drone:

2948 ~~(i) By a person or an entity engaged in a business or~~
 2949 ~~profession licensed by the state, or by an agent, employee, or~~
 2950 ~~contractor thereof, if the drone is used only to perform~~

2951 ~~reasonable tasks within the scope of practice or activities~~
2952 ~~permitted under such person's or entity's license. However, this~~
2953 ~~exception does not apply to a profession in which the licensee's~~
2954 ~~authorized scope of practice includes obtaining information~~
2955 ~~about the identity, habits, conduct, movements, whereabouts,~~
2956 ~~affiliations, associations, transactions, reputation, or~~
2957 ~~character of any society, person, or group of persons.~~

2958 (q) By a local governmental entity, or a person under
2959 contract with or acting under the direction of such entity, for
2960 activities with the purpose of managing and eradicating plant or
2961 animal diseases or activities consistent with chapters 369, 388,
2962 and 487.

2963 **Section 81. Section 1013.373, Florida Statutes, is created**
2964 **to read:**

2965 1013.373 Educational facilities used for agricultural
2966 education.—

2967 (1) Notwithstanding any other provision of law, a local
2968 government may not adopt any ordinance, regulation, rule, or
2969 policy to prohibit, restrict, regulate, or otherwise limit any
2970 activities of public educational facilities and auxiliary
2971 facilities constructed by a board for agricultural education,
2972 for Future Farmers of America or 4-H activities, or the storage
2973 of any animal or equipment therein.

2974 (2) Lands used for agricultural education or for Future
2975 Farmers of America or 4-H activities are considered agricultural

2976 lands pursuant to s. 193.461 and subject to s. 823.14.

2977 **Section 82. For the purpose of incorporating the amendment**
 2978 **made by this act to section 110.205, Florida Statutes, in a**
 2979 **reference thereto, paragraph (a) of subsection (5) of section**
 2980 **295.07, Florida Statutes, is reenacted to read:**

2981 295.07 Preference in appointment and retention.—

2982 (5) The following positions are exempt from this section:

2983 (a) Those positions that are exempt from the state Career
 2984 Service System under s. 110.205(2); however, all positions under
 2985 the University Support Personnel System of the State University
 2986 System as well as all Career Service System positions under the
 2987 Florida College System and the School for the Deaf and the
 2988 Blind, or the equivalent of such positions at state
 2989 universities, Florida College System institutions, or the School
 2990 for the Deaf and the Blind, are not exempt.

2991 **Section 83. For the purpose of incorporating the amendment**
 2992 **made by this act to section 388.271, Florida Statutes, in a**
 2993 **reference thereto, subsection (7) of section 388.261, Florida**
 2994 **Statutes, is reenacted to read:**

2995 388.261 State aid to counties and districts for arthropod
 2996 control; distribution priorities and limitations.—

2997 (7) The department may use state funds appropriated for a
 2998 county or district under subsection (1) or subsection (2) to
 2999 provide state mosquito or other arthropod control equipment,

3000 supplies, or services when requested by a county or district
 3001 eligible to receive state funds under s. 388.271.

3002 **Section 84. For the purpose of incorporating the amendment**
 3003 **made by this act to section 388.271, Florida Statutes, in a**
 3004 **reference thereto, paragraph (a) of subsection (1) of section**
 3005 **189.062, Florida Statutes, is reenacted to read:**

3006 189.062 Special procedures for inactive districts.—

3007 (1) The department shall declare inactive any special
 3008 district in this state by documenting that:

3009 (a) The special district meets one of the following
 3010 criteria:

3011 1. The registered agent of the district, the chair of the
 3012 governing body of the district, or the governing body of the
 3013 appropriate local general-purpose government notifies the
 3014 department in writing that the district has taken no action for
 3015 2 or more years;

3016 2. The registered agent of the district, the chair of the
 3017 governing body of the district, or the governing body of the
 3018 appropriate local general-purpose government notifies the
 3019 department in writing that the district has not had a governing
 3020 body or a sufficient number of governing body members to
 3021 constitute a quorum for 2 or more years;

3022 3. The registered agent of the district, the chair of the
 3023 governing body of the district, or the governing body of the
 3024 appropriate local general-purpose government fails to respond to

3025 an inquiry by the department within 21 days;

3026 4. The department determines, pursuant to s. 189.067, that
3027 the district has failed to file any of the reports listed in s.
3028 189.066;

3029 5. The district has not had a registered office and agent
3030 on file with the department for 1 or more years;

3031 6. The governing body of a special district provides
3032 documentation to the department that it has unanimously adopted
3033 a resolution declaring the special district inactive. The
3034 special district is responsible for payment of any expenses
3035 associated with its dissolution;

3036 7. The district is an independent special district or a
3037 community redevelopment district created under part III of
3038 chapter 163 that has reported no revenue, no expenditures, and
3039 no debt under s. 189.016(9) or s. 218.32 for at least 5
3040 consecutive fiscal years beginning no earlier than October 1,
3041 2018. This subparagraph does not apply to a community
3042 development district established under chapter 190 or to any
3043 independent special district operating pursuant to a special act
3044 that provides that any amendment to chapter 190 to grant
3045 additional powers constitutes a power of that district; or

3046 8. For a mosquito control district created pursuant to
3047 chapter 388, the department has received notice from the
3048 Department of Agriculture and Consumer Services that the
3049 district has failed to file a tentative work plan and tentative

3050 detailed work plan budget as required by s. 388.271.

3051 **Section 85. For the purpose of incorporating the amendment**
 3052 **made by this act to section 482.161, Florida Statutes, in a**
 3053 **reference thereto, paragraph (b) of subsection (3) of section**
 3054 **482.072, Florida Statutes, is reenacted to read:**

3055 482.072 Pest control customer contact centers.—

3056 (3)

3057 (b) Notwithstanding any other provision of this section:

3058 1. A customer contact center licensee is subject to
 3059 disciplinary action under s. 482.161 for a violation of this
 3060 section or a rule adopted under this section committed by a
 3061 person who solicits pest control services or provides customer
 3062 service in a customer contact center.

3063 2. A pest control business licensee may be subject to
 3064 disciplinary action under s. 482.161 for a violation of this
 3065 section or a rule adopted under this section committed by a
 3066 person who solicits pest control services or provides customer
 3067 service in a customer contact center operated by a licensee if
 3068 the licensee participates in the violation.

3069 **Section 86. For the purpose of incorporating the amendment**
 3070 **made by this act to section 482.161, Florida Statutes, in a**
 3071 **reference thereto, section 482.163, Florida Statutes, is**
 3072 **reenacted to read:**

3073 482.163 Responsibility for pest control activities of
 3074 employee.—Proper performance of pest control activities by a

3075 pest control business employee is the responsibility not only of
3076 the employee but also of the certified operator in charge, and
3077 the certified operator in charge may be disciplined pursuant to
3078 the provisions of s. 482.161 for the pest control activities of
3079 an employee. A licensee may not automatically be considered
3080 responsible for violations made by an employee. However, the
3081 licensee may not knowingly encourage, aid, or abet violations of
3082 this chapter.

3083 **Section 87. For the purpose of incorporating the amendment**
3084 **made by this act to section 487.044, Florida Statutes, in a**
3085 **reference thereto, section 487.156, Florida Statutes, is**
3086 **reenacted to read:**

3087 487.156 Governmental agencies.—All governmental agencies
3088 shall be subject to the provisions of this part and rules
3089 adopted under this part. Public applicators using or supervising
3090 the use of restricted-use pesticides shall be subject to
3091 examination as provided in s. 487.044.

3092 **Section 88. For the purpose of incorporating the amendment**
3093 **made by this act to section 496.405, Florida Statutes, in a**
3094 **reference thereto, subsection (2) of section 496.4055, Florida**
3095 **Statutes, is reenacted to read:**

3096 496.4055 Charitable organization or sponsor board duties.—

3097 (2) The board of directors, or an authorized committee
3098 thereof, of a charitable organization or sponsor required to
3099 register with the department under s. 496.405 shall adopt a

3100 policy regarding conflict of interest transactions. The policy
 3101 shall require annual certification of compliance with the policy
 3102 by all directors, officers, and trustees of the charitable
 3103 organization. A copy of the annual certification shall be
 3104 submitted to the department with the annual registration
 3105 statement required by s. 496.405.

3106 **Section 89. For the purpose of incorporating the amendment**
 3107 **made by this act to section 496.405, Florida Statutes, in**
 3108 **references thereto, subsections (2) and (4) of section 496.406,**
 3109 **Florida Statutes, are reenacted to read:**

3110 496.406 Exemption from registration.—

3111 (2) Before soliciting contributions, a charitable
 3112 organization or sponsor claiming to be exempt from the
 3113 registration requirements of s. 496.405 under paragraph (1)(d)
 3114 must submit annually to the department, on forms prescribed by
 3115 the department:

3116 (a) The name, street address, and telephone number of the
 3117 charitable organization or sponsor, the name under which it
 3118 intends to solicit contributions, the purpose for which it is
 3119 organized, and the purpose or purposes for which the
 3120 contributions to be solicited will be used.

3121 (b) The tax exempt status of the organization.

3122 (c) The date on which the organization's fiscal year ends.

3123 (d) The names, street addresses, and telephone numbers of
 3124 the individuals or officers who have final responsibility for

3125 the custody of the contributions and who will be responsible for
 3126 the final distribution of the contributions.

3127 (e) A financial statement of support, revenue, and
 3128 expenses and a statement of functional expenses that must
 3129 include, but not be limited to, expenses in the following
 3130 categories: program, management and general, and fundraising. In
 3131 lieu of the financial statement, a charitable organization or
 3132 sponsor may submit a copy of its Internal Revenue Service Form
 3133 990 and all attached schedules or Internal Revenue Service Form
 3134 990-EZ and Schedule O.

3135 (4) Exemption from the registration requirements of s.
 3136 496.405 does not limit the applicability of other provisions of
 3137 this section to a charitable organization or sponsor.

3138 **Section 90. For the purpose of incorporating the amendment**
 3139 **made by this act to section 500.12, Florida Statutes, in a**
 3140 **reference thereto, paragraph (a) of subsection (1) of section**
 3141 **500.80, Florida Statutes, is reenacted to read:**

3142 500.80 Cottage food operations.—

3143 (1)(a) A cottage food operation must comply with the
 3144 applicable requirements of this chapter but is exempt from the
 3145 permitting requirements of s. 500.12 if the cottage food
 3146 operation complies with this section and has annual gross sales
 3147 of cottage food products that do not exceed \$250,000.

3148 **Section 91. For the purpose of incorporating the amendment**
 3149 **made by this act to section 500.172, Florida Statutes, in a**

3150 **reference thereto, subsection (6) of section 500.121, Florida**
 3151 **Statutes, is reenacted to read:**

3152 500.121 Disciplinary procedures.—

3153 (6) If the department determines that a food offered in a
 3154 food establishment is labeled with nutrient claims that are in
 3155 violation of this chapter, the department shall retest or
 3156 reexamine the product within 90 days after notification to the
 3157 manufacturer and to the firm at which the product was collected.
 3158 If the product is again found in violation, the department shall
 3159 test or examine the product for a third time within 60 days
 3160 after the second notification. The product manufacturer shall
 3161 reimburse the department for the cost of the third test or
 3162 examination. If the product is found in violation for a third
 3163 time, the department shall exercise its authority under s.
 3164 500.172 and issue a stop-sale or stop-use order. The department
 3165 may impose additional sanctions for violations of this
 3166 subsection.

3167 **Section 92. For the purpose of incorporating the amendment**
 3168 **made by this act to section 790.06, Florida Statutes, in a**
 3169 **reference thereto, section 790.061, Florida Statutes, is**
 3170 **reenacted to read:**

3171 790.061 Judges and justices; exceptions from licensure
 3172 provisions.—A county court judge, circuit court judge, district
 3173 court of appeal judge, justice of the supreme court, federal
 3174 district court judge, or federal court of appeals judge serving

3175 | in this state is not required to comply with the provisions of
3176 | s. 790.06 in order to receive a license to carry a concealed
3177 | weapon or firearm, except that any such justice or judge must
3178 | comply with the provisions of s. 790.06(2)(h). The Department of
3179 | Agriculture and Consumer Services shall issue a license to carry
3180 | a concealed weapon or firearm to any such justice or judge upon
3181 | demonstration of competence of the justice or judge pursuant to
3182 | s. 790.06(2)(h).

3183 | **Section 93.** Except as otherwise expressly provided in this
3184 | act, this act shall take effect July 1, 2025.