



292806

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: WD | . | |
| 03/11/2025 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Agriculture (Truenow) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

110.205 Career service; exemptions.—

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

(m) All assistant division director, deputy division



292806

11 director, and bureau chief positions in any department, and
12 those positions determined by the department to have managerial
13 responsibilities comparable to such positions, which include,
14 but are not limited to:

15 1. Positions in The Department of Health and the Department
16 of Children and Families which are assigned primary duties of
17 serving as the superintendent or assistant superintendent of an
18 institution.

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

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

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

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

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

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



292806

40 Enforcement.

41

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

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

52 163.3162 Agricultural Lands and Practices.—

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

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

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

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

63 1. Is lawfully present in the United States;

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

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

68 4. Is seasonally or annually employed in bona fide



292806

69 agricultural production;
70 5. Remains lawfully present and authorized to work
71 throughout the duration of that employment; and
72 6. Is not an unauthorized alien as defined in s.
73 448.095(1).
74 (5) HOUSING FOR LEGALLY VERIFIED AGRICULTURAL WORKERS.—
75 (a) A governmental entity may not adopt or enforce any
76 legislation, regulation, or ordinance to inhibit the
77 construction or installation of housing for legally verified
78 agricultural workers on land classified as agricultural land
79 pursuant to s. 193.461 which is operated as a bona fide farm
80 except as provided in this subsection.
81 (b) Construction or installation of housing units for
82 legally verified agricultural workers on parcels of land
83 classified as agricultural land under s. 193.461 must satisfy
84 all of the following criteria:
85 1. The dwelling units must meet federal, state, and local
86 building standards, including standards of the Department of
87 Health adopted pursuant to ss. 381.008-381.00897 and federal
88 standards for H-2A visa housing. If written notice of intent is
89 required to be submitted to the Department of Health pursuant to
90 s. 381.0083, the appropriate governmental entity with
91 jurisdiction over the agricultural lands may also require
92 submittal of a copy of the written notice.
93 2. The housing site must be maintained in a neat, orderly,
94 and safe manner.
95 3. All structures containing dwelling units must be located
96 a minimum of 10 feet apart.
97 4. The square footage of the housing site's climate-



292806

98 controlled facilities may not exceed 1.5 percent of the
99 property's area or 35,000 square feet, whichever is less.

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

105 6. A housing site must be located at least 100 feet from a
106 property line adjacent to property zoned for residential use. If
107 the housing site is located less than 250 feet from any property
108 line, screening must be provided between the housing site and
109 any residentially developed adjacent parcels that are under
110 different ownership. The screening may be designed in any of the
111 following ways:

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

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

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

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

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

126 7. All access driveways that serve the housing site must be



292806

127 made of packed shell, gravel, or a similar material that will
128 provide a relatively dust-free surface.

129 (c) Any local ordinance adopted pursuant to this subsection
130 must comply with all state and federal regulations for migrant
131 farmworker housing, as applicable, including rules adopted by
132 the Department of Health pursuant to ss. 381.008-381.00897 and
133 federal regulations under the Migrant and Seasonal Agricultural
134 Worker Protection Act or the H-2A visa program. A governmental
135 entity may adopt local government land use regulations that are
136 less restrictive than this subsection, but which still meet
137 regulations established by the Department of Health pursuant to
138 ss. 381.008-381.00897 and federal regulations under the Migrant
139 and Seasonal Agricultural Worker Protection Act or the H-2A visa
140 program. An ordinance adopted pursuant to this paragraph may not
141 conflict with the definition and requirements of a legally
142 verified agricultural worker.

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

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

152 1. If, for any reason, a housing site is not being used for
153 legally verified agricultural workers for longer than 365 days,
154 any structure used as living quarters must be removed from the
155 housing site within 180 days after receipt of written



292806

156 notification from the county unless the property owner can
157 demonstrate that use of the site for housing legally verified
158 agricultural workers will occur within 90 days after the written
159 notification.

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

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

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

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

184 (g) A housing site that was constructed and in use before



292806

185 July 1, 2024, may continue to be used, and the property owner
186 may not be required by a governmental entity to make changes to
187 meet the requirements of this subsection, unless the housing
188 site will be enlarged, remodeled, renovated, or rehabilitated.
189 The property owner of a housing site authorized under this
190 paragraph must provide regular maintenance and repair, including
191 compliance with health and safety regulations and maintenance
192 standards, for such housing site to ensure the health, safety,
193 and habitability of the housing site.

194 (6) DATA COLLECTION.—The Department shall adopt rules
195 providing for:

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

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

202
203 Government entities shall provide this information quarterly to
204 the department in a format and timeframe prescribed by rule.

205 (7) ENFORCEMENT.—

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

213 (b) The Department shall submit the information collected



292806

214 to the State Board of Immigration Enforcement on a quarterly
215 basis, except that the first quarter shall begin 60 days after
216 the first quarterly data report under subsection (6) by a
217 government entity is received and reviewed by the Department.

218 Section 3. Present subsections (3) and (4) of section
219 186.801, Florida Statutes, are redesignated as subsections (4)
220 and (5), respectively, a new subsection (3) is added to that
221 section, and subsection (1) of that section is amended, to read:

222 186.801 Ten-year site plans.—

223 (1) Each electric utility shall submit to the Public
224 Service Commission a 10-year site plan which shall estimate its
225 power-generating needs and the general location of its proposed
226 power plant sites. If a proposed power plant site is located on
227 land that has, at any time during the previous 5 years, been
228 classified as agricultural lands pursuant to s. 193.461, the
229 electric utility must submit the plan to the county commission
230 of the county in which the proposed site is located. The county
231 commission shall comply with subsection (3). The 10-year site
232 plan must ~~shall~~ be reviewed and submitted at least ~~not less~~
233 ~~frequently than~~ every 2 years.

234 (3) A county commission that receives 10-year site plans
235 from electric utilities pursuant to subsection (1) shall do all
236 of the following:

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

239 (b) Provide the Public Service Commission with the county
240 commission's findings upon completion of the preliminary study
241 of the proposed plan.

242 Section 4. Paragraph (b) of subsection (3) of section



292806

243 193.461, Florida Statutes, is amended to read:

244 193.461 Agricultural lands; classification and assessment;
245 mandated eradication or quarantine program; natural disasters.-

246 (3)

247 (b) Subject to the restrictions specified in this section,
248 only lands ~~that are~~ used primarily for bona fide agricultural
249 purposes shall be classified agricultural. The term "bona fide
250 agricultural purposes" means good faith commercial agricultural
251 use of the land.

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

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

256 b. Whether the use has been continuous.

257 c. The purchase price paid.

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

260 e. Whether an indicated effort has been made to care
261 sufficiently and adequately for the land in accordance with
262 accepted commercial agricultural practices, including, without
263 limitation, fertilizing, liming, tilling, mowing, reforesting,
264 and other accepted agricultural practices.

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

267 g. Such other factors as may become applicable.

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



292806

272 sale.

273 3. Lands owned or leased by an electric utility as defined
274 in s. 361.11(2) which may also be the site of solar energy
275 systems as defined in s. 212.02(26) and bona fide agricultural
276 uses of the land, and which comply with all other provisions of
277 this section, must be classified agricultural by the property
278 appraiser.

279 Section 5. Subsection (3) of section 201.25, Florida
280 Statutes, is amended to read:

281 201.25 Tax exemptions for certain loans.—There shall be
282 exempt from all taxes imposed by this chapter:

283 (3) Any loan made by the Agriculture and Aquaculture
284 Producers Emergency Natural Disaster Recovery Loan Program
285 pursuant to s. 570.822.

286 Section 6. Subsection (19) is added to section 253.0341,
287 Florida Statutes, to read:

288 253.0341 Surplus of state-owned lands.—

289 (19) Notwithstanding any other law or rule, the Department
290 of Agriculture and Consumer Services may surplus lands acquired
291 pursuant to s. 366.20, which are determined to be suitable for
292 bona fide agricultural production, as defined in s. 193.461. The
293 Department of Agriculture and Consumer Services shall consult
294 with the Department of Environmental Protection in the process
295 of making such determination. In the event that lands acquired
296 pursuant to s. 366.20, which are determined to be suitable for
297 bona fide agricultural production are surplus, the Department
298 of Agriculture and Consumer Services must retain a rural-lands-
299 protection easements pursuant to s. 570.71(3), and all proceeds
300 must be deposited into the Incidental Trust Fund within the



292806

301 Department of Agriculture and Consumer Services for less than
302 fee simple land acquisition pursuant to ss. 570.71 and 570.715.
303 By January 1, 2026, and each January 1 thereafter, the
304 Department of Agriculture and Consumer Services shall provide a
305 report of lands surplused pursuant to this subsection to the
306 board.

307 (a) Any lands designated as a state forest, state park, or
308 wildlife management area are ineligible to be surplused pursuant
309 to this subsection.

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

311 Section 7. Present paragraphs (a) through (d) and (e) of
312 subsection (2) and subsection (6) of section 330.41, Florida
313 Statutes, are redesignated as paragraphs (b) through (e) and (j)
314 of subsection (2) and subsection (8), respectively, new
315 paragraphs (a) and (f) and paragraphs (g), (h), and (i) are
316 added to subsection (2) and new subsection (6) and subsection
317 (7) are added to that section, and paragraph (d) of subsection
318 (4) of that section is amended, to read:

319 330.41 Unmanned Aircraft Systems Act.—

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

321 (a) "Commercial property" means real property other than
322 residential property. The term includes, but is not limited to,
323 a property zoned multifamily residential which is comprised of
324 five or more dwelling units, and real property used for
325 commercial, industrial, or agricultural purposes.

326 (f) "Private property" means any residential or commercial
327 property.

328 (g) "Property owner" means the owner or owners of record of
329 real property. The term includes real property held in trust for



292806

330 the benefit of one or more individuals, in which case the
331 individual or individuals may be considered as the property
332 owner or owners, provided that the trustee provides written
333 consent. The term does not include persons renting, using,
334 living, or otherwise occupying real property.

335 (h) "Residential property" means real property zoned as
336 residential or multifamily residential and composed of four or
337 fewer dwelling units.

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

340 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

345 (6) PROTECTION OF AGRICULTURAL LANDS.—

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

349 1. Allow a drone to make contact with any person or object
350 on the premises of or within the boundaries of such lands.

351 2. Allow a drone to come within a distance close enough to
352 such lands to interfere with or cause a disturbance to
353 agricultural production.

354 (b) A person who violates paragraph (a) commits a
355 misdemeanor of the second degree, punishable as provided in s.
356 775.082 or s. 775.083. A person who commits a second or
357 subsequent violation commits a misdemeanor of the first degree,
358 punishable as provided in s. 775.082 or s. 775.083.



292806

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

361 1. The owner of the agricultural lands, or a person acting
362 under the prior written consent of the owner of the agricultural
363 lands.

364 2. A person or entity acting in compliance with the
365 provisions of s. 934.50.

366 (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING
367 LANDS.—

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

371 1. Operate a drone.

372 2. Allow a drone to make contact with such property or any
373 person or object on the premises of or within such property with
374 the intent to harass.

375 (b) A person who violates paragraph (a) commits a
376 misdemeanor of the second degree, punishable as provided in s.
377 775.082 or s. 775.083. A person who commits a second or
378 subsequent violation commits a misdemeanor of the first degree,
379 punishable as provided in s. 775.082 or s. 775.083.

380 (c) A person who violates paragraph (a) and records video
381 of the private property, state wildlife management lands, or
382 sport shooting and training range, including any person or
383 object on the premises of or within the private property, state
384 wildlife management lands, or sport shooting and training range,
385 commits a misdemeanor of the first degree, punishable as
386 provided in s. 775.082 or s. 775.083. A person who commits a
387 second or subsequent violation commits a felony of the third



292806

388 degree, punishable as provided in s. 775.082, s. 775.083, or s.
389 775.084.

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

392 1. The property owner of the private property or sport
393 shooting and training range, or a person acting under the prior
394 written consent of the property owner.

395 2. A person or entity acting in compliance with the
396 provisions of s. 934.50.

397 Section 8. Section 366.20, Florida Statutes, is created to
398 read:

399 366.20 Sale and management of lands owned by electric
400 utilities.—

401 (1) Lands acquired by an electric utility as defined in s.
402 361.11(2) which have been classified as agricultural lands
403 pursuant to s. 193.461 at any time in the 5 years preceding the
404 acquisition of the land by the electric utility must be offered
405 for fee simple acquisition by the Department of Agriculture and
406 Consumer Services before offering for sale or transferring the
407 land to a private individual or entity.

408 (2) Lands owned by an electric utility as defined in s.
409 361.11(2) which were classified as agricultural lands pursuant
410 to s. 193.461 at any time in the 5 years preceding the date of
411 acquisition of the land by the electric utility must be offered
412 for fee simple acquisition by the Department of Agriculture and
413 Consumer Services before offering for sale or transferring the
414 land to a private individual or entity.

415 (3) This section is retroactive to January 1, 2009.

416 Section 9. Present paragraphs (3) and (4) of section



292806

417 366.94, Florida Statutes, are redesignated as subsections (4)
418 and (5), respectively, a new subsection (3) is added to that
419 section, and subsection (2) of that section is amended, to read:

420 366.94 Electric vehicle charging.—

421 (2) (a) As used in this section, the term "electric vehicle
422 charging station" means the area in the immediate vicinity of
423 electric vehicle supply equipment and includes the electric
424 vehicle supply equipment, supporting equipment, and associated
425 parking spaces. The regulation of electric vehicle charging
426 stations is preempted to the state.

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

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

434 (b) The department may adopt rules to protect the public
435 health, safety, and welfare and establish standards for the
436 placement, design, installation, maintenance, and operation of
437 electric vehicle charging stations.

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

443 (d) Before a charger at an electric vehicle charging
444 station is placed into service for use by the public, the
445 charger must be registered with the department on a form



292806

446 prescribed by department rule.

447 (e) The department shall have the authority to inspect
448 electric vehicle charging stations, conduct investigations, and
449 enforce this subsection and any rules adopted thereto. The
450 department may impose one or more of the following penalties
451 against a person who violates this subsection or any rule
452 adopted under this subsection:

453 1. Issuance of a warning letter.

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

456 (f) If the department determines that an electric vehicle
457 charging station or any associated equipment presents a threat
458 to the public health, safety, or welfare, the department may
459 issue an immediate final order prohibiting the use of the
460 electric vehicle charging station or any portion thereof.

461 (g) In addition to the remedies provided in this
462 subsection, and notwithstanding the existence of any adequate
463 remedy at law, the department may bring an action to enjoin a
464 violation of this subsection or rules adopted under this
465 subsection in the circuit court of the county in which the
466 violation occurs or is about to occur. Upon demonstration of
467 competent and substantial evidence by the department to the
468 court of the violation or threatened violation, the court shall
469 immediately issue the temporary or permanent injunction sought
470 by the department. The injunction must be issued without bond.

471 Section 10. Present subsections (10) and (11) of section
472 388.011, Florida Statutes, are redesignated as subsections (11)
473 and (12), respectively, a new subsection (10) is added to that
474 section, and subsections (2) and (5) of that section are



292806

475 amended, to read:

476 388.011 Definitions.—As used in this chapter:

477 (2) “Board of commissioners” means the governing body of
478 any mosquito control program ~~district~~, and may include boards of
479 county commissioners, city councils, municipalities, or other
480 similar governing bodies when context so indicates.

481 (5) “District” means any mosquito control special district
482 established in this state by law for the express purpose of
483 controlling arthropods within boundaries of such ~~said~~ districts.

484 (10) “Program” means any governmental jurisdiction that
485 conducts mosquito control, whether it be a special district,
486 county, or municipality.

487 Section 11. Section 388.021, Florida Statutes, is amended
488 to read:

489 388.021 Creation of mosquito control special districts.—

490 (1) The abatement or suppression of arthropods, whether
491 disease-bearing or merely pestiferous, within any or all
492 counties of this state is advisable and necessary for the
493 maintenance and betterment of the comfort, health, and welfare
494 of the people thereof and is found and declared to be for public
495 purposes. Areas where arthropods incubate, hatch, or occur in
496 significant numbers so as to constitute a public health,
497 welfare, or nuisance problem may be controlled or abated as
498 provided in this chapter or the rules promulgated hereunder.
499 Therefore, any municipality ~~city~~, town, or county, or any
500 portion or portions thereof, whether such portion or portions
501 include incorporated territory or portions of two or more
502 counties in the state, may be created into a special taxing
503 district for the control of arthropods under the provisions of



292806

504 this chapter.

505 (2) It is the legislative intent that ~~these~~ mosquito
506 control districts established prior to July 1, 1980, pursuant to
507 the petition process contained in former s. 388.031, may
508 continue to operate as outlined in this chapter. However, on and
509 after that date, no mosquito control districts may be created
510 except pursuant to s. 125.01.

511 Section 12. Section 388.181, Florida Statutes, is amended
512 to read:

513 388.181 Power to do all things necessary.—The respective
514 programs ~~districts~~ of the state are hereby fully authorized to
515 do and perform all things necessary to carry out the intent and
516 purposes of this law.

517 Section 13. Subsections (1), (2), (4), and (5) of section
518 388.201, Florida Statutes, are amended to read:

519 388.201 Program ~~District~~ budgets; hearing.—

520 (1) The fiscal year of programs ~~districts~~ operating under
521 ~~the provisions of~~ this chapter shall be the 12-month period
522 extending from October 1 of one year through September 30 of the
523 following year. The governing board of the programs ~~district~~
524 shall before July 15 of each year complete the preparation of a
525 tentative detailed work plan budget covering its proposed
526 operations and requirements for arthropod control measures
527 during the ensuing fiscal year and, for the purpose of
528 determining eligibility for state aid, shall submit copies as
529 may be required to the department for review and approval. The
530 tentative detailed work plan budget must ~~shall~~ set forth,
531 classified by account number, title and program items, and by
532 fund from which to be paid, the proposed expenditures of the



292806

533 program district for construction, for acquisition of land, and
534 other purposes, for the operation and maintenance of the
535 program's district's works, the conduct of the program district
536 generally, to which may be added an amount to be held as a
537 reserve.

538 (2) The tentative detailed work plan budget must ~~shall~~ also
539 show the estimated amount which will appear at the beginning of
540 the fiscal year as obligated upon commitments made but
541 uncompleted, ~~There shall be shown~~ the estimated unobligated or
542 net balance which will be on hand at the beginning of the fiscal
543 year, and the estimated amount to be raised by county,
544 municipality, or district taxes and from any and all other
545 sources for meeting the program's ~~the district's~~ requirements.

546 (4) The governing board shall:

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

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

555 (5) County commissioners' mosquito and arthropod control
556 budgets or the budgets of or similar governing body of said
557 county, city, or town's must ~~shall~~ be made and adopted as
558 prescribed by subsections (1) and (2); summary figures must
559 ~~shall~~ be incorporated into the county budgets as prescribed by
560 the Department of Financial Services.

561 Section 14. Section 388.241, Florida Statutes, is amended



292806

562 to read:

563 388.241 Board of county commissioners vested with powers
564 and duties of board of commissioners in certain counties.—In
565 those counties or cities where there has been no formation of a
566 separate or special board of commissioners, all the rights,
567 powers, and duties of a board of commissioners as conferred in
568 this chapter shall be vested in the board of county
569 commissioners or similar governing body of said county or city.

570 Section 15. Section 388.261, Florida Statutes, is amended
571 to read:

572 388.261 State aid to counties, municipalities, and
573 districts for arthropod control; distribution priorities and
574 limitations.—

575 (1) A county, municipality, or district may, without
576 contributing matching funds, receive state funds, supplies,
577 services, or equipment in an amount of no more than \$75,000
578 ~~\$50,000~~ per year for up to 3 years for any new program for the
579 control of mosquitoes and other arthropods which serves an area
580 not previously served by the county, municipality, or district.
581 These funds may be expended for any and all types of control
582 measures approved by the department.

583 (2) Every county, municipality, or district budgeting local
584 funds to be used exclusively for the control of mosquitoes and
585 other arthropods, under a plan submitted by the county,
586 municipality, or district and approved by the department, is
587 eligible to receive state funds and supplies, services, and
588 equipment on a dollar-for-dollar matching basis to the amount of
589 local funds budgeted. If state funds appropriated by the
590 Legislature are insufficient to grant each county, municipality,



292806

591 or district state funds on a dollar-for-dollar matching basis to
592 the amount budgeted in local funds, the department must ~~shall~~
593 distribute the funds as prescribed by rule. Such rules must
594 ~~shall~~ provide for up to 80 percent of the funds to be
595 distributed to programs with local funds for mosquito control
596 budgets of less than \$1 million, if the county, municipality, or
597 district meets the eligibility requirements. The funds must
598 ~~shall~~ be distributed as equally as possible within the category
599 of counties pursuant to this section. The remaining funds must
600 ~~shall~~ be distributed as prescribed by rule among the remaining
601 counties to support mosquito control and to support research,
602 education, and outreach.

603 (3) Every county shall be limited to receive a total of
604 \$120,000 of state funds, exclusive of state funds brought
605 forward, during any one year.

606 (4) Up to 20 percent of the annual funds appropriated to
607 local governments for arthropod control may be used for
608 arthropod control research or demonstration projects as approved
609 by the department.

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

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



292806

620 (7) The department may use state funds appropriated for a
621 county, municipality, or district under subsection (1) or
622 subsection (2) to provide state mosquito or other arthropod
623 control equipment, supplies, or services when requested by a
624 county, municipality, or district eligible to receive state
625 funds under s. 388.271.

626 (8) The department is authorized to use up to 5 percent of
627 the funds appropriated annually by the Legislature under this
628 section to provide technical assistance to the counties,
629 municipalities, or districts, or to purchase equipment,
630 supplies, or services necessary to administer the provisions of
631 this chapter.

632 Section 16. Subsections (1) and (2) of section 388.271,
633 Florida Statutes, are amended to read:

634 388.271 Prerequisites to participation.—

635 (1) When state funds are involved, it is the duty of the
636 department to guide, review, approve, and coordinate the
637 activities of all county and municipal governments and special
638 districts receiving state funds in furtherance of the goal of
639 integrated arthropod control. Each program ~~county~~ eligible to
640 participate may, and each district must, begin participation on
641 October 1 of any year by filing with the department not later
642 than July 15 a tentative integrated arthropod management plan
643 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for
644 the control of arthropods. Following approval of the plan and
645 budget by the department, a copy ~~two copies~~ of the program's
646 ~~county's or district's~~ certified budget based on the approved
647 integrated arthropod management ~~work plan~~ and detailed ~~work plan~~
648 budget must ~~shall~~ be submitted to the department by September 30



292806

649 following. State funds, supplies, and services must ~~shall~~ be
650 made available to such program ~~county or district~~ by and through
651 the department ~~immediately~~ upon release of funds by the
652 Executive Office of the Governor.

653 (2) All purchases of supplies, materials, and equipment by
654 programs must ~~counties or districts shall~~ be made in accordance
655 with the laws governing purchases by boards of county
656 commissioners or similar governing bodies, except that programs
657 ~~districts~~ with special laws relative to competitive bidding
658 shall make purchases in accordance therewith.

659 Section 17. Subsections (1) and (3) of section 388.281,
660 Florida Statutes, are amended to read:

661 388.281 Use of state matching funds.—

662 (1) All funds, supplies, and services released to programs
663 ~~counties and districts~~ hereunder must ~~shall~~ be used in
664 accordance with the integrated arthropod management ~~detailed~~
665 ~~work~~ plan and certified budget approved by both the department
666 and the board of county commissioners or an appropriate
667 representative ~~county or district~~. The integrated arthropod
668 management plan and budget may be amended at any time upon prior
669 approval of the department.

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

676 Section 18. Subsections (1) and (2) of section 388.291,
677 Florida Statutes, are amended to read:



292806

678 388.291 Source reduction measures; supervision by
679 department.—

680 (1) Any program ~~county or district~~ may perform source
681 reduction measures in conformity with good engineering practices
682 in any area, provided that the department cooperating with the
683 county, municipality, or district has approved the operating or
684 construction plan as outlined in the integrated arthropod
685 management plan and that it has been determined by criteria
686 contained in rule that the area or areas to be controlled would
687 produce arthropods in significant numbers to constitute a health
688 or nuisance problem.

689 (2) The program ~~county or district~~ shall manage the
690 detailed business affairs and supervise the ~~said~~ work, and the
691 department shall advise the programs ~~districts~~ as to the best
692 and most effective measures to be used in bringing about better
693 temporary control and the permanent elimination of breeding
694 conditions. The department may at its discretion discontinue any
695 state aid provided hereunder in the event it finds the jointly
696 agreed upon program is not being followed or is not efficiently
697 and effectively administered.

698 Section 19. Section 388.301, Florida Statutes, is amended
699 to read:

700 388.301 Payment of state funds; supplies and services.—
701 State funds shall be payable ~~quarterly~~, in accordance with the
702 rules of the department, upon requisition by the department to
703 the Chief Financial Officer. The department is authorized to
704 furnish insecticides, chemicals, materials, equipment, vehicles,
705 and personnel in lieu of state funds where mass purchasing may
706 save funds for the state, or where it would be more practical



292806

707 and economical to use equipment, supplies, and services between
708 two or more programs ~~counties or districts~~.

709 Section 20. Section 388.311, Florida Statutes, is amended
710 to read:

711 388.311 Carry over of state funds and local funds.—State
712 and local funds budgeted for the control of mosquitoes and other
713 arthropods shall be carried over at the end of the program's
714 ~~county or district's~~ fiscal year, and rebudgeted for such
715 control measures the following fiscal year.

716 Section 21. Section 388.321, Florida Statutes, is amended
717 to read:

718 388.321 Equipment to become property of a program ~~the~~
719 ~~county or district~~.—All equipment purchased under this chapter
720 with state funds made available directly to a program ~~the county~~
721 ~~or district~~ shall become the property of the program ~~county or~~
722 ~~district~~ unless otherwise provided, and may be traded in on
723 other equipment, or sold, when no longer needed by the program
724 ~~county or district~~.

725 Section 22. Section 388.322, Florida Statutes, is amended
726 to read:

727 388.322 Record and inventory of certain property.—A record
728 and inventory of certain property purchased with state funds for
729 arthropod control use owned by the program must ~~district shall~~
730 be maintained in accordance with s. 274.02.

731 Section 23. Section 388.323, Florida Statutes, is amended
732 to read:

733 388.323 Disposal of surplus property.—Surplus property
734 shall be disposed of according to the provisions set forth in s.
735 274.05 with the following exceptions:



292806

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

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

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

750 Section 24. Section 388.341, Florida Statutes, is amended
751 to read:

752 388.341 Reports of expenditures and accomplishments.—Each
753 program receiving state aid ~~county and district participating~~
754 ~~under the provisions of~~ this chapter shall within 30 days after
755 the end of each month submit to the department a monthly report
756 for the preceding month of expenditures from all funds for
757 arthropod control, and each program participating under this
758 chapter shall provide such reports of activities and
759 accomplishments as may be required by the department.

760 Section 25. Section 388.351, Florida Statutes, is amended
761 to read:

762 388.351 Transfer of equipment, personnel, and supplies
763 during an emergency.—The department, upon notifying a program
764 ~~county or district~~ and obtaining its approval, is authorized to



292806

765 transfer equipment, materials, and personnel from one program
766 ~~district~~ to another in the event of an emergency brought about
767 by an arthropod-borne epidemic or other disaster requiring
768 emergency control.

769 Section 26. Subsection (7) of section 388.361, Florida
770 Statutes, is amended to read:

771 388.361 Department authority and rules; administration.—

772 (7) The department shall have the authority to collect,
773 detect, suppress, and control mosquitoes and other arthropods
774 that are determined by the State Health Officer to pose a threat
775 to public health, or determined by the Commissioner of
776 Agriculture to pose a threat to animal health, wherever they may
777 occur on public or private land in this state, and to do all
778 things necessary in the exercise of such authority. Prior to the
779 start of treatments for the control of mosquitoes or other
780 arthropods, the department shall consult with the mosquito
781 control programs ~~districts~~ in the proposed treatment areas, the
782 Department of Health, the Department of Environmental
783 Protection, and the Fish and Wildlife Conservation Commission
784 regarding the proposed locations, dates, and methods to be used.

785 Section 27. Subsections (2) and (3) of section 388.3711,
786 Florida Statutes, are amended to read:

787 388.3711 Enforcement.—

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

793 (a) Violation of any rule of the department or provision of



292806

794 this chapter.

795 (b) Violation of FIFRA or any relevant EPA rule or
796 regulation pertaining to the use of arthropod control pesticides
797 by the licensee.

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

802 (3) The department may, if it finds a violation is of such
803 nature or circumstances that imposition of a fine, or denial,
804 revocation, or suspension of a certification or license or
805 disbursal of state aid would be detrimental to the public or be
806 unnecessarily harsh under the circumstances, in its discretion,
807 place the offending party on probation for a period of not more
808 than 2 years. If the department determines that the terms of
809 such probation have been violated, it may reinstitute license or
810 certification or state aid denial, suspension, or revocation
811 proceedings.

812 Section 28. Section 388.381, Florida Statutes, is amended
813 to read:

814 388.381 Cooperation by programs ~~counties and district.~~—Any
815 program conducting county or district carrying on an arthropod
816 control ~~program~~ may cooperate with another county, district, or
817 municipality in carrying out work ~~a program~~ for the control of
818 mosquitoes and other arthropods, by agreement as to the program
819 and reimbursement thereof, when approved by the department.

820 Section 29. Section 388.391, Florida Statutes, is amended
821 to read:

822 388.391 Control measures in municipalities and portions of



292806

823 counties located outside boundaries of programs ~~districts~~.—Any
824 program ~~district~~ whose operation is limited to a portion of the
825 county in which it is located may perform any control measures
826 authorized by this chapter in any municipality located in the
827 same county or in any portions of the same county, where there
828 is no established program ~~district~~, when requested to do so by
829 the municipality or county, pursuant to s. 388.381.

830 Section 30. Section 388.401, Florida Statutes, is amended
831 to read:

832 388.401 Penalty for damage to property or operations.—
833 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of
834 any program ~~county or district~~ created under this or other
835 chapters, or any works constructed, maintained, or controlled by
836 such program ~~county or district~~, or who obstructs ~~shall obstruct~~
837 or causes ~~cause~~ to be obstructed any of the operations of such
838 program ~~county or district~~, or who ~~shall~~ knowingly or willfully
839 violates ~~violate~~ any provisions of this chapter or any rule or
840 regulation promulgated by any board of commissioners of any
841 program, ~~commits~~ ~~county or district~~ ~~shall be guilty of~~ a
842 misdemeanor of the second degree, punishable as provided in s.
843 775.082 or s. 775.083.

844 Section 31. Paragraph (a) of subsection (2) of section
845 388.46, Florida Statutes, is amended to read:

846 388.46 Florida Coordinating Council on Mosquito Control;
847 establishment; membership; organization; responsibilities.—

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

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



292806

- 852 1. The Secretary of Environmental Protection.
- 853 2. The State Surgeon General.
- 854 3. The executive director of the Fish and Wildlife
855 Conservation Commission.
- 856 4. The state epidemiologist.
- 857 5. The Commissioner of Agriculture.
- 858 6. The Board of Trustees of the Internal Improvement Trust
859 Fund.
- 860 7. Representatives from:
- 861 a. The University of Florida, Institute of Food and
862 Agricultural Sciences, Florida Medical Entomological Research
863 Laboratory.
- 864 b. The United States Environmental Protection Agency.
- 865 c. The United States Department of Agriculture, Center of
866 Medical, Agricultural, and Veterinary Entomology Insects
867 Affecting Man Laboratory.
- 868 d. The United States Fish and Wildlife Service.
- 869 8. Four ~~Two~~ mosquito control directors to be nominated by
870 the Florida Mosquito Control Association, two representatives of
871 Florida environmental groups, and two private citizens who are
872 property owners whose lands are regularly subject to mosquito
873 control operations, to be appointed to 4-year terms by the
874 Commissioner of Agriculture and serve until his or her successor
875 is appointed.
- 876 Section 32. Paragraph (d) of subsection (7) of section
877 403.067, Florida Statutes, is amended to read:
- 878 403.067 Establishment and implementation of total maximum
879 daily loads.—
- 880 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND



292806

881 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

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

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

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

888 2. No later than January 1, 2017:

889 a. The department, in consultation with the water
890 management districts and the Department of Agriculture and
891 Consumer Services, shall initiate rulemaking to adopt procedures
892 to verify implementation of water quality monitoring required in
893 lieu of implementation of best management practices or other
894 measures pursuant to sub-subparagraph (b)2.g.;

895 b. The department, in consultation with the water
896 management districts and the Department of Agriculture and
897 Consumer Services, shall initiate rulemaking to adopt procedures
898 to verify implementation of nonagricultural interim measures,
899 best management practices, or other measures adopted by rule
900 pursuant to subparagraph (c)1.; and

901 c. The Department of Agriculture and Consumer Services, in
902 consultation with the water management districts and the
903 department, shall initiate rulemaking to adopt procedures to
904 verify implementation of agricultural interim measures, best
905 management practices, or other measures adopted by rule pursuant
906 to subparagraph (c)2.

907

908 The rules required under this subparagraph shall include
909 enforcement procedures applicable to the landowner, discharger,



292806

910 or other responsible person required to implement applicable
911 management strategies, including best management practices or
912 water quality monitoring as a result of noncompliance.

913 3. At least every 2 years, the Department of Agriculture
914 and Consumer Services shall perform onsite inspections of each
915 agricultural producer that enrolls in a best management
916 practice, except those enrolled by rule in subparagraph 4., to
917 ensure that such practice is being properly implemented. Such
918 verification must include a collection and review of the best
919 management practice documentation from the previous 2 years
920 required by rules adopted pursuant to subparagraph (c)2.,
921 including, but not limited to, nitrogen and phosphorus
922 ~~fertilizer~~ application records, which must be collected and
923 retained pursuant to subparagraphs (c)3., 4., and 6. The
924 Department of Agriculture and Consumer Services shall initially
925 prioritize the inspection of agricultural producers located in
926 the basin management action plans for Lake Okeechobee, the
927 Indian River Lagoon, the Caloosahatchee River and Estuary, and
928 Silver Springs.

929 4. The Department of Agriculture and Consumer Services is
930 authorized to adopt rules establishing an enrollment in best
931 management practices by rule process that agricultural pollutant
932 sources and agricultural producers may use in lieu of the best
933 management practices adopted in paragraph (c) and identify best
934 management practices for landowners of parcels which meet the
935 following requirements:

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

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



292806

939 agricultural tax classification by the county property appraiser
940 of the county in which it is located;

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

944 d. A parcel where the agricultural activity on the parcel
945 is not a vegetable crop, an agronomic crop, a nursery, or a
946 dairy operation;

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

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

953
954 Such requirements must specify design or performance criteria
955 that, if applied, would result in compliance with appropriate
956 water quality standards. The Department of Agriculture and
957 Consumer Services is authorized to adopt additional eligibility
958 criteria for landowners or producers to use enrollment by rule
959 and to revoke enrollment by rule.

960 5. The Department of Agriculture and Consumer Services
961 shall annually perform onsite inspections of 20 percent for all
962 enrollments that meet the qualifications pursuant to
963 subparagraph 4. by rule within basin management action plan
964 areas, to ensure that practices are being properly implemented.
965 Such inspections must include a collection and review of the
966 identified best management practice documentation from the
967 previous 2 years required by rules adopted pursuant to



292806

968 subparagraph (c)2. All agricultural producers enrolled by rule
969 in a best management practice must annually submit nutrient
970 records, including nitrogen and phosphorus fertilizer
971 application records for the previous calendar year, to the
972 Department of Agriculture and Consumer Services as required by
973 rules adopted pursuant to subparagraph (c)2. The Department of
974 Agriculture and Consumer Services shall collect and retain these
975 nutrient records pursuant to subparagraphs (c)3., 4., and 6.

976 Section 33. Subsection (19) is added to section 403.852,
977 Florida Statutes, to read:

978 403.852 Definitions; ss. 403.850-403.864.—As used in ss.
979 403.850-403.864:

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

984 Section 34. Subsection (8) is added to section 403.859,
985 Florida Statutes, to read:

986 403.859 Prohibited acts.—The following acts and the causing
987 thereof are prohibited and are violations of this act:

988 (8) The use of any additive in a public water system which
989 does not meet the definition of a water quality additive as
990 defined in s. 403.852(19), or the use of any additive included
991 primarily for health-related purposes.

992 Section 35. Subsection (10) of section 482.111, Florida
993 Statutes, is amended to read:

994 482.111 Pest control operator's certificate.—

995 (10) In order to renew a certificate, the certificateholder
996 must complete 2 hours of approved continuing education on



292806

997 legislation, safety, pesticide labeling, and integrated pest
998 management and 2 hours of approved continuing education in each
999 category of her or his certificate or must pass an examination
1000 that the department shall provide in person and remotely through
1001 a third-party vendor. The third-party vendor may collect and
1002 retain a convenience fee given by the department. The department
1003 may not renew a certificate if the continuing education or
1004 examination requirement is not met.

1005 (a) Courses or programs, to be considered for credit, must
1006 include one or more of the following topics:

1007 1. The law and rules of this state pertaining to pest
1008 control.

1009 2. Precautions necessary to safeguard life, health, and
1010 property in the conducting of pest control and the application
1011 of pesticides.

1012 3. Pests, their habits, recognition of the damage they
1013 cause, and identification of them by accepted common name.

1014 4. Current accepted industry practices in the conducting of
1015 fumigation, termites and other wood-destroying organisms pest
1016 control, lawn and ornamental pest control, and household pest
1017 control.

1018 5. How to read labels, a review of current state and
1019 federal laws on labeling, and a review of changes in or
1020 additions to labels used in pest control.

1021 6. Integrated pest management.

1022 (b) The certificateholder must submit with her or his
1023 application for renewal a statement certifying that she or he
1024 has completed the required number of hours of continuing
1025 education. The statement must be on a form prescribed by the



292806

1026 department and must identify at least the date, location,
1027 provider, and subject of the training and must provide such
1028 other information as required by the department.

1029 (c) The department shall charge the same fee for
1030 examination as provided in s. 482.141(2).

1031 Section 36. Subsection (1) of section 482.141, Florida
1032 Statutes, is amended to read:

1033 482.141 Examinations.—

1034 (1) Each individual seeking certification must
1035 satisfactorily pass an examination which must be written but
1036 ~~which~~ may include practical demonstration. The department shall
1037 provide in-person and remote testing through a third-party
1038 vendor. A third-party vendor may collect and retain a
1039 convenience fee hold at least two examinations each year. An
1040 applicant may seek certification in one or more categories.

1041 Section 37. Paragraph (b) of subsection (1) of section
1042 482.155, Florida Statutes, is amended to read:

1043 482.155 Limited certification for governmental pesticide
1044 applicators or private applicators.—

1045 (1)

1046 (b) A person seeking limited certification under this
1047 subsection must pass an examination that the department shall
1048 provide in person and remotely through a third-party vendor. The
1049 third-party vendor may collect and retain a convenience fee
1050 ~~given or approved by the department.~~ Each application for
1051 examination must be accompanied by an examination fee set by the
1052 department, in an amount of not more than \$150 or less than \$50;
1053 and a recertification fee of \$25 every 4 years. Until rules
1054 setting these fees are adopted by the department, the



292806

1055 examination fee is \$50. Application for recertification must be
1056 accompanied by proof of having completed 4 classroom hours of
1057 acceptable continuing education. The limited certificate expires
1058 4 years after the date of issuance. If the certificateholder
1059 fails to renew his or her certificate and provide proof of
1060 completion of the required continuing education units within 60
1061 days after the expiration date, the certificateholder may be
1062 recertified only after reexamination. The department shall make
1063 available ~~provide~~ the appropriate reference material ~~and make~~
1064 ~~the examination readily accessible and available to all~~
1065 ~~applicants at least quarterly or as necessary in each county.~~

1066 Section 38. Subsection (2) of section 482.156, Florida
1067 Statutes, is amended to read:

1068 482.156 Limited certification for commercial landscape
1069 maintenance personnel.—

1070 (2) (a) A person seeking limited certification under this
1071 section must pass an examination that the department shall
1072 provide in person and remotely through a third-party vendor. The
1073 third-party vendor may collect and retain a convenience fee
1074 ~~given by the department.~~ Each application for examination must
1075 be accompanied by an examination fee set by rule of the
1076 department, in an amount of not more than \$150 or less than \$50.
1077 Before the department issues a limited certification under this
1078 section, each person applying for the certification must furnish
1079 proof of having a certificate of insurance which states that the
1080 employer meets the requirements for minimum financial
1081 responsibility for bodily injury and property damage required by
1082 s. 482.071(4).

1083 (b) The department shall make available ~~provide~~ the



292806

1084 appropriate reference materials for the examination and provide
1085 in-person and remote testing through a third-party vendor. A
1086 third-party vendor may collect and retain a convenience fee ~~make~~
1087 ~~the examination readily accessible and available to applicants~~
1088 ~~at least quarterly or as necessary in each county.~~

1089 Section 39. Subsection (2) of section 482.157, Florida
1090 Statutes, is amended to read:

1091 482.157 Limited certification for commercial wildlife
1092 management personnel.—

1093 (2) The department shall issue a limited certificate to an
1094 applicant who:

1095 (a) Submits an application and examination fee of at least
1096 \$150, but not more than \$300, as prescribed by the department by
1097 rule;

1098 (b) Passes an examination that the department shall provide
1099 in person and remotely through a third-party vendor. The third-
1100 party vendor may collect and retain a convenience fee

1101 ~~administered by the department.~~ The department shall make
1102 available ~~provide~~ the appropriate study materials for the
1103 examination ~~and make the examination readily available to~~
1104 ~~applicants in each county as necessary, but not less frequently~~
1105 ~~than quarterly;~~ and

1106 (c) Provides proof, including a certificate of insurance,
1107 that the applicant has met the minimum bodily injury and
1108 property damage insurance requirements in s. 482.071(4).

1109 Section 40. Paragraph (m) is added to subsection (1) of
1110 section 482.161, Florida Statutes, to read:

1111 482.161 Disciplinary grounds and actions; reinstatement.—

1112 (1) The department may issue a written warning to or impose



292806

1113 a fine against, or deny the application for licensure or
1114 licensure renewal of, a licensee, certified operator, limited
1115 certificateholder, identification cardholder, or special
1116 identification cardholder or any other person, or may suspend,
1117 revoke, or deny the issuance or renewal of any license,
1118 certificate, limited certificate, identification card, or
1119 special identification card that is within the scope of this
1120 chapter, in accordance with chapter 120, upon any of the
1121 following grounds:

1122 (m) Upon the issuance of a final order imposing civil
1123 penalties under subsection 14(a) of the Federal Insecticide,
1124 Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction
1125 under subsection 14(b), of FIFRA.

1126 Section 41. Subsection (2) of section 487.044, Florida
1127 Statutes, is amended to read:

1128 487.044 Certification; examination.—

1129 (2) The department shall require each applicant for a
1130 certified applicator's license to demonstrate competence by a
1131 written or oral examination in which the applicant must
1132 demonstrate adequate knowledge concerning the proper use and
1133 application of restricted-use pesticides in each classification
1134 for which application for license is made. The department shall
1135 provide in-person and remote testing through a third-party
1136 vendor. A third-party vendor may collect and retain a
1137 convenience fee. The examination may be prepared, administered,
1138 and evaluated by the department. Each applicant for a certified
1139 applicator's license must ~~shall~~ demonstrate minimum competence
1140 as to:

1141 (a) The proper use of the equipment.



292806

1142 (b) The environmental hazards that may be involved in
1143 applying restricted-use pesticides.

1144 (c) Calculating the concentration of restricted-use
1145 pesticides to be used in particular circumstances.

1146 (d) Identification of common pests to be controlled and the
1147 damages caused by such pests.

1148 (e) Protective clothing and respiratory equipment required
1149 during the handling and application of restricted-use
1150 pesticides.

1151 (f) General precautions to be followed in the disposal of
1152 containers, as well as the cleaning and decontamination of the
1153 equipment which the applicant proposes to use.

1154 (g) Applicable state and federal pesticide laws, rules, and
1155 regulations.

1156 (h) General safety precautions.

1157 Section 42. Subsection (6) is added to section 487.175,
1158 Florida Statutes, to read:

1159 487.175 Penalties; administrative fine; injunction.—

1160 (6) Licensure may be suspended, revoked, or denied by the
1161 department, upon the issuance of a final order to a licensee
1162 imposing civil penalties under subsection 14(a) of the Federal
1163 Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a
1164 criminal conviction under subsection 14(b) of FIFRA.

1165 Section 43. Present subsections (13) through (28) of
1166 section 496.404, Florida Statutes, are redesignated as
1167 subsections (15) through (30), respectively, and new subsections
1168 (13) and (14) are added to that section, to read:

1169 496.404 Definitions.—As used in ss. 496.401-496.424, the
1170 term:



292806

1171 (13) "Foreign country of concern" means the People's
1172 Republic of China, the Russian Federation, the Islamic Republic
1173 of Iran, the Venezuelan regime of Nicolás Maduro, or the Syrian
1174 Arab Republic, including any agency of or any other entity under
1175 significant control of such foreign country of concern.

1176 (14) "Foreign source of concern" means any of the
1177 following:

1178 (a) The government or any official of the government of a
1179 foreign country of concern;

1180 (b) A political party or member of a political party or any
1181 subdivision of a political party in a foreign country of
1182 concern;

1183 (c) A partnership, an association, a corporation, an
1184 organization, or other combination of persons organized under
1185 the laws of or having its principal place of business in a
1186 foreign country of concern, or a subsidiary of such entity;

1187 (d) Any person who is domiciled in a foreign country of
1188 concern and is not a citizen or lawful permanent citizen of the
1189 United States;

1190 (e) An agent, including a subsidiary or an affiliate of a
1191 foreign legal entity, acting on behalf of a foreign source of
1192 concern; or

1193 (f) An entity in which a person, entity, or collection of
1194 persons or entities described in paragraphs (a)-(e) has a
1195 controlling interest. As used in this paragraph, the term
1196 "controlling interest" means the possession of the power to
1197 direct or cause the direction of the management or policies of
1198 an entity, whether through ownership of securities, by contract,
1199 or otherwise. A person or an entity that directly or indirectly



292806

1200 has the right to vote 25 percent or more of the voting interest
1201 of the company or is entitled to 25 percent or more of its
1202 profits is presumed to possess a controlling interest.

1203 Section 44. Present paragraphs (d) through (g) of
1204 subsection (2) of section 496.405, Florida Statutes, are
1205 redesignated as paragraphs (f) through (i), respectively, new
1206 paragraphs (d) and (e) are added to that subsection, subsection
1207 (11) is added to that section, and subsection (1) and paragraph
1208 (b) of subsection (7) of that section are amended, to read:

1209 496.405 Registration statements by charitable organizations
1210 and sponsors.—

1211 (1) A charitable organization or sponsor, unless exempted
1212 pursuant to s. 496.406, which intends to solicit contributions
1213 in or from this state by any means or have funds solicited on
1214 its behalf by any other person, charitable organization,
1215 sponsor, commercial co-venturer, or professional solicitor, or
1216 that participates in a charitable sales promotion or sponsor
1217 sales promotion, must, before engaging in any of these
1218 activities, file an initial registration statement, which
1219 includes an attestation statement, and a renewal statement
1220 annually thereafter, with the department.

1221 (a) Except as provided in paragraph (b), any changes in the
1222 information submitted on the initial registration statement or
1223 the last renewal statement must be updated annually on a renewal
1224 statement provided by the department on or before the date that
1225 marks 1 year after the date the department approved the initial
1226 registration statement as provided in this section. The
1227 department shall annually provide a renewal statement to each
1228 registrant by mail or by electronic mail at least 30 days before



292806

1229 the renewal date.

1230 (b) Any changes to the information submitted to the
1231 department pursuant to paragraph (2)(f) ~~(2)(d)~~ on the initial
1232 registration statement, which includes an attestation statement,
1233 or the last renewal statement must be reported to the department
1234 on a form prescribed by the department within 10 days after the
1235 change occurs.

1236 (c) A charitable organization or sponsor that is required
1237 to file an initial registration statement or annual renewal
1238 statement may not, before approval of its statement by the
1239 department in accordance with subsection (7), solicit
1240 contributions or have contributions solicited on its behalf by
1241 any other person, charitable organization, sponsor, commercial
1242 co-venturer, or professional solicitor or participate in a
1243 charitable sales promotion or sponsor sales promotion.

1244 (d) The registration of a charitable organization or
1245 sponsor may not continue in effect and shall expire without
1246 further action of the department under either of the following
1247 circumstances:

1248 1. After the date the charitable organization or sponsor
1249 should have filed, but failed to file, its renewal statement in
1250 accordance with this section.

1251 2. For failure to provide a financial statement within any
1252 extension period provided under s. 496.407.

1253 (2) The initial registration statement must be submitted on
1254 a form prescribed by the department, signed by an authorized
1255 official of the charitable organization or sponsor who shall
1256 certify that the registration statement is true and correct, and
1257 include the following information or material:



292806

1258 (d) An attestation statement, which must be submitted on a
1259 form prescribed by the department and signed by an authorized
1260 official of the charitable organization, who shall certify and
1261 attest that the charitable organization, if engaged in
1262 activities that would require registration pursuant to chapter
1263 106 is registered with the Department of State, pursuant to
1264 chapter 106.

1265 (e) An attestation statement on a form prescribed by the
1266 department, signed by an authorized official of the charitable
1267 organization, who shall certify and attest that the charitable
1268 organization, if prohibited by applicable federal or state law,
1269 is not engaged in activities that would require registration
1270 with the Department of State pursuant to chapter 106.

1271 (7)

1272 (b) If a charitable organization or sponsor discloses
1273 information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~
1274 in the initial registration statement or annual renewal
1275 statement, the time limits set forth in paragraph (a) are
1276 waived, and the department shall process such initial
1277 registration statement or annual renewal statement in accordance
1278 with the time limits set forth in chapter 120. The registration
1279 of a charitable organization or sponsor shall be automatically
1280 suspended for failure to disclose any information specified in
1281 subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the
1282 required information is submitted to the department.

1283 (11) The department may investigate and refer a charitable
1284 organization or sponsor to the Florida Elections Commission for
1285 investigation of violations pursuant to chapters 104 and 106.

1286 Section 45. Subsection (20) is added to section 496.415,



292806

1287 Florida Statutes, to read:

1288 496.415 Prohibited acts.—It is unlawful for any person in
1289 connection with the planning, conduct, or execution of any
1290 solicitation or charitable or sponsor sales promotion to:

1291 (20) Solicit or accept contributions or anything of value
1292 from a foreign source of concern.

1293 Section 46. Section 496.417, Florida Statutes, is amended
1294 to read:

1295 496.417 Criminal penalties.—Except as otherwise provided in
1296 ss. 496.401-496.424, and in addition to any administrative or
1297 civil penalties, any person who willfully and knowingly violates
1298 ss. 496.401-496.424 commits a felony of the third degree,
1299 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
1300 For a second or subsequent conviction, such violation
1301 constitutes a felony of the second degree, punishable as
1302 provided in s. 775.082, s. 775.083, or s. 775.084. The
1303 department may also investigate and refer a charitable
1304 organization or sponsor to the Florida Elections Commission for
1305 investigation of violations pursuant to chapters 104 and 106.

1306 Section 47. Subsection (11) is added to section 496.419,
1307 Florida Statutes, to read:

1308 496.419 Powers of the department.—

1309 (11) A charitable organization or sponsor whose
1310 registration is denied or revoked for submitting a false
1311 attestation required pursuant to s. 496.405(2)(d) or (2)(e) is
1312 subject to the penalties specified in subsection (5) at the
1313 discretion of the department.

1314 Section 48. Section 496.431, Florida Statutes, is created
1315 to read:



292806

1316 496.431 Honest Service Registry.-
1317 (1) The department shall create the Honest Services
1318 Registry to provide the residents of this state with the
1319 information necessary to make an informed choice when deciding
1320 which charitable organizations to support.
1321 (2) To be included on the Honest Services Registry, a
1322 charitable organization must, at a minimum, submit to the
1323 department an attestation statement on a form prescribed by the
1324 department, verified as provided in s. 92.525, attesting to all
1325 of the following:
1326 (a) That the organization does not solicit or accept,
1327 directly or indirectly, contributions, funding, support, or
1328 services from a foreign source of concern.
1329 (b) That the organization's messaging and content are not
1330 directly or indirectly produced or influenced by a foreign
1331 source of concern.
1332 (3) The department shall publish the Honest Services
1333 Registry on the department's website.
1334 (4) The department shall adopt rules to implement this
1335 section.
1336 Section 49. Paragraph (j) of subsection (1) of section
1337 500.03, Florida Statutes, is amended to read:
1338 500.03 Definitions; construction; applicability.-
1339 (1) For the purpose of this chapter, the term:
1340 (j) "Cottage food product" means food that is not time or
1341 temperature controlled for safety or a potentially hazardous
1342 food as defined by department rule which is sold by a cottage
1343 food operation in accordance with s. 500.80.
1344 Section 50. Paragraphs (a) and (b) of subsection (1) of



292806

1345 section 500.12, Florida Statutes, are amended to read:

1346 500.12 Food permits; building permits.—

1347 (1)(a) A food permit from the department is required of any
1348 person or business that ~~who~~ operates a food establishment,
1349 except:

1350 1. Persons or businesses operating minor food outlets that
1351 sell food that is commercially prepackaged, not potentially
1352 hazardous, not age restricted, and not time or temperature
1353 controlled for safety, if the shelf space for those items does
1354 not exceed 12 total linear feet and no other food is sold by the
1355 person or business minor food outlet.

1356 2. Persons subject to continuous, onsite federal or state
1357 inspection.

1358 3. Persons selling only legumes in the shell, either
1359 parched, roasted, or boiled.

1360 4. Persons selling sugar cane or sorghum syrup that has
1361 been boiled and bottled on a premise located within this state.
1362 Such bottles must contain a label listing the producer's name
1363 and street address, all added ingredients, the net weight or
1364 volume of the product, and a statement that reads, "This product
1365 has not been produced in a facility permitted by the Florida
1366 Department of Agriculture and Consumer Services."

1367 (b) Each food establishment regulated under this chapter
1368 must apply for and receive a food permit before operation
1369 begins. An application for a food permit from the department
1370 must be accompanied by a fee in an amount determined by
1371 department rule. The department shall adopt by rule a schedule
1372 of fees to be paid by each food establishment as a condition of
1373 issuance or renewal of a food permit. Such fees may not exceed



292806

1374 \$650 and must be used solely for the recovery of costs for the
1375 services provided, except that the fee accompanying an
1376 application for a food permit for operating a bottled water
1377 plant may not exceed \$1,000 and the fee accompanying an
1378 application for a food permit for operating a packaged ice plant
1379 may not exceed \$250. The fee for operating a bottled water plant
1380 or a packaged ice plant must be set by rule of the department.
1381 Food permits are not transferable from one person or physical
1382 location to another. Food permits must be renewed in accordance
1383 with subparagraphs 1.-3. If an application for renewal of a food
1384 permit is not received by the department on or before its due
1385 date, a late fee not exceeding \$100 must be paid in addition to
1386 the food permit fee before the department may issue the food
1387 permit. The moneys collected must be deposited in the General
1388 Inspection Trust Fund.

1389 1. A food permit issued to a new food establishment ~~on or~~
1390 ~~after September 1, 2023,~~ is valid for 1 calendar year after the
1391 date of issuance and must be renewed annually on or before that
1392 date thereafter.

1393 2. ~~Effective January 1, 2024,~~ A food permit issued before
1394 September 1, 2023, expires on the month and day the initial
1395 permit was issued to the food establishment and must be renewed
1396 annually on or before that date thereafter. The department may
1397 charge a prorated permit fee for purposes of this subparagraph.

1398 3. The department may establish a single permit renewal
1399 date for multiple food establishments owned by the same entity
1400 ~~The owner of 100 or more permitted food establishment locations~~
1401 ~~may elect to set the expiration of food permits for such~~
1402 ~~establishments as December 31 of each calendar year.~~



292806

1403 Section 51. Section 500.166, Florida Statutes, is amended
1404 to read:

1405 500.166 Records of interstate shipment.—For the purpose of
1406 enforcing this chapter, carriers engaged in interstate commerce
1407 and persons receiving food in interstate commerce shall retain
1408 all records for 3 years from the date of the record showing the
1409 movement in interstate commerce of any food, and the quantity,
1410 shipper and consignee thereof and, upon the request by an
1411 officer or employee duly designated by the department, permit
1412 the officer or employee to have access to and to copy all
1413 records showing the movement in interstate commerce of any food,
1414 and the quantity, shipper, and consignee thereof.

1415 Section 52. Subsection (1) of section 500.172, Florida
1416 Statutes, is amended to read:

1417 500.172 Embargoing, detaining, destroying of food, food
1418 processing equipment, or areas that are in violation.—

1419 (1) When the department, or its duly authorized agent who
1420 has received appropriate education and training regarding the
1421 legal requirements of this chapter, finds or has probable cause
1422 to believe that any food, food processing equipment, food
1423 processing area, or food storage area is in violation of this
1424 chapter or any rule adopted under this chapter so as to be
1425 dangerous, unwholesome, mislabeled, fraudulent, or insanitary
1426 within the meaning of this chapter, an agent of the department
1427 may issue and enforce a stop-sale, stop-use, removal, or hold
1428 order, which order gives notice that such article, processing
1429 equipment, processing area, or storage area is or is suspected
1430 of being in violation and has been detained or embargoed and
1431 which order warns all persons not to remove, use, or dispose of



292806

1432 such article, processing equipment, processing area, or storage
1433 area by sale or otherwise until permission for removal, use, or
1434 disposal is given by the department or the court. The department
1435 is authorized to enter into a written agreement with the owner
1436 of such food, food processing equipment, food processing area,
1437 or food storage area, or otherwise facilitate the destruction of
1438 any article found or suspected by the department to be in
1439 violation of this section. A person may not remove, use, or
1440 dispose of such detained or embargoed article, processing
1441 equipment, processing area, or storage area by sale or otherwise
1442 without such permission from or in accordance with a written
1443 agreement with the department.

1444 Section 53. Section 500.75, Florida Statutes, is created to
1445 read:

1446 500.75 Mushrooms spores and mycelium; offenses.—It is
1447 unlawful to transport, import, sell, offer for sale, furnish, or
1448 give away spores or mycelium capable of producing mushrooms or
1449 other material which will contain a controlled substance,
1450 including psilocybin or psilocyn, during its lifecycle. A person
1451 who transports, imports into this state, sells, offers for sale,
1452 furnishes, gives away, or offers to transport, import into this
1453 state, sell, furnish, or give away any spores or mycelium
1454 capable of producing mushrooms or other material which will
1455 contain a controlled substance commits a misdemeanor of the
1456 first degree, punishable as provided in s. 775.082 or s.
1457 775.083.

1458 Section 54. Section 500.93, Florida Statutes, is created to
1459 read:

1460 500.93 Mislabeleding of plant-based products as milk, meat,



292806

1461 or poultry.-
1462 (1) As used in this section, the term:
1463 (a) "Egg" and "egg product" have the same meanings as in 21
1464 U.S.C. s. 1033 and the Egg Products Inspection Act.
1465 (b) "FDA" means the United States Food and Drug
1466 Administration.
1467 (c) "Meat" has the same meaning as in 9 C.F.R. s. 301.2 and
1468 the Federal Meat Inspection Act.
1469 (d) "Milk" has the same meaning as in 21 C.F.R. s. 131.110
1470 and the Grade "A" pasteurized milk ordinance.
1471 (e) "Poultry" and "poultry product" have the same meanings
1472 as in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.
1473 (2) (a) In accordance with the established standard of
1474 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade
1475 "A" pasteurized milk ordinance, the department shall adopt rules
1476 to enforce the FDA's standard of identity for milk, as adopted
1477 in state law, to prohibit the sale of plant-based products
1478 misabeled as milk in this state.
1479 (b) This subsection is effective upon the enactment into
1480 law of a mandatory labeling requirement to prohibit the sale of
1481 plant-based products mislabeled as milk that is consistent with
1482 this section by any 11 of the group of 14 states composed of
1483 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
1484 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
1485 Texas, Virginia, and West Virginia.
1486 (3) (a) In accordance with the established standard of
1487 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal
1488 Meat Inspection Act, and both poultry and poultry products
1489 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection



292806

1490 Act, the department shall adopt rules to enforce the FDA's
1491 standard of identity for meat, poultry, and poultry products as
1492 adopted in this section, to prohibit the sale of plant-based
1493 products mislabeled as meat, poultry, or poultry products in
1494 this state.

1495 (b) This subsection is effective upon the enactment into
1496 law of a mandatory labeling requirement to prohibit the sale of
1497 plant-based products mislabeled as meat, poultry, or poultry
1498 products which is consistent with this section by any 11 of the
1499 group of 14 states composed of Alabama, Arkansas, Florida,
1500 Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,
1501 South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1502 (4) (a) In accordance with the established standard of
1503 identity for eggs and egg products defined in 21 U.S.C. s. 1033
1504 and the Egg Products Inspection Act, the department shall adopt
1505 rules to enforce the FDA's standard of identity for eggs and egg
1506 products, as adopted in state law, to prohibit the sale of
1507 plant-based products mislabeled as egg or egg products in this
1508 state.

1509 (b) This subsection is effective upon the enactment into
1510 law of a mandatory labeling requirement to prohibit the sale of
1511 plant-based products mislabeled as egg or egg products that is
1512 consistent with this section by any 11 of the group of 14 states
1513 composed of Alabama, Arkansas, Florida, Georgia, Kentucky,
1514 Louisiana, Maryland, Mississippi, Oklahoma, South Carolina,
1515 Tennessee, Texas, Virginia, and West Virginia.

1516 (5) The Department of Agriculture and Consumer Services
1517 shall notify the Division of Law Revision upon the enactment
1518 into law by any 11 of the group of 14 states composed of



292806

1519 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
1520 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
1521 Texas, Virginia, and West Virginia of the mandatory labeling
1522 requirements pursuant to subsections (2) and (3).

1523 (6) The department shall adopt rules to implement this
1524 section.

1525 (7) This section may not be construed to limit the
1526 department's authority to enforce its laws and regulations.

1527 Section 55. Section 501.135, Florida Statutes, is repealed.

1528 Section 56. Subsection (1) of section 501.912, Florida
1529 Statutes, is amended to read:

1530 501.912 Definitions.—As used in ss. 501.91-501.923:

1531 (1) "Antifreeze" means any substance or preparation,
1532 including, but not limited to, coolant, antifreeze-coolant,
1533 antifreeze and summer coolant, or summer coolant, that is sold,
1534 distributed, or intended for use:

1535 (a) As the cooling liquid, or to be added to the cooling
1536 liquid, in the cooling system of ~~internal combustion engines of~~
1537 motor vehicles to prevent freezing of the cooling liquid or to
1538 lower its freezing point; or

1539 (b) To raise the boiling point of water, aid in vehicle
1540 component cooling, or for the prevention of engine overheating,
1541 whether or not the liquid is used as a year-round cooling system
1542 fluid.

1543 Section 57. Section 525.19, Florida Statutes, is created to
1544 read:

1545 525.19 Petroleum registration.—

1546 (1) The department shall create an annual petroleum
1547 registration program for petroleum owners or operators and shall



292806

1548 adopt rules detailing the requirements for such registration
1549 that include, at minimum:

- 1550 (a) Name of the petroleum owner or operator;
- 1551 (b) Address of the petroleum owner or operator;
- 1552 (c) Phone number of the petroleum owner or operator;
- 1553 (d) E-mail address of the petroleum owner or operator;
- 1554 (e) Requirements for the transfer switch;
- 1555 (f) Fuel and petroleum infrastructure; and
- 1556 (g) Fuel and petroleum inventory and delivery information.
- 1557 (2) The registration program must be free for all
1558 registrants.

1559 (3) The department has the authority to require registrants
1560 to provide updates related to the status of infrastructure,
1561 inventory, and delivery information during a state of emergency
1562 as declared by an executive order issued by the Governor.

1563 Section 58. Section 526.147, Florida Statutes, is created
1564 to read:

1565 526.147 Florida Retail Fuel Transfer Switch Modernization
1566 Grant Program.—

1567 (1) (a) There is created, subject to appropriation, the
1568 Florida Retail Fuel Transfer Switch Modernization Grant Program
1569 within the Department of Agriculture and Consumer Services.

1570 (b) The grant program shall provide grant funds, not to
1571 exceed \$10,000 per retail fuel facility, to be used for
1572 installation and equipment costs related to installing or
1573 modernizing transfer switch infrastructure at retail fuel
1574 facilities to allow for the continuity of fueling operations
1575 under generated power.

1576 (c) The department shall award funds based upon the



292806

1577 following criteria:

1578 1. Up to \$10,000, of costs for transfer switch purchase and
1579 installation for retail fuel locations in fiscally constrained
1580 counties as designated under s. 218.67(1).

1581 2. Up to \$5,000, of costs for transfer switch purchase and
1582 installation for all other retail fuel locations.

1583 (d) Retail fuel facilities which are awarded grant funds
1584 must comply with s. 526.143 and must install a transfer switch
1585 capable of operating all fuel pumps, dispensing equipment, life
1586 safety systems, and payment acceptance equipment using an
1587 alternative generated power source.

1588 (e) Before being awarded funding from the department,
1589 retail fuel facilities must provide documentation on transfer
1590 switch installation and required generator sizing to the
1591 department.

1592 (f) Marinas and fueling facilities with fewer than 4
1593 fueling positions are excluded from being awarded funding
1594 through this program.

1595 (g) Fueling facilities subject to s. 526.143(2) are
1596 excluded from being awarded funding through this program.

1597 (2) The department, in consultation with the Division of
1598 Emergency Management, shall adopt rules to implement and
1599 administer this section, including establishing grant
1600 application processes for the Florida Retail Fuel Transfer
1601 Switch Modernization Grant Program. The rules must include
1602 application deadlines and establish the supporting documentation
1603 necessary to be provided to the department.

1604 Section 59. Section 531.48, Florida Statutes, is amended to
1605 read:



292806

1606 531.48 Declarations of unit price on random packages.—In
1607 addition to the declarations required by s. 531.47, any package
1608 being one of a lot containing random weights of the same
1609 commodity must ~~and bearing the total selling price of the~~
1610 ~~package shall~~ bear on the outside of the package a plain and
1611 conspicuous declaration of the price per single unit of weight
1612 and the total retail price of the package, as defined by
1613 department rule.

1614 Section 60. Section 531.49, Florida Statutes, is amended to
1615 read:

1616 531.49 Advertising packages for sale.—~~Whenever~~ A packaged
1617 commodity ~~is advertised in any manner with the retail price~~
1618 ~~stated, there shall be~~ closely and conspicuously associated with
1619 the retail price must have a declaration of quantity as is
1620 required by law or rule to appear on the package.

1621 Section 61. Present subsections (44), (45), and (46) of
1622 section 570.07, Florida Statutes, are redesignated as
1623 subsections (46), (47), and (48), respectively, and new
1624 subsections (44) and (45) are added to that section, to read:

1625 570.07 Department of Agriculture and Consumer Services;
1626 functions, powers, and duties.—The department shall have and
1627 exercise the following functions, powers, and duties:

1628 (44) (a) To foster and encourage the employment and
1629 retention of qualified veterinary pathologists. The department
1630 may reimburse the educational expenses of qualified veterinary
1631 pathologists who enter into an agreement with the department to
1632 retain employment for a specified period of time.

1633 (b) The department shall adopt rules to administer this
1634 subsection.



292806

1635 (45) Subject to appropriation, to extend state and national
1636 Future Farmers of America opportunities to any public school
1637 student enrolled in agricultural education, at little or no cost
1638 to the student or school district, and to support statewide
1639 Future Farmers of America programming that helps such students
1640 develop their potential for premier leadership, personal growth,
1641 and career success.

1642 (46) (a) Notwithstanding ss. 287.042 and 287.057, to use
1643 contracts procured by another agency.

1644 (b) As used in this subsection, the term "agency" has the
1645 same meaning as provided in s. 287.012.

1646 Section 62. Subsection (2) of section 570.544, Florida
1647 Statutes, is amended to read:

1648 570.544 Division of Consumer Services; director; powers;
1649 processing of complaints; records.—

1650 (2) The director shall supervise, direct, and coordinate
1651 the activities of the division and shall, under the direction of
1652 the department, enforce the provisions of ss. 366.94 and ~~ss.~~
1653 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526,
1654 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

1655 Section 63. Section 570.546, Florida Statutes, is created
1656 to read:

1657 570.546 Licensing.—

1658 (1) The department is authorized to:

1659 (a) Create a process for the bulk renewal of licenses which
1660 will allow licensees the ability, upon request, to submit all
1661 license applications of the same type, notwithstanding any
1662 provisions of law applicable to each application process.

1663 (b) Create a process that will allow licensees, upon



292806

1664 request, to align the expiration dates of licenses within a
1665 statutory program.

1666 (c) Change the expiration dates for current licensees for
1667 the purpose of reducing large numbers of license expirations
1668 that occur during the same month.

1669 (2) The department shall prorate any licensing fee for
1670 which the term of the license was reduced for the purposes of
1671 alignment.

1672 (3) The department shall adopt rules to implement this
1673 section.

1674 Section 64. Section 570.694, Florida Statutes is created to
1675 read:

1676 570.694 Florida Aquaculture Foundation.—

1677 (1) The Florida Aquaculture Foundation is established as a
1678 direct-support organization within the Department of Agriculture
1679 and Consumer Services. The purpose of the foundation is to:

1680 (a) Conduct programs and activities related to the
1681 assistance, promotion, and furtherance of aquaculture and
1682 aquaculture producers in this state.

1683 (b) Identify and pursue methods to provide statewide
1684 resources and materials for these programs.

1685 (2) The foundation shall be governed by s. 570.691.

1686 (3) The department is authorized to appoint an advisory
1687 committee adjunct to the foundation pursuant to s. 570.232.

1688 Section 65. Section 570.822, Florida Statutes, is amended
1689 to read:

1690 570.822 Agriculture and Aquaculture Producers Emergency
1691 ~~Natural Disaster~~ Recovery Loan Program.—

1692 (1) DEFINITIONS.—As used in this section, the term:



292806

1693 (a) "Bona fide farm operation" means a farm operation
1694 engaged in a good faith commercial agricultural use of land on
1695 land classified as agricultural pursuant to s. 193.461 or on
1696 sovereign submerged land that is leased to the applicant by the
1697 department pursuant to s. 597.010 and that produces agricultural
1698 products within the definition of agriculture under s. 570.02.

1699 (b) "Declared emergency natural disaster" means an
1700 emergency ~~a natural disaster~~ for which a state of emergency is
1701 declared pursuant to s. 252.36 or s. 570.07(21).

1702 (c) "Department" means the Department of Agriculture and
1703 Consumer Services.

1704 (d) "Essential physical property" means fences; equipment;
1705 structural production facilities, such as shade houses and
1706 greenhouses; or other agriculture or aquaculture facilities or
1707 infrastructure.

1708 (e) "Program" means the Agriculture and Aquaculture
1709 Producers Emergency Natural Disaster Recovery Loan Program.

1710 (2) USE OF LOAN FUNDS; LOAN TERMS.—

1711 (a) The program is established within the department to
1712 make loans to agriculture and aquaculture producers that have
1713 experienced damage or destruction from a declared emergency
1714 ~~natural disaster~~. Loan funds may be used to restore, repair, or
1715 replace essential physical property or remove vegetative debris
1716 from essential physical property, or restock aquaculture. A
1717 structure or building constructed using loan proceeds must
1718 comply with storm-hardening standards for nonresidential farm
1719 buildings as defined in s. 604.50(2). The department shall adopt
1720 such standards by rule.

1721 (b) The department may make a low-interest or interest-free



292806

1722 loan to an eligible applicant. The maximum amount that an
1723 applicant may receive during the application period for a loan
1724 is \$500,000. An applicant may not receive more than one loan per
1725 application period and no more than two loans per year or no
1726 more than five loans in any 3-year period. A loan term is 10
1727 years.

1728 (3) ELIGIBLE APPLICANTS.—To be eligible for the program, an
1729 applicant must:

1730 (a) Own or lease a bona fide farm operation that is located
1731 in a county named in a declared emergency ~~natural disaster~~ and
1732 that was damaged or destroyed as a result of such declared
1733 emergency ~~natural disaster~~.

1734 (b) Maintain complete and acceptable farm records, pursuant
1735 to criteria published by the department, and present them as
1736 proof of production levels and bona fide farm operations.

1737 (4) LOAN APPLICATION AND AGREEMENT.—

1738 (a) Requests for loans must be made by application to the
1739 department. Upon a determination that funding for loans is
1740 available, the department shall publicly notice an application
1741 period for the declared emergency ~~natural disaster~~, beginning
1742 within 60 days after the date of the declared emergency ~~natural~~
1743 ~~disaster~~ and running up to 1 year after the date of the declared
1744 emergency ~~natural disaster~~ or until all available loan funds are
1745 exhausted, whichever occurs first. The application may be
1746 renewed upon a determination from the department and pursuant to
1747 an active declared emergency.

1748 (b) An applicant must demonstrate the need for financial
1749 assistance and an ability to repay or meet a standard credit
1750 rating determined by the department.



292806

1751 (c) Loans must be made pursuant to written agreements
1752 specifying the terms and conditions agreed to by the approved
1753 applicant and the department. The loan agreement must specify
1754 that the loan is due upon sale if the property or other
1755 collateral for the loan is sold.

1756 (d) An approved applicant must agree to stay in production
1757 for the duration of the loan. A loan is not assumable.

1758 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured
1759 by a lien, subordinate only to any mortgage held by a financial
1760 institution as defined in s. 655.005, on property or other
1761 collateral as set forth in the loan agreement. The specific type
1762 of collateral required may vary depending upon the loan purpose,
1763 repayment ability, and the particular circumstances of the
1764 applicant. The department shall record the lien in public
1765 records in the county where the property is located and, in the
1766 case of personal property, perfect the security interest by
1767 filing appropriate Uniform Commercial Code forms with the
1768 Florida Secured Transaction Registry as required pursuant to
1769 chapter 679.

1770 (6) LOAN REPAYMENT.—

1771 (a) A loan is due and payable in accordance with the terms
1772 of the loan agreement.

1773 (b) The department shall defer payments for the first 3
1774 years of the loan. After 3 years, the department shall reduce
1775 the principal balance annually through the end of the loan term
1776 such that the original principal balance is reduced by 30
1777 percent. If the principal balance is repaid before the end of
1778 the 10th year, the applicant may not be required to pay more
1779 than 70 percent of the original principal balance. The approved



292806

1780 applicant must continue to be actively engaged in production in
1781 order to receive the original principal balance reductions and
1782 must continue to meet the loan agreement terms to the
1783 satisfaction of the department.

1784 (c) An approved applicant may make payments on the loan at
1785 any time without penalty. Early repayment is encouraged as other
1786 funding sources or revenues become available to the approved
1787 applicant.

1788 (d) All repayments of principal and interest, if
1789 applicable, received by the department in a fiscal year must be
1790 returned to the loan fund and made available for loans to other
1791 applicants in the next application period.

1792 (e) The department may periodically review an approved
1793 applicant to determine whether he or she continues to be in
1794 compliance with the terms of the loan agreement. If the
1795 department finds that an applicant is no longer in production or
1796 has otherwise violated the loan agreement, the department may
1797 seek repayment of the full original principal balance
1798 outstanding, including any interest or costs, as applicable, and
1799 excluding any applied or anticipated original principal balance
1800 reductions.

1801 (f) The department may defer or waive loan payments if at
1802 any time during the repayment period of a loan, the approved
1803 applicant experiences a significant hardship such as crop loss
1804 from a weather-related event or from impacts from a natural
1805 disaster or declared emergency.

1806 (7) ADMINISTRATION.—

1807 (a) The department shall create and maintain a separate
1808 account in the General Inspection Trust Fund as a fund for the



292806

1809 program. All repayments must be returned to the loan fund and
1810 made available as provided in this section. Notwithstanding s.
1811 216.301, funds appropriated for the loan program are not subject
1812 to reversion. The department shall manage the fund, establishing
1813 loan practices that must include, but are not limited to,
1814 procedures for establishing loan interest rates, uses of
1815 funding, application procedures, and application review
1816 procedures. The department is authorized to contract with a
1817 third-party administrator to administer the program and manage
1818 the loan fund. A contract for a third-party administrator that
1819 includes management of the loan fund must, at a minimum, require
1820 maintenance of the loan fund to ensure that the program may
1821 operate in a revolving manner.

1822 (b) The department shall coordinate with other state
1823 agencies and other entities to ensure to the greatest extent
1824 possible that agriculture and aquaculture producers in this
1825 state have access to the maximum financial assistance available
1826 following a declared emergency ~~natural disaster~~. The
1827 coordination must endeavor to ensure that there is no
1828 duplication of financial assistance between the loan program and
1829 other funding sources, such as any federal or other state
1830 programs, including public assistance requests to the Federal
1831 Emergency Management Agency or financial assistance from the
1832 United States Department of Agriculture, which could render the
1833 approved applicant ineligible for other financial assistance.

1834 (8) PUBLIC RECORDS EXEMPTION.—

1835 (a) The following information held by the department
1836 pursuant to its administration of the program is exempt from s.
1837 119.07(1) and s. 24(a), Art. I of the State Constitution:



292806

- 1838 1. Tax returns.
1839 2. Credit history information, credit reports, and credit
1840 scores.

1841 (b) This subsection does not prohibit the disclosure of
1842 information held by the department pursuant to its
1843 administration of the program in an aggregated and anonymized
1844 format.

1845 (c) This subsection is subject to the Open Government
1846 Sunset Review Act in accordance with s. 119.15 and shall stand
1847 repealed on October 2, 2029, unless reviewed and saved from
1848 repeal through reenactment by the Legislature.

1849 (9) RULES.—The department shall adopt rules to implement
1850 this section.

1851 (10) REPORTS.—By December 1, 2024, and each December 1
1852 thereafter, the department shall provide a report on program
1853 activities during the previous fiscal year to the President of
1854 the Senate and the Speaker of the House of Representatives. The
1855 report must include information on noticed application periods,
1856 the number and value of loans awarded under the program for each
1857 application period, the number and value of loans outstanding,
1858 the number and value of any loan repayments received, and an
1859 anticipated repayment schedule for all loans.

1860 (11) SUNSET.—This section expires July 1, 2043, unless
1861 reviewed and saved from repeal through reenactment by the
1862 Legislature.

1863 Section 66. Section 570.823, Florida Statutes, is created
1864 to read:

1865 570.823 Silviculture emergency recovery program.—

1866 (1) DEFINITIONS.—As used in this section, the term:



292806

1867 (a) "Bona fide farm operation" means a farm operation
1868 engaged in a good faith commercial agricultural use of land on
1869 land classified as agricultural pursuant to s. 193.461 that
1870 produces agricultural products within the definition of
1871 agriculture under s. 570.02.

1872 (b) "Declared emergency" means an emergency for which a
1873 state of emergency is declared pursuant to s. 252.36 or s.
1874 570.07(21).

1875 (c) "Department" means the Department of Agriculture and
1876 Consumer Services.

1877 (d) "Program" means the silviculture emergency recovery
1878 program.

1879 (2) USE OF GRANT FUNDS; GRANT TERMS.—

1880 (a) The silviculture emergency recovery program is
1881 established within the department to administer a grant program
1882 to assist timber landowners whose timber land was damaged as a
1883 result of a declared emergency. Grants provided to eligible
1884 timber landowners must be used for:

1885 1. Timber stand restoration, including downed tree removal
1886 on land which will retain the existing trees on site which are
1887 lightly or completely undamaged;

1888 2. Site preparation, and tree replanting; or

1889 3. Road and trail clearing on private timber lands to
1890 provide emergency access and facilitate salvage operations.

1891 (b) Only timber land located on lands classified as
1892 agricultural lands under s. 193.461 are eligible for the
1893 program.

1894 (c) The department shall coordinate with state agencies and
1895 other entities to ensure to the greatest extent possible that



292806

1896 timber landowners have access to the maximum financial
1897 assistance available following a specified declared emergency.
1898 The coordination must endeavor to ensure that there is no
1899 duplication of financial assistance between these funds and
1900 other funding sources, such as any federal or other state
1901 programs, including public assistance requests to the Federal
1902 Emergency Management Agency or financial assistance from the
1903 United States Department of Agriculture, which would render the
1904 approved applicant ineligible for other financial assistance.

1905 (d) The department is authorized to adopt rules to
1906 implement this section, including emergency rules.
1907 Notwithstanding any other provision of law, emergency rules
1908 adopted pursuant to this subsection are effective for 6 months
1909 after adoption and may be renewed during the pendency of
1910 procedures to adopt permanent rules addressing the subject of
1911 the emergency rules.

1912 Section 67. Subsections (2) and (5) of section 581.1843,
1913 Florida Statutes, are amended to read:

1914 581.1843 Citrus nursery stock propagation and production
1915 and the establishment of regulated areas around citrus
1916 nurseries.—

1917 (2) Effective January 1, 2007, it is unlawful for any
1918 person to propagate for sale or movement any citrus nursery
1919 stock that was not propagated or grown on a site and within a
1920 protective structure approved by the department ~~and that is not~~
1921 ~~at least 1 mile away from commercial citrus groves. A citrus~~
1922 ~~nursery registered with the department prior to April 1, 2006,~~
1923 ~~shall not be required to comply with the 1-mile setback from~~
1924 ~~commercial citrus groves while continuously operating at the~~



292806

1925 ~~same location for which it was registered.~~ However, the nursery
1926 shall be required to propagate citrus within a protective
1927 structure approved by the department. Effective January 1, 2008,
1928 it is ~~shall be~~ unlawful to distribute any citrus nursery stock
1929 that was not produced in a protective structure approved by the
1930 department.

1931 ~~(5) The department shall establish regulated areas around~~
1932 ~~the perimeter of commercial citrus nurseries that were~~
1933 ~~established on sites after April 1, 2006, not to exceed a radius~~
1934 ~~of 1 mile. The planting of citrus in an established regulated~~
1935 ~~area is prohibited. The planting of citrus within a 1-mile~~
1936 ~~radius of commercial citrus nurseries that were established on~~
1937 ~~sites prior to April 1, 2006, must be approved by the~~
1938 ~~department. Citrus plants planted within a regulated area prior~~
1939 ~~to the establishment of the regulated area may remain in the~~
1940 ~~regulated area unless the department determines the citrus~~
1941 ~~plants to be infected or infested with citrus canker or citrus~~
1942 ~~greening. The department shall require the removal of infected~~
1943 ~~or infested citrus, nonapproved planted citrus, and citrus that~~
1944 ~~has sprouted by natural means in regulated areas. The property~~
1945 ~~owner shall be responsible for the removal of citrus planted~~
1946 ~~without proper approval. Notice of the removal of citrus trees,~~
1947 ~~by immediate final order of the department, shall be provided to~~
1948 ~~the owner of the property on which the trees are located. An~~
1949 ~~immediate final order issued by the department under this~~
1950 ~~section shall notify the property owner that the citrus trees,~~
1951 ~~which are the subject of the immediate final order, must be~~
1952 ~~removed and destroyed unless the property owner, no later than~~
1953 ~~10 days after delivery of the immediate final order, requests~~



292806

1954 ~~and obtains a stay of the immediate final order from the~~
1955 ~~district court of appeal with jurisdiction to review such~~
1956 ~~requests. The property owner shall not be required to seek a~~
1957 ~~stay from the department of the immediate final order prior to~~
1958 ~~seeking a stay from the district court of appeal.~~

1959 Section 68. Sections 593.101, 593.102, 593.103, 593.104,
1960 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,
1961 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116,
1962 and 593.117, Florida Statutes, are repealed.

1963 Section 69. Subsection (11) of section 595.404, Florida
1964 Statutes, is amended to read:

1965 595.404 School food and other nutrition programs; powers
1966 and duties of the department.—The department has the following
1967 powers and duties:

1968 (11) To adopt and implement an appeal process by rule, as
1969 required by federal regulations, for applicants and participants
1970 under the programs implemented pursuant to this chapter,
1971 notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss.~~
1972 ~~120.569 and 120.57-120.595.~~

1973 Section 70. Section 599.002, Florida Statutes, is amended
1974 to read:

1975 599.002 Florida Wine ~~Viticulture~~ Advisory Council.—

1976 (1) There is created within the Department of Agriculture
1977 and Consumer Services the Florida Wine ~~Viticulture~~ Advisory
1978 Council, to be composed ~~consist~~ of eight members as follows: the
1979 president of the Florida Wine and Grape Growers Association
1980 ~~Florida Grape Growers' Association~~ or a designee thereof; a
1981 representative from the Institute of Food and Agricultural
1982 Sciences; a representative from the viticultural science program



292806

1983 at Florida Agricultural and Mechanical University; and five
1984 additional commercial members, to be appointed for a 2-year term
1985 each by the Commissioner of Agriculture, including a wine
1986 producer, a fresh fruit producer, a nonwine product (juice,
1987 jelly, pie fillings, etc.) producer, and a viticultural nursery
1988 operator.

1989 (2) The meetings, powers and duties, procedures, and
1990 recordkeeping of the Florida Wine Viticulture Advisory Council
1991 shall be pursuant to s. 570.232.

1992 (3) The primary responsibilities of the Florida Wine
1993 Viticulture Advisory Council are to submit to the Commissioner
1994 of Agriculture, annually, the industry's recommendations for
1995 wine and viticultural research, promotion, and education and, as
1996 necessary, the industry's recommendations for revisions to the
1997 State Wine Viticulture Plan.

1998 Section 71. Section 599.003, Florida Statutes, is amended
1999 to read:

2000 599.003 State Wine Viticulture Plan.—

2001 (1) The Commissioner of Agriculture, in consultation with
2002 the Florida Wine Viticulture Advisory Council, shall develop and
2003 coordinate the implementation of the State Wine Viticulture
2004 Plan, which shall identify problems and constraints of the wine
2005 and viticulture industry, propose possible solutions to those
2006 problems, and develop planning mechanisms for the orderly growth
2007 of the industry, including:

2008 (a) Criteria for wine and viticultural research, service,
2009 and management priorities.

2010 (b) Additional proposed legislation that may be required.

2011 (c) Plans and goals to improve research and service



292806

2012 capabilities at Florida Agricultural and Mechanical University
2013 and the University of Florida in their efforts to address
2014 current and future needs of the industry.

2015 (d) The potential for viticulture products in terms of
2016 market and needs for development.

2017 (e) Evaluation of wine policy alternatives, including, but
2018 not limited to, continued improvement in wine quality, blending
2019 considerations, promotion and advertising, labeling and vineyard
2020 designations, and development of production and marketing
2021 strategies.

2022 (f) Evaluation of production and fresh fruit policy
2023 alternatives, including, but not limited to, setting minimum
2024 grades and standards, promotion and advertising, development of
2025 production and marketing strategies, and setting minimum
2026 standards on types and quality of nursery plants.

2027 (g) Evaluation of policy alternatives for nonwine processed
2028 products, including, but not limited to, setting minimum quality
2029 standards and development of production and marketing
2030 strategies.

2031 (h) Research and service priorities for further development
2032 of the wine and viticulture industry.

2033 (i) The identification of state agencies and public and
2034 private institutions concerned with research, education,
2035 extension, services, planning, promotion, and marketing
2036 functions related to wine and viticultural development and the
2037 delineation of contributions and responsibilities.

2038 (j) Business planning, investment potential, financial
2039 risks, and economics of production and utilization.

2040 (2) A revision and update of the State Wine ~~Viticulture~~



292806

2041 Plan must ~~shall~~ be submitted biennially to the President of the
2042 Senate, the Speaker of the House of Representatives, and the
2043 chairs of appropriate committees of the Senate and House of
2044 Representatives, and a progress report and budget request must
2045 ~~shall~~ be submitted annually.

2046 Section 72. Paragraph (a) of subsection (2) and subsection
2047 (3) of section 599.004, Florida Statutes, are amended, and
2048 paragraph (d) is added to subsection (2) of that section, to
2049 read:

2050 599.004 Florida Farm Winery Program; registration; logo;
2051 fees.—

2052 (2) (a) The department, in coordination with the Florida
2053 Wine Viticulture Advisory Council, shall develop and designate
2054 by rule a Florida Farm Winery logo, emblem, and directional sign
2055 to guide the public to certified Florida Farm Wineries ~~Winery~~
2056 ~~tourist attractions~~. The logo and emblem of certified Florida
2057 Farm Winery signs must ~~shall~~ be uniform.

2058 (d) Wineries that fail to recertify annually or pay the
2059 licensing fee required in paragraph (c) are subject to having
2060 the signs referenced in paragraph (b) removed and will be
2061 responsible for all costs incurred by the Department of
2062 Transportation in connection with the removal.

2063 (3) All fees collected, except as otherwise provided by
2064 this section, shall be deposited into the Florida Wine
2065 Viticulture Trust Fund and used to develop consumer information
2066 on the native characteristics and proper use of wines.

2067 Section 73. Section 599.012, Florida Statutes, is amended
2068 to read:

2069 599.012 Wine ~~Viticulture~~ Trust Fund; creation.—



292806

2070 (1) There is established the Viticulture Trust Fund within
2071 the Department of Agriculture and Consumer Services. The
2072 department shall use the moneys deposited in the trust fund
2073 pursuant to subsection (2) to do all the following:

2074 (a) Develop and coordinate the implementation of the State
2075 Viticulture Plan.

2076 (b) Promote viticulture products manufactured from products
2077 grown in the state.

2078 (c) Provide grants for viticultural research.

2079 (2) Fifty percent of the revenues collected from the excise
2080 taxes imposed under s. 564.06 on wine produced by manufacturers
2081 in this state from products grown in the state will be deposited
2082 in the Viticulture Trust Fund in accordance with that section.

2083 Section 74. Subsection (1) of section 616.12, Florida
2084 Statutes, is amended to read:

2085 616.12 Licenses upon certain shows; distribution of fees;
2086 exemptions.—

2087 (1) Each person who operates any traveling show,
2088 exhibition, amusement enterprise, carnival, vaudeville, exhibit,
2089 ~~minstrel~~, rodeo, theatrical, game or test of skill, riding
2090 device, dramatic repertoire, other show or amusement, or
2091 concession, including a concession operating in a tent,
2092 enclosure, or other temporary structure, within the grounds of,
2093 and in connection with, any annual public fair held by a fair
2094 association shall pay the license taxes provided by law.
2095 However, if the association satisfies the requirements of this
2096 chapter, including securing the required fair permit from the
2097 department, the license taxes and local business tax authorized
2098 in chapter 205 are waived and the department shall issue a tax



292806

2099 exemption certificate. The department shall adopt the proper
2100 forms and rules to administer this section, including the
2101 necessary tax exemption certificate, showing that the fair
2102 association has met all requirements and that the traveling
2103 show, exhibition, amusement enterprise, carnival, vaudeville,
2104 exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill,
2105 riding device, dramatic repertoire, other show or amusement, or
2106 concession is exempt.

2107 Section 75. Section 687.16, Florida Statutes, is created to
2108 read:

2109 687.16 Florida Farmer Financial Protection Act.-

2110 (1) SHORT TITLE.-This section may be cited as the "Florida
2111 Farmer Financial Protection Act."

2112 (2) DEFINITIONS.-

2113 (a) "Agritourism activity" has the same meaning as provided
2114 in s. 570.86.

2115 (b) "Agriculture producer" means a person or company
2116 authorized to do business in this state and engaged in the
2117 production of goods derived from plants or animals, including,
2118 but not limited to, the growing of crops, silviculture, animal
2119 husbandry, or the production of livestock or dairy products.

2120 (c) "Commissioner" means the Commissioner of Agriculture.

2121 (d) "Company" means a for-profit organization, association,
2122 corporation, partnership, joint venture, sole proprietorship,
2123 limited partnership, limited liability partnership, or limited
2124 liability company, including a wholly owned subsidiary,
2125 majority-owned subsidiary, parent company, or affiliate of those
2126 entities or business associations authorized to do business in
2127 this state.



292806

2128 (e) "Denies or restricts" means refusing to provide
2129 services, terminating existing services, or restricting or
2130 burdening the scope or nature of services offered or provided.

2131 (f) "Discriminate in the provision of financial services"
2132 means to deny or restrict services and thereby decline to
2133 provide financial services.

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

2141 (h) "Farm" means the land, buildings, support facilities,
2142 machinery, and other appurtenances used in the production of
2143 farm or aquaculture products.

2144 (i) "Financial institution" means a company authorized to
2145 do business in this state which has total assets of more than
2146 \$100 million and offers financial services. A financial
2147 institution includes any affiliate or subsidiary company, even
2148 if that affiliate or subsidiary company is also a financial
2149 institution.

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

2153 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

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



292806

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

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

2165 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney
2166 General, in consultation with the Office of Financial
2167 Regulation, is authorized to enforce subsection (3). Any
2168 violation of subsection (3) constitutes an unfair trade practice
2169 under part II of chapter 501 and the Attorney General is
2170 authorized to investigate and seek remedies as provided in
2171 general law. Actions for damages may be sought by an aggrieved
2172 party.

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

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

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

- 2180 1. A psychologist licensed under chapter 490.
- 2181 2. A clinical social worker licensed under chapter 491.
- 2182 3. A marriage and family therapist licensed under chapter
2183 491.
- 2184 4. A mental health counselor licensed under chapter 491.
- 2185 5. An official representative of a religious institution



292806

2186 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the
2187 representative has relevant training.

2188 6. Any other provider designated by a judicial circuit,
2189 including, but not limited to, school counselors who are
2190 certified to offer such courses. Each judicial circuit may
2191 establish a roster of area course providers, including those who
2192 offer the course on a sliding fee scale or for free.

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

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

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

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

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

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

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

2214 4. Completion of any law enforcement firearms safety or



292806

2215 training course or class offered for security guards,
2216 investigators, special deputies, or any division or subdivision
2217 of a law enforcement agency or security enforcement;

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

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

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

2228
2229 A photocopy of a certificate of completion of any of the courses
2230 or classes; an affidavit from the instructor, school, club,
2231 organization, or group that conducted or taught such course or
2232 class attesting to the completion of the course or class by the
2233 applicant; or a copy of any document that shows completion of
2234 the course or class or evidences participation in firearms
2235 competition shall constitute evidence of qualification under
2236 this paragraph. A person who conducts a course pursuant to
2237 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as
2238 an instructor, attests to the completion of such courses, must
2239 maintain records certifying that he or she observed the student
2240 safely handle and discharge the firearm in his or her physical
2241 presence and that the discharge of the firearm included live
2242 fire using a firearm and ammunition as defined in s. 790.001;

2243 (3) (a) The Department of Agriculture and Consumer Services



292806

2244 shall deny a license if the applicant has been found guilty of,
2245 had adjudication of guilt withheld for, or had imposition of
2246 sentence suspended for one or more crimes of violence
2247 constituting a misdemeanor, unless 3 years have elapsed since
2248 probation or any other conditions set by the court have been
2249 fulfilled or the record has been sealed or expunged. The
2250 Department of Agriculture and Consumer Services shall revoke a
2251 license if the licensee has been found guilty of, had
2252 adjudication of guilt withheld for, or had imposition of
2253 sentence suspended for one or more crimes of violence within the
2254 preceding 3 years. The department shall, upon notification by a
2255 law enforcement agency, a court, clerk's office, or the Florida
2256 Department of Law Enforcement ~~and subsequent written~~
2257 ~~verification~~, temporarily suspend a license or the processing of
2258 an application for a license if the licensee or applicant is
2259 arrested or formally charged with a crime that would disqualify
2260 such person from having a license under this section, until
2261 final disposition of the case. The department shall suspend a
2262 license or the processing of an application for a license if the
2263 licensee or applicant is issued an injunction that restrains the
2264 licensee or applicant from committing acts of domestic violence
2265 or acts of repeat violence. The department shall notify the
2266 licensee or applicant suspended under this section of his or her
2267 right to a hearing pursuant to chapter 120. A hearing conducted
2268 regarding the temporary suspension must be for the limited
2269 purpose of determining whether the licensee has been arrested or
2270 charged with a disqualifying crime or issued an injunction or
2271 court order. If the criminal case or injunction results in a
2272 nondisqualifying disposition, the department must issue an order



292806

2273 lifting the suspension upon the applicant or licensee's
2274 submission to the department of a certified copy of the final
2275 resolution. If the criminal case results in a disqualifying
2276 disposition, the suspension remains in effect and the department
2277 must proceed with denial or revocation proceedings pursuant to
2278 chapter 120.

2279 (b) This subsection may not be construed to limit,
2280 restrict, or inhibit the constitutional right to bear arms and
2281 carry a concealed weapon in this state. The Legislature finds it
2282 a matter of public policy and public safety that it is necessary
2283 to ensure that potentially disqualifying information about an
2284 applicant or licensee is investigated and processed in a timely
2285 manner by the department pursuant to this section. The
2286 Legislature intends to clarify that suspensions pursuant to this
2287 section are temporary, and the department has the duty to make
2288 an eligibility determination and issue a license in the time
2289 frame prescribed in this subsection.

2290 (6)

2291 (c) The Department of Agriculture and Consumer Services
2292 shall, within 90 days after the date of receipt of the items
2293 listed in subsection (5):

2294 1. Issue the license; or

2295 2. Deny the application based solely on the ground that the
2296 applicant fails to qualify under the criteria listed in
2297 subsection (2) or subsection (3). If the Department of
2298 Agriculture and Consumer Services denies the application, it
2299 shall notify the applicant in writing, stating the ground for
2300 denial and informing the applicant of any right to a hearing
2301 pursuant to chapter 120.



292806

2302 3. In the event the result of the criminal history
2303 screening identifies ~~department receives~~ criminal history
2304 information related to a crime that may disqualify the applicant
2305 but does not contain with no final disposition of the crime or
2306 lacks sufficient information to make an eligibility
2307 determination ~~on a crime which may disqualify the applicant~~, the
2308 time limitation prescribed by this paragraph may be extended for
2309 up to an additional 90 days from the receipt of the information
2310 suspended until receipt of the final disposition or proof of
2311 restoration of civil and firearm rights. The department may make
2312 a request for information to the jurisdiction where the criminal
2313 history information originated but must issue a license if it
2314 does not obtain a disposition or sufficient information to make
2315 an eligibility determination during the additional 90 days if
2316 the applicant is otherwise eligible. The department may take any
2317 action authorized in this section if it receives disqualifying
2318 criminal history information during the additional 90-day review
2319 or after issuance of a license.

2320 (10) A license issued under this section must ~~shall~~ be
2321 temporarily suspended as provided for in subparagraph (6)(c)3.,
2322 or revoked pursuant to chapter 120 if the license was issued in
2323 error or if the licensee:

2324 (a) Is found to be ineligible under the criteria set forth
2325 in subsection (2);

2326 (b) Develops or sustains a physical infirmity which
2327 prevents the safe handling of a weapon or firearm;

2328 (c) Is convicted of a felony which would make the licensee
2329 ineligible to possess a firearm pursuant to s. 790.23;

2330 (d) Is found guilty of a crime under chapter 893, or



292806

2331 similar laws of any other state, relating to controlled
2332 substances;

2333 (e) Is committed as a substance abuser under chapter 397,
2334 or is deemed a habitual offender under s. 856.011(3), or similar
2335 laws of any other state;

2336 (f) Is convicted of a second violation of s. 316.193, or a
2337 similar law of another state, within 3 years after a first
2338 conviction of such section or similar law of another state, even
2339 though the first violation may have occurred before the date on
2340 which the application was submitted;

2341 (g) Is adjudicated an incapacitated person under s.
2342 744.331, or similar laws of any other state; or

2343 (h) Is committed to a mental institution under chapter 394,
2344 or similar laws of any other state.

2345
2346 Notwithstanding s. 120.60(5), service of a notice of the
2347 suspension or revocation of a concealed weapon or concealed
2348 firearm license must be given by either certified mail, return
2349 receipt requested, to the licensee at his or her last known
2350 mailing address furnished to the Department of Agriculture and
2351 Consumer Services, or by personal service. If a notice given by
2352 certified mail is returned as undeliverable, a second attempt
2353 must be made to provide notice to the licensee at that address,
2354 by either first-class mail in an envelope, postage prepaid,
2355 addressed to the licensee at his or her last known mailing
2356 address furnished to the department, or, if the licensee has
2357 provided an e-mail address to the department, by e-mail. Such
2358 mailing by the department constitutes notice, and any failure by
2359 the licensee to receive such notice does not stay the effective



292806

2360 date or term of the suspension or revocation. A request for
2361 hearing must be filed with the department within 21 days after
2362 notice is received by personal delivery, or within 26 days after
2363 the date the department deposits the notice in the United States
2364 mail (21 days plus 5 days for mailing). The department shall
2365 document its attempts to provide notice, and such documentation
2366 is admissible in the courts of this state and constitutes
2367 sufficient proof that notice was given.

2368 Section 78. Subsection (2) of section 812.0151, Florida
2369 Statutes, is amended to read:

2370 812.0151 Retail fuel theft.—

2371 (2) (a) A person commits a felony of the third degree,
2372 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2373 if he or she willfully, knowingly, and without authorization:

2374 1. Breaches a retail fuel dispenser or accesses any
2375 internal portion of a retail fuel dispenser; or

2376 2. Possesses any device constructed for the purpose of
2377 fraudulently altering, manipulating, or interrupting the normal
2378 functioning of a retail fuel dispenser.

2379 3. Possesses any form of a payment instrument that can be
2380 used, alone or in conjunction with another access device, to
2381 authorize a fuel transaction or obtain fuel, including, but not
2382 limited to, a plastic payment card with a magnetic stripe or a
2383 chip encoded with account information or both, with the intent
2384 to defraud the fuel retailer, the authorized payment instrument
2385 financial account holder, or the banking institution that issued
2386 the payment instrument financial account.

2387 (b) A person commits a felony of the second degree,
2388 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,



292806

2389 if he or she willfully, knowingly, and without authorization:

2390 1. Physically tampers with, manipulates, removes, replaces,
2391 or interrupts any mechanical or electronic component located on
2392 ~~within~~ the internal or external portion of a retail fuel
2393 dispenser; or

2394 2. Uses any form of electronic communication to
2395 fraudulently alter, manipulate, or interrupt the normal
2396 functioning of a retail fuel dispenser.

2397 (c) A person commits a felony of the third degree,
2398 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2399 if he or she:

2400 1. Obtains fuel as a result of violating paragraph (a) or
2401 paragraph (b); ~~or~~

2402 2. Modifies a vehicle's factory installed fuel tank or
2403 possesses any item used to hold fuel which was not fitted to a
2404 vehicle or conveyance at the time of manufacture with the intent
2405 to use such fuel tank or item to hold or transport fuel obtained
2406 as a result of violating paragraph (a) or paragraph (b); or

2407 3. Uses any form of a payment instrument that can be used,
2408 alone or in conjunction with another access device, to authorize
2409 a fuel transaction or obtain fuel, including, but not limited
2410 to, a plastic payment card with a magnetic stripe or a chip
2411 encoded with account information or both, with the intent to
2412 defraud the fuel retailer, the authorized payment instrument
2413 financial account holder, or the banking institution that issued
2414 the payment instrument financial account.

2415 Section 79. Section 812.136, Florida Statutes, is created
2416 to read:

2417 812.136 Mail theft.-



292806

2418 (1) As used in this section, unless the context otherwise
2419 requires:

2420 (a) "Mail" means any letter, postal card, parcel, envelope,
2421 package, bag, or any other sealed article addressed to another,
2422 along with its contents.

2423 (b) "Mail depository" means a mail box, letter box, mail
2424 route, or mail receptacle of a postal service, an office of a
2425 postal service, or mail carrier of a postal service, or a
2426 vehicle of a postal service.

2427 (c) "Postal service" means the United States Postal Service
2428 or its contractors, or any commercial courier that delivers
2429 mail.

2430 (2) Any of the following acts constitutes mail theft:

2431 (a) Removing mail from a mail depository or taking mail
2432 from a mail carrier of a postal service with an intent to steal.

2433 (b) Obtaining custody of mail by fraud or deception with an
2434 intent to steal.

2435 (c) Selling, receiving, possessing, transferring, buying,
2436 or concealing mail obtained by acts described in paragraph (a)
2437 or paragraph (b) of this subsection, while knowing or having
2438 reason to know the mail was obtained illegally.

2439 (3) Any of the following constitutes theft of or
2440 unauthorized reproduction of a mail depository key or lock:

2441 (a) Stealing or obtaining by false pretense any key or lock
2442 adopted by a postal service for a mail depository or other
2443 authorized receptacle for the deposit or delivery of mail.

2444 (b) Knowingly and unlawfully making, forging, or
2445 counterfeiting any such key or possessing any such key or lock
2446 adopted by a postal service with the intent to unlawfully or



292806

2447 improperly use, sell, or otherwise dispose of the key or lock,
2448 or to cause the key or lock to be unlawfully or improperly used,
2449 sold, or otherwise disposed.

2450 (4) The first violation of this section constitutes a
2451 misdemeanor of the first degree, punishable by a term of
2452 imprisonment not exceeding 1 year pursuant to s. 775.082(4) (a)
2453 or a fine not to exceed \$1,000 pursuant to s. 775.083(1) (d), or
2454 both. A second or subsequent violation of this section
2455 constitutes a felony of the third degree, punishable by a term
2456 of imprisonment not exceeding 5 years pursuant to s.
2457 775.82(3) (e) or a fine not to exceed \$5,000 pursuant to s.
2458 775.083(1) (c), or both.

2459 Section 80. Paragraph (i) of subsection (4) of section
2460 934.50, Florida Statutes, is amended to read:

2461 934.50 Searches and seizure using a drone.—

2462 (4) EXCEPTIONS.—This section does not prohibit the use of a
2463 drone:

2464 ~~(i) By a person or an entity engaged in a business or~~
2465 ~~profession licensed by the state, or by an agent, employee, or~~
2466 ~~contractor thereof, if the drone is used only to perform~~
2467 ~~reasonable tasks within the scope of practice or activities~~
2468 ~~permitted under such person's or entity's license. However, this~~
2469 ~~exception does not apply to a profession in which the licensee's~~
2470 ~~authorized scope of practice includes obtaining information~~
2471 ~~about the identity, habits, conduct, movements, whereabouts,~~
2472 ~~affiliations, associations, transactions, reputation, or~~
2473 ~~character of any society, person, or group of persons.~~

2474 Section 81. Section 1013.373, Florida Statutes, is created
2475 to read:



292806

2476 1013.373 Educational facilities used for agricultural
2477 education.—

2478 (1) Notwithstanding any other provision of law, a local
2479 government may not adopt any ordinance, regulation, rule, or
2480 policy to prohibit, restrict, regulate, or otherwise limit any
2481 activities of public educational facilities and auxiliary
2482 facilities constructed by a board for agricultural education,
2483 for Future Farmers of America or 4-H activities, or the storage
2484 of any animal or equipment therein.

2485 (2) Lands used for agricultural education or for Future
2486 Farmers of America or 4-H activities are considered agricultural
2487 lands pursuant to s. 193.461 and subject to s. 823.14.

2488 Section 82. For the purpose of incorporating the amendment
2489 made by this act to section 110.205, Florida Statutes, in a
2490 reference thereto, paragraph (a) of subsection (5) of section
2491 295.07, Florida Statutes, is reenacted to read:

2492 295.07 Preference in appointment and retention.—

2493 (5) The following positions are exempt from this section:

2494 (a) Those positions that are exempt from the state Career
2495 Service System under s. 110.205(2); however, all positions under
2496 the University Support Personnel System of the State University
2497 System as well as all Career Service System positions under the
2498 Florida College System and the School for the Deaf and the
2499 Blind, or the equivalent of such positions at state
2500 universities, Florida College System institutions, or the School
2501 for the Deaf and the Blind, are not exempt.

2502 Section 83. For the purpose of incorporating the amendment
2503 made by this act to section 193.461, Florida Statutes, in a
2504 reference thereto, paragraph (r) of subsection (1) of section



292806

2505 125.01, Florida Statutes, is reenacted to read:

2506 125.01 Powers and duties.—

2507 (1) The legislative and governing body of a county shall
2508 have the power to carry on county government. To the extent not
2509 inconsistent with general or special law, this power includes,
2510 but is not restricted to, the power to:

2511 (r) Levy and collect taxes, both for county purposes and
2512 for the providing of municipal services within any municipal
2513 service taxing unit, and special assessments; borrow and expend
2514 money; and issue bonds, revenue certificates, and other
2515 obligations of indebtedness, which power shall be exercised in
2516 such manner, and subject to such limitations, as may be provided
2517 by general law. There shall be no referendum required for the
2518 levy by a county of ad valorem taxes, both for county purposes
2519 and for the providing of municipal services within any municipal
2520 service taxing unit.

2521 1. Notwithstanding any other provision of law, a county may
2522 not levy special assessments on lands classified as agricultural
2523 lands under s. 193.461 unless the revenue from such assessments
2524 has been pledged for debt service and is necessary to meet
2525 obligations of bonds or certificates issued by the county which
2526 remain outstanding on July 1, 2023, including refundings thereof
2527 for debt service savings where the maturity of the debt is not
2528 extended. For bonds or certificates issued after July 1, 2023,
2529 special assessments securing such bonds may not be levied on
2530 lands classified as agricultural under s. 193.461.

2531 2. The provisions of subparagraph 1. do not apply to
2532 residential structures and their curtilage.

2533 Section 84. For the purpose of incorporating the amendment



292806

2534 made by this act to section 193.461, Florida Statutes, in
2535 references thereto, paragraphs (a) through (d) of subsection (3)
2536 of section 163.3162, Florida Statutes, are reenacted to read:

2537 163.3162 Agricultural lands and practices.—

2538 (3) DUPLICATION OF REGULATION.—Except as otherwise provided
2539 in this section and s. 487.051(2), and notwithstanding any other
2540 law, including any provision of chapter 125 or this chapter:

2541 (a) A governmental entity may not exercise any of its
2542 powers to adopt or enforce any ordinance, resolution,
2543 regulation, rule, or policy to prohibit, restrict, regulate, or
2544 otherwise limit an activity of a bona fide farm operation on
2545 land classified as agricultural land pursuant to s. 193.461, if
2546 such activity is regulated through implemented best management
2547 practices, interim measures, or regulations adopted as rules
2548 under chapter 120 by the Department of Environmental Protection,
2549 the Department of Agriculture and Consumer Services, or a water
2550 management district as part of a statewide or regional program;
2551 or if such activity is expressly regulated by the United States
2552 Department of Agriculture, the United States Army Corps of
2553 Engineers, or the United States Environmental Protection Agency.

2554 (b) A governmental entity may not charge a fee on a
2555 specific agricultural activity of a bona fide farm operation on
2556 land classified as agricultural land pursuant to s. 193.461, if
2557 such agricultural activity is regulated through implemented best
2558 management practices, interim measures, or regulations adopted
2559 as rules under chapter 120 by the Department of Environmental
2560 Protection, the Department of Agriculture and Consumer Services,
2561 or a water management district as part of a statewide or
2562 regional program; or if such agricultural activity is expressly



292806

2563 regulated by the United States Department of Agriculture, the
2564 United States Army Corps of Engineers, or the United States
2565 Environmental Protection Agency.

2566 (c) A governmental entity may not charge an assessment or
2567 fee for stormwater management on a bona fide farm operation on
2568 land classified as agricultural land pursuant to s. 193.461, if
2569 the farm operation has a National Pollutant Discharge
2570 Elimination System permit, environmental resource permit, or
2571 works-of-the-district permit or implements best management
2572 practices adopted as rules under chapter 120 by the Department
2573 of Environmental Protection, the Department of Agriculture and
2574 Consumer Services, or a water management district as part of a
2575 statewide or regional program.

2576 (d) For each governmental entity that, before March 1,
2577 2009, adopted a stormwater utility ordinance or resolution,
2578 adopted an ordinance or resolution establishing a municipal
2579 services benefit unit, or adopted a resolution stating the
2580 governmental entity's intent to use the uniform method of
2581 collection pursuant to s. 197.3632 for such stormwater
2582 ordinances, the governmental entity may continue to charge an
2583 assessment or fee for stormwater management on a bona fide farm
2584 operation on land classified as agricultural pursuant to s.
2585 193.461, if the ordinance or resolution provides credits against
2586 the assessment or fee on a bona fide farm operation for the
2587 water quality or flood control benefit of:

2588 1. The implementation of best management practices adopted
2589 as rules under chapter 120 by the Department of Environmental
2590 Protection, the Department of Agriculture and Consumer Services,
2591 or a water management district as part of a statewide or



292806

2592 regional program;

2593 2. The stormwater quality and quantity measures required as
2594 part of a National Pollutant Discharge Elimination System
2595 permit, environmental resource permit, or works-of-the-district
2596 permit; or

2597 3. The implementation of best management practices or
2598 alternative measures which the landowner demonstrates to the
2599 governmental entity to be of equivalent or greater stormwater
2600 benefit than those provided by implementation of best management
2601 practices adopted as rules under chapter 120 by the Department
2602 of Environmental Protection, the Department of Agriculture and
2603 Consumer Services, or a water management district as part of a
2604 statewide or regional program, or stormwater quality and
2605 quantity measures required as part of a National Pollutant
2606 Discharge Elimination System permit, environmental resource
2607 permit, or works-of-the-district permit.

2608 Section 85. For the purpose of incorporating the amendment
2609 made by this act to section 193.461, Florida Statutes, in a
2610 reference thereto, paragraph (c) of subsection (3) of section
2611 163.3163, Florida Statutes, is reenacted to read:

2612 163.3163 Applications for development permits; disclosure
2613 and acknowledgment of contiguous sustainable agricultural land.—

2614 (3) As used in this section, the term:

2615 (c) "Sustainable agricultural land" means land classified
2616 as agricultural land pursuant to s. 193.461 which is used for a
2617 farm operation that uses current technology, based on science or
2618 research and demonstrated measurable increases in productivity,
2619 to meet future food, feed, fiber, and energy needs, while
2620 considering the environmental impacts and the social and



292806

2621 economic benefits to the rural communities.

2622 Section 86. For the purpose of incorporating the amendment
2623 made by this act to section 193.461, Florida Statutes, in a
2624 reference thereto, subsection (4) of section 163.3164, Florida
2625 Statutes, is reenacted to read:

2626 163.3164 Community Planning Act; definitions.—As used in
2627 this act:

2628 (4) "Agricultural enclave" means an unincorporated,
2629 undeveloped parcel that:

2630 (a) Is owned by a single person or entity;

2631 (b) Has been in continuous use for bona fide agricultural
2632 purposes, as defined by s. 193.461, for a period of 5 years
2633 prior to the date of any comprehensive plan amendment
2634 application;

2635 (c) Is surrounded on at least 75 percent of its perimeter
2636 by:

2637 1. Property that has existing industrial, commercial, or
2638 residential development; or

2639 2. Property that the local government has designated, in
2640 the local government's comprehensive plan, zoning map, and
2641 future land use map, as land that is to be developed for
2642 industrial, commercial, or residential purposes, and at least 75
2643 percent of such property is existing industrial, commercial, or
2644 residential development;

2645 (d) Has public services, including water, wastewater,
2646 transportation, schools, and recreation facilities, available or
2647 such public services are scheduled in the capital improvement
2648 element to be provided by the local government or can be
2649 provided by an alternative provider of local government



292806

2650 infrastructure in order to ensure consistency with applicable
2651 concurrency provisions of s. 163.3180; and

2652 (e) Does not exceed 1,280 acres; however, if the property
2653 is surrounded by existing or authorized residential development
2654 that will result in a density at buildout of at least 1,000
2655 residents per square mile, then the area shall be determined to
2656 be urban and the parcel may not exceed 4,480 acres.

2657 Section 87. For the purpose of incorporating the amendment
2658 made by this act to section 193.461, Florida Statutes, in a
2659 reference thereto, subsection (5) of section 163.3194, Florida
2660 Statutes, is reenacted to read:

2661 163.3194 Legal status of comprehensive plan.—

2662 (5) The tax-exempt status of lands classified as
2663 agricultural under s. 193.461 shall not be affected by any
2664 comprehensive plan adopted under this act as long as the land
2665 meets the criteria set forth in s. 193.461.

2666 Section 88. For the purpose of incorporating the amendment
2667 made by this act to section 193.461, Florida Statutes, in a
2668 reference thereto, subsection (4) of section 170.01, Florida
2669 Statutes, is reenacted to read:

2670 170.01 Authority for providing improvements and levying and
2671 collecting special assessments against property benefited.—

2672 (4) Notwithstanding any other provision of law, a
2673 municipality may not levy special assessments for the provision
2674 of fire protection services on lands classified as agricultural
2675 lands under s. 193.461 unless the land contains a residential
2676 dwelling or nonresidential farm building, with the exception of
2677 an agricultural pole barn, provided the nonresidential farm
2678 building exceeds a just value of \$10,000. Such special



292806

2679 assessments must be based solely on the special benefit accruing
2680 to that portion of the land consisting of the residential
2681 dwelling and curtilage, and qualifying nonresidential farm
2682 buildings. As used in this subsection, the term "agricultural
2683 pole barn" means a nonresidential farm building in which 70
2684 percent or more of the perimeter walls are permanently open and
2685 allow free ingress and egress.

2686 Section 89. For the purpose of incorporating the amendment
2687 made by this act to section 193.461, Florida Statutes, in a
2688 reference thereto, subsection (2) of section 193.052, Florida
2689 Statutes, is reenacted to read:

2690 193.052 Preparation and serving of returns.—

2691 (2) No return shall be required for real property the
2692 ownership of which is reflected in instruments recorded in the
2693 public records of the county in which the property is located,
2694 unless otherwise required in this title. In order for land to be
2695 considered for agricultural classification under s. 193.461 or
2696 high-water recharge classification under s. 193.625, an
2697 application for classification must be filed on or before March
2698 1 of each year with the property appraiser of the county in
2699 which the land is located, except as provided in s.
2700 193.461(3)(a). The application must state that the lands on
2701 January 1 of that year were used primarily for bona fide
2702 commercial agricultural or high-water recharge purposes.

2703 Section 90. For the purpose of incorporating the amendment
2704 made by this act to section 193.461, Florida Statutes, in a
2705 reference thereto, section 193.4615, Florida Statutes, is
2706 reenacted to read:

2707 193.4615 Assessment of obsolete agricultural equipment.—For



292806

2708 purposes of ad valorem property taxation, agricultural equipment
2709 that is located on property classified as agricultural under s.
2710 193.461 and that is no longer usable for its intended purpose
2711 shall be deemed to have a market value no greater than its value
2712 for salvage.

2713 Section 91. For the purpose of incorporating the amendment
2714 made by this act to section 193.461, Florida Statutes, in
2715 references thereto, paragraph (a) of subsection (5) and
2716 paragraph (a) of subsection (19) of section 212.08, Florida
2717 Statutes, are reenacted to read:

2718 212.08 Sales, rental, use, consumption, distribution, and
2719 storage tax; specified exemptions.—The sale at retail, the
2720 rental, the use, the consumption, the distribution, and the
2721 storage to be used or consumed in this state of the following
2722 are hereby specifically exempt from the tax imposed by this
2723 chapter.

2724 (5) EXEMPTIONS; ACCOUNT OF USE.—

2725 (a) *Items in agricultural use and certain nets.*—There are
2726 exempt from the tax imposed by this chapter nets designed and
2727 used exclusively by commercial fisheries; disinfectants,
2728 fertilizers, insecticides, pesticides, herbicides, fungicides,
2729 and weed killers used for application on crops or groves,
2730 including commercial nurseries and home vegetable gardens, used
2731 in dairy barns or on poultry farms for the purpose of protecting
2732 poultry or livestock, or used directly on poultry or livestock;
2733 animal health products that are administered to, applied to, or
2734 consumed by livestock or poultry to alleviate pain or cure or
2735 prevent sickness, disease, or suffering, including, but not
2736 limited to, antiseptics, absorbent cotton, gauze for bandages,



292806

2737 lotions, vaccines, vitamins, and worm remedies; aquaculture
2738 health products that are used by aquaculture producers, as
2739 defined in s. 597.0015, to prevent or treat fungi, bacteria, and
2740 parasitic diseases; portable containers or movable receptacles
2741 in which portable containers are placed, used for processing
2742 farm products; field and garden seeds, including flower seeds;
2743 nursery stock, seedlings, cuttings, or other propagative
2744 material purchased for growing stock; seeds, seedlings,
2745 cuttings, and plants used to produce food for human consumption;
2746 cloth, plastic, and other similar materials used for shade,
2747 mulch, or protection from frost or insects on a farm; hog wire
2748 and barbed wire fencing, including gates and materials used to
2749 construct or repair such fencing, used in agricultural
2750 production on lands classified as agricultural lands under s.
2751 193.461; materials used to construct or repair permanent or
2752 temporary fencing used to contain, confine, or process cattle,
2753 including gates and energized fencing systems, used in
2754 agricultural operations on lands classified as agricultural
2755 lands under s. 193.461; stakes used by a farmer to support
2756 plants during agricultural production; generators used on
2757 poultry farms; and liquefied petroleum gas or other fuel used to
2758 heat a structure in which started pullets or broilers are
2759 raised; however, such exemption is not allowed unless the
2760 purchaser or lessee signs a certificate stating that the item to
2761 be exempted is for the exclusive use designated herein. Also
2762 exempt are cellophane wrappers, glue for tin and glass
2763 (apiarists), mailing cases for honey, shipping cases, window
2764 cartons, and baling wire and twine used for baling hay, when
2765 used by a farmer to contain, produce, or process an agricultural



292806

2766 commodity.

2767 (19) FLORIDA FARM TEAM CARD.—

2768 (a) Notwithstanding any other law, a farmer whose property
2769 has been classified as agricultural pursuant to s. 193.461 or
2770 who has implemented agricultural best management practices
2771 adopted by the Department of Agriculture and Consumer Services
2772 pursuant to s. 403.067(7)(c)2. may apply to the department for a
2773 Florida farm tax exempt agricultural materials (TEAM) card to
2774 claim the applicable sales tax exemptions provided in this
2775 section. A farmer may present the Florida farm TEAM card to a
2776 selling dealer in lieu of a certificate or affidavit otherwise
2777 required by this chapter.

2778 Section 92. For the purpose of incorporating the amendment
2779 made by this act to section 193.461, Florida Statutes, in a
2780 reference thereto, subsection (2) of section 373.406, Florida
2781 Statutes, is reenacted to read:

2782 373.406 Exemptions.—The following exemptions shall apply:

2783 (2) Notwithstanding s. 403.927, nothing herein, or in any
2784 rule, regulation, or order adopted pursuant hereto, shall be
2785 construed to affect the right of any person engaged in the
2786 occupation of agriculture, silviculture, floriculture, or
2787 horticulture to alter the topography of any tract of land,
2788 including, but not limited to, activities that may impede or
2789 divert the flow of surface waters or adversely impact wetlands,
2790 for purposes consistent with the normal and customary practice
2791 of such occupation in the area. However, such alteration or
2792 activity may not be for the sole or predominant purpose of
2793 impeding or diverting the flow of surface waters or adversely
2794 impacting wetlands. This exemption applies to lands classified



292806

2795 as agricultural pursuant to s. 193.461 and to activities
2796 requiring an environmental resource permit pursuant to this
2797 part. This exemption does not apply to any activities previously
2798 authorized by an environmental resource permit or a management
2799 and storage of surface water permit issued pursuant to this part
2800 or a dredge and fill permit issued pursuant to chapter 403. This
2801 exemption has retroactive application to July 1, 1984.

2802 Section 93. For the purpose of incorporating the amendment
2803 made by this act to section 193.461, Florida Statutes, in a
2804 reference thereto, paragraph (a) of subsection (11) of section
2805 403.182, Florida Statutes, is reenacted to read:

2806 403.182 Local pollution control programs.—

2807 (11) (a) Notwithstanding this section or any existing local
2808 pollution control programs, the Secretary of Environmental
2809 Protection has exclusive jurisdiction in setting standards or
2810 procedures for evaluating environmental conditions and assessing
2811 potential liability for the presence of contaminants on land
2812 that is classified as agricultural land pursuant to s. 193.461
2813 and being converted to a nonagricultural use. The exclusive
2814 jurisdiction includes defining what constitutes all appropriate
2815 inquiry consistent with 40 C.F.R. part 312 and guidance
2816 thereunder.

2817 Section 94. For the purpose of incorporating the amendment
2818 made by this act to section 193.461, Florida Statutes, in a
2819 reference thereto, subsection (4) of section 403.9337, Florida
2820 Statutes, is reenacted to read:

2821 403.9337 Model Ordinance for Florida-Friendly Fertilizer
2822 Use on Urban Landscapes.—

2823 (4) This section does not apply to the use of fertilizer on



292806

2824 farm operations as defined in s. 823.14 or on lands classified
2825 as agricultural lands pursuant to s. 193.461.

2826 Section 95. For the purpose of incorporating the amendment
2827 made by this act to section 193.461, Florida Statutes, in a
2828 reference thereto, paragraph (d) of subsection (2) of section
2829 472.029, Florida Statutes, is reenacted to read:

2830 472.029 Authorization to enter lands of third parties;
2831 conditions.—

2832 (2) LIABILITY AND DUTY OF CARE ON AGRICULTURAL LAND.—

2833 (d) This subsection applies only to land classified as
2834 agricultural pursuant to s. 193.461.

2835 Section 96. For the purpose of incorporating the amendment
2836 made by this act to section 193.461, Florida Statutes, in a
2837 reference thereto, subsection (5) of section 474.2021, Florida
2838 Statutes, is reenacted to read:

2839 474.2021 Veterinary telehealth.—

2840 (5) A veterinarian personally acquainted with the caring
2841 and keeping of an animal or group of animals on food-producing
2842 animal operations on land classified as agricultural pursuant to
2843 s. 193.461 who has recently seen the animal or group of animals
2844 or has made medically appropriate and timely visits to the
2845 premises where the animal or group of animals is kept may
2846 practice veterinary telehealth for animals on such operations.

2847 Section 97. For the purpose of incorporating the amendment
2848 made by this act to section 193.461, Florida Statutes, in a
2849 reference thereto, paragraph (d) of subsection (4) of section
2850 474.2165, Florida Statutes, is reenacted to read:

2851 474.2165 Ownership and control of veterinary medical
2852 patient records; report or copies of records to be furnished.—



292806

2853 (4) Except as otherwise provided in this section, such
2854 records may not be furnished to, and the medical condition of a
2855 patient may not be discussed with, any person other than the
2856 client or the client's legal representative or other
2857 veterinarians involved in the care or treatment of the patient,
2858 except upon written authorization of the client. However, such
2859 records may be furnished without written authorization under the
2860 following circumstances:

2861 (d) In any criminal action or situation where a
2862 veterinarian suspects a criminal violation. If a criminal
2863 violation is suspected, a veterinarian may, without notice to or
2864 authorization from the client, report the violation to a law
2865 enforcement officer, an animal control officer who is certified
2866 pursuant to s. 828.27(4)(a), or an agent appointed under s.
2867 828.03. However, if a suspected violation occurs at a commercial
2868 food-producing animal operation on land classified as
2869 agricultural under s. 193.461, the veterinarian must provide
2870 notice to the client or the client's legal representative before
2871 reporting the suspected violation to an officer or agent under
2872 this paragraph. The report may not include written medical
2873 records except upon the issuance of an order from a court of
2874 competent jurisdiction.

2875 Section 98. For the purpose of incorporating the amendment
2876 made by this act to section 193.461, Florida Statutes, in a
2877 reference thereto, subsection (6) of section 487.081, Florida
2878 Statutes, is reenacted to read:

2879 487.081 Exemptions.—

2880 (6) The Department of Environmental Protection is not
2881 authorized to institute proceedings against any property owner



292806

2882 or leaseholder of property under the provisions of s. 376.307(5)
2883 to recover any costs or damages associated with pesticide
2884 contamination of soil or water, or the evaluation, assessment,
2885 or remediation of pesticide contamination of soil or water,
2886 including sampling, analysis, and restoration of soil or potable
2887 water supplies, subject to the following conditions:

2888 (a) The pesticide contamination of soil or water is
2889 determined to be the result of the use of pesticides by the
2890 property owner or leaseholder, in accordance with state and
2891 federal law, applicable registered labels, and rules on property
2892 classified as agricultural land pursuant to s. 193.461;

2893 (b) The property owner or leaseholder maintains records of
2894 such pesticide applications and such records are provided to the
2895 department upon request;

2896 (c) In the event of pesticide contamination of soil or
2897 water, the department, upon request, shall make such records
2898 available to the Department of Environmental Protection;

2899 (d) This subsection does not limit regulatory authority
2900 under a federally delegated or approved program; and

2901 (e) This subsection is remedial in nature and shall apply
2902 retroactively.

2903

2904 The department, in consultation with the secretary of the
2905 Department of Environmental Protection, may adopt rules
2906 prescribing the format, content, and retention time for records
2907 to be maintained under this subsection.

2908 Section 99. For the purpose of incorporating the amendment
2909 made by this act to section 193.461, Florida Statutes, in a
2910 reference thereto, subsection (1) of section 570.85, Florida



292806

2911 Statutes, is reenacted to read:

2912 570.85 Agritourism.—

2913 (1) It is the intent of the Legislature to promote
2914 agritourism as a way to support bona fide agricultural
2915 production by providing a stream of revenue and by educating the
2916 general public about the agricultural industry. It is also the
2917 intent of the Legislature to eliminate duplication of regulatory
2918 authority over agritourism as expressed in this section. Except
2919 as otherwise provided for in this section, and notwithstanding
2920 any other law, a local government may not adopt or enforce a
2921 local ordinance, regulation, rule, or policy that prohibits,
2922 restricts, regulates, or otherwise limits an agritourism
2923 activity on land classified as agricultural land under s.
2924 193.461. This subsection does not limit the powers and duties of
2925 a local government to address substantial offsite impacts of
2926 agritourism activities or an emergency as provided in chapter
2927 252.

2928 Section 100. For the purpose of incorporating the amendment
2929 made by this act to section 193.461, Florida Statutes, in a
2930 reference thereto, subsection (1) of section 570.87, Florida
2931 Statutes, is reenacted to read:

2932 570.87 Agritourism participation impact on land
2933 classification.—

2934 (1) In order to promote and perpetuate agriculture
2935 throughout this state, farm operations are encouraged to engage
2936 in agritourism. An agricultural classification pursuant to s.
2937 193.461 may not be denied or revoked solely due to the conduct
2938 of agritourism activity on a bona fide farm or the construction,
2939 alteration, or maintenance of a nonresidential farm building,



292806

2940 structure, or facility on a bona fide farm which is used to
2941 conduct agritourism activities. So long as the building,
2942 structure, or facility is an integral part of the agricultural
2943 operation, the land it occupies shall be considered agricultural
2944 in nature. However, such buildings, structures, and facilities,
2945 and other improvements on the land, must be assessed under s.
2946 193.011 at their just value and added to the agriculturally
2947 assessed value of the land.

2948 Section 101. For the purpose of incorporating the amendment
2949 made by this act to section 193.461, Florida Statutes, in a
2950 reference thereto, subsection (3) of section 570.94, Florida
2951 Statutes, is reenacted to read:

2952 570.94 Best management practices for wildlife.—The
2953 department and the Fish and Wildlife Conservation Commission
2954 recognize that agriculture provides a valuable benefit to the
2955 conservation and management of fish and wildlife in the state
2956 and agree to enter into a memorandum of agreement to develop and
2957 adopt by rule voluntary best management practices for the
2958 state's agriculture industry which reflect the industry's
2959 existing contribution to the conservation and management of
2960 freshwater aquatic life and wild animal life in the state.

2961 (3) Notwithstanding any other provision of law, including
2962 s. 163.3162, the implementation of the best management practices
2963 pursuant to this section is voluntary and except as specifically
2964 provided under this section and s. 9, Art. IV of the State
2965 Constitution, an agency, department, district, or unit of local
2966 government may not adopt or enforce any ordinance, resolution,
2967 regulation, rule, or policy regarding the best management
2968 practices on land classified as agricultural land pursuant to s.



292806

2969 193.461.

2970 Section 102. For the purpose of incorporating the amendment
2971 made by this act to section 193.461, Florida Statutes, in a
2972 reference thereto, paragraph (a) of subsection (1) of section
2973 582.19, Florida Statutes, is reenacted to read:

2974 582.19 Qualifications and tenure of supervisors.—

2975 (1) The governing body of the district shall consist of
2976 five supervisors, elected as provided in s. 582.18.

2977 (a) To qualify to serve on the governing body of a
2978 district, a supervisor must be an eligible voter who resides in
2979 the district and who:

2980 1. Is actively engaged in, or retired after 10 years of
2981 being engaged in, agriculture as defined in s. 570.02;

2982 2. Is employed by an agricultural producer; or

2983 3. Owns, leases, or is actively employed on land classified
2984 as agricultural under s. 193.461.

2985 Section 103. For the purpose of incorporating the amendment
2986 made by this act to section 193.461, Florida Statutes, in a
2987 reference thereto, section 586.055, Florida Statutes, is
2988 reenacted to read:

2989 586.055 Location of apiaries.—An apiary may be located on
2990 land classified as agricultural under s. 193.461 or on land that
2991 is integral to a beekeeping operation.

2992 Section 104. For the purpose of incorporating the amendment
2993 made by this act to section 193.461, Florida Statutes, in
2994 references thereto, paragraphs (a) and (d) of subsection (2) of
2995 section 604.50, Florida Statutes, are reenacted to read:

2996 604.50 Nonresidential farm buildings; farm fences; farm
2997 signs.—



292806

2998 (2) As used in this section, the term:
2999 (a) "Bona fide agricultural purposes" has the same meaning
3000 as provided in s. 193.461(3)(b).

3001 (d) "Nonresidential farm building" means any temporary or
3002 permanent building or support structure that is classified as a
3003 nonresidential farm building on a farm under s. 553.73(10)(c) or
3004 that is used primarily for agricultural purposes, is located on
3005 land that is an integral part of a farm operation or is
3006 classified as agricultural land under s. 193.461, and is not
3007 intended to be used as a residential dwelling. The term may
3008 include, but is not limited to, a barn, greenhouse, shade house,
3009 farm office, storage building, or poultry house.

3010 Section 105. For the purpose of incorporating the amendment
3011 made by this act to section 193.461, Florida Statutes, in a
3012 reference thereto, paragraph (b) of subsection (3) of section
3013 604.73, Florida Statutes, is reenacted to read:

3014 604.73 Urban agriculture pilot projects; local regulation
3015 of urban agriculture.—

3016 (3) DEFINITIONS.—As used in this section, the term:

3017 (b) "Urban agriculture" means any new or existing
3018 noncommercial agricultural uses on land that is:

- 3019 1. Within a dense urban land area, as described in s.
3020 380.0651(3)(a);
 - 3021 2. Not classified as agricultural pursuant to s. 193.461;
 - 3022 3. Not zoned as agricultural as its principal use; and
 - 3023 4. Designated by a municipality for inclusion in an urban
3024 agricultural pilot project that has been approved by the
3025 department.
- 3026



292806

3027 The term does not include vegetable gardens, as defined in s.
3028 604.71(4), for personal consumption on residential properties.

3029 Section 106. For the purpose of incorporating the amendment
3030 made by this act to section 193.461, Florida Statutes, in a
3031 reference thereto, subsection (1) of section 692.201, Florida
3032 Statutes, is reenacted to read:

3033 692.201 Definitions.—As used in this part, the term:

3034 (1) "Agricultural land" means land classified as
3035 agricultural under s. 193.461.

3036 Section 107. For the purpose of incorporating the amendment
3037 made by this act to section 193.461, Florida Statutes, in a
3038 reference thereto, paragraph (a) of subsection (5) and paragraph
3039 (a) of subsection (6) of section 741.30, Florida Statutes, are
3040 reenacted to read:

3041 741.30 Domestic violence; injunction; powers and duties of
3042 court and clerk; petition; notice and hearing; temporary
3043 injunction; issuance of injunction; statewide verification
3044 system; enforcement; public records exemption.—

3045 (5) (a) If it appears to the court that an immediate and
3046 present danger of domestic violence exists, the court may grant
3047 a temporary injunction ex parte, pending a full hearing, and may
3048 grant such relief as the court deems proper, including an
3049 injunction:

3050 1. Restraining the respondent from committing any acts of
3051 domestic violence.

3052 2. Awarding to the petitioner the temporary exclusive use
3053 and possession of the dwelling that the parties share or
3054 excluding the respondent from the residence of the petitioner.

3055 3. On the same basis as provided in s. 61.13, providing the



292806

3056 petitioner a temporary parenting plan, including a time-sharing
3057 schedule, which may award the petitioner up to 100 percent of
3058 the time-sharing. If temporary time-sharing is awarded to the
3059 respondent, the exchange of the child must occur at a neutral
3060 safe exchange location as provided in s. 125.01(8) or a location
3061 authorized by a supervised visitation program as defined in s.
3062 753.01 if the court determines it is in the best interests of
3063 the child after consideration of all of the factors specified in
3064 s. 61.13(3). The temporary parenting plan remains in effect
3065 until the order expires or an order is entered by a court of
3066 competent jurisdiction in a pending or subsequent civil action
3067 or proceeding affecting the placement of, access to, parental
3068 time with, adoption of, or parental rights and responsibilities
3069 for the minor child.

3070 4. If the petitioner and respondent have an existing
3071 parenting plan or time-sharing schedule under another court
3072 order, designating that the exchange of the minor child or
3073 children of the parties must occur at a neutral safe exchange
3074 location as provided in s. 125.01(8) or a location authorized by
3075 a supervised visitation program as defined in s. 753.01 if the
3076 court determines it is in the best interests of the child after
3077 consideration of all of the factors specified in s. 61.13(3).

3078 5. Awarding to the petitioner the temporary exclusive care,
3079 possession, or control of an animal that is owned, possessed,
3080 harbored, kept, or held by the petitioner, the respondent, or a
3081 minor child residing in the residence or household of the
3082 petitioner or respondent. The court may order the respondent to
3083 temporarily have no contact with the animal and prohibit the
3084 respondent from taking, transferring, encumbering, concealing,



292806

3085 harming, or otherwise disposing of the animal. This subparagraph
3086 does not apply to an animal owned primarily for a bona fide
3087 agricultural purpose, as defined under s. 193.461, or to a
3088 service animal, as defined under s. 413.08, if the respondent is
3089 the service animal's handler.

3090 (6) (a) Upon notice and hearing, when it appears to the
3091 court that the petitioner is either the victim of domestic
3092 violence as defined by s. 741.28 or has reasonable cause to
3093 believe he or she is in imminent danger of becoming a victim of
3094 domestic violence, the court may grant such relief as the court
3095 deems proper, including an injunction:

3096 1. Restraining the respondent from committing any acts of
3097 domestic violence.

3098 2. Awarding to the petitioner the exclusive use and
3099 possession of the dwelling that the parties share or excluding
3100 the respondent from the residence of the petitioner.

3101 3. On the same basis as provided in chapter 61, providing
3102 the petitioner with 100 percent of the time-sharing in a
3103 temporary parenting plan that remains in effect until the order
3104 expires or an order is entered by a court of competent
3105 jurisdiction in a pending or subsequent civil action or
3106 proceeding affecting the placement of, access to, parental time
3107 with, adoption of, or parental rights and responsibilities for
3108 the minor child.

3109 4. If the petitioner and respondent have an existing
3110 parenting plan or time-sharing schedule under another court
3111 order, designating that the exchange of the minor child or
3112 children of the parties must occur at a neutral safe exchange
3113 location as provided in s. 125.01(8) or a location authorized by



292806

3114 a supervised visitation program as defined in s. 753.01 if the
3115 court determines it is in the best interests of the child after
3116 consideration of all of the factors specified in s. 61.13(3).

3117 5. On the same basis as provided in chapter 61,
3118 establishing temporary support for a minor child or children or
3119 the petitioner. An order of temporary support remains in effect
3120 until the order expires or an order is entered by a court of
3121 competent jurisdiction in a pending or subsequent civil action
3122 or proceeding affecting child support.

3123 6. Ordering the respondent to participate in treatment,
3124 intervention, or counseling services to be paid for by the
3125 respondent. When the court orders the respondent to participate
3126 in a batterers' intervention program, the court, or any entity
3127 designated by the court, must provide the respondent with a list
3128 of batterers' intervention programs from which the respondent
3129 must choose a program in which to participate.

3130 7. Referring a petitioner to a certified domestic violence
3131 center. The court must provide the petitioner with a list of
3132 certified domestic violence centers in the circuit which the
3133 petitioner may contact.

3134 8. Awarding to the petitioner the exclusive care,
3135 possession, or control of an animal that is owned, possessed,
3136 harbored, kept, or held by the petitioner, the respondent, or a
3137 minor child residing in the residence or household of the
3138 petitioner or respondent. The court may order the respondent to
3139 have no contact with the animal and prohibit the respondent from
3140 taking, transferring, encumbering, concealing, harming, or
3141 otherwise disposing of the animal. This subparagraph does not
3142 apply to an animal owned primarily for a bona fide agricultural



292806

3143 purpose, as defined under s. 193.461, or to a service animal, as
3144 defined under s. 413.08, if the respondent is the service
3145 animal's handler.

3146 9. Ordering such other relief as the court deems necessary
3147 for the protection of a victim of domestic violence, including
3148 injunctions or directives to law enforcement agencies, as
3149 provided in this section.

3150 Section 108. For the purpose of incorporating the amendment
3151 made by this act to section 193.461, Florida Statutes, in a
3152 reference thereto, paragraph (a) of subsection (5) of section
3153 810.011, Florida Statutes, is reenacted to read:

3154 810.011 Definitions.—As used in this chapter:

3155 (5) (a) "Posted land" is land upon which any of the
3156 following are placed:

3157 1. Signs placed not more than 500 feet apart along and at
3158 each corner of the boundaries of the land or, for land owned by
3159 a water control district that exists pursuant to chapter 298 or
3160 was created by special act of the Legislature, signs placed at
3161 or near the intersection of any district canal right-of-way and
3162 a road right-of-way or, for land classified as agricultural
3163 pursuant to s. 193.461, signs placed at each point of ingress
3164 and at each corner of the boundaries of the agricultural land,
3165 which prominently display in letters of not less than 2 inches
3166 in height the words "no trespassing" and the name of the owner,
3167 lessee, or occupant of the land. The signs must be placed along
3168 the boundary line of posted land in a manner and in such
3169 position as to be clearly noticeable from outside the boundary
3170 line; or

3171 2.a. A conspicuous no trespassing notice is painted on



292806

3172 trees or posts on the property, provided that the notice is:

3173 (I) Painted in an international orange color and displaying
3174 the stenciled words "No Trespassing" in letters no less than 2
3175 inches high and 1 inch wide either vertically or horizontally;

3176 (II) Placed so that the bottom of the painted notice is not
3177 less than 3 feet from the ground or more than 5 feet from the
3178 ground; and

3179 (III) Placed at locations that are readily visible to any
3180 person approaching the property and no more than 500 feet apart
3181 on agricultural land.

3182 b. When a landowner uses the painted no trespassing posting
3183 to identify a no trespassing area, those painted notices must be
3184 accompanied by signs complying with subparagraph 1. and must be
3185 placed conspicuously at all places where entry to the property
3186 is normally expected or known to occur.

3187 Section 109. For the purpose of incorporating the amendment
3188 made by this act to section 193.461, Florida Statutes, in a
3189 reference thereto, subsection (6) of section 823.14, Florida
3190 Statutes, is reenacted to read:

3191 823.14 Florida Right to Farm Act.—

3192 (6) LIMITATION ON DUPLICATION OF GOVERNMENT REGULATION.—It
3193 is the intent of the Legislature to eliminate duplication of
3194 regulatory authority over farm operations as expressed in this
3195 subsection. Except as otherwise provided for in this section and
3196 s. 487.051(2), and notwithstanding any other provision of law, a
3197 local government may not adopt any ordinance, regulation, rule,
3198 or policy to prohibit, restrict, regulate, or otherwise limit an
3199 activity of a bona fide farm operation on land classified as
3200 agricultural land pursuant to s. 193.461, where such activity is



292806

3201 regulated through implemented best management practices or
3202 interim measures developed by the Department of Environmental
3203 Protection, the Department of Agriculture and Consumer Services,
3204 or water management districts and adopted under chapter 120 as
3205 part of a statewide or regional program. When an activity of a
3206 farm operation takes place within a wellfield protection area as
3207 defined in any wellfield protection ordinance adopted by a local
3208 government, and the adopted best management practice or interim
3209 measure does not specifically address wellfield protection, a
3210 local government may regulate that activity pursuant to such
3211 ordinance. This subsection does not limit the powers and duties
3212 provided for in s. 373.4592 or limit the powers and duties of
3213 any local government to address an emergency as provided for in
3214 chapter 252.

3215 Section 110. For the purpose of incorporating the amendment
3216 made by this act to section 388.271, Florida Statutes, in a
3217 reference thereto, paragraph (a) of subsection (1) of section
3218 189.062, Florida Statutes, is reenacted to read:

3219 189.062 Special procedures for inactive districts.—

3220 (1) The department shall declare inactive any special
3221 district in this state by documenting that:

3222 (a) The special district meets one of the following
3223 criteria:

3224 1. The registered agent of the district, the chair of the
3225 governing body of the district, or the governing body of the
3226 appropriate local general-purpose government notifies the
3227 department in writing that the district has taken no action for
3228 2 or more years;

3229 2. The registered agent of the district, the chair of the



292806

3230 governing body of the district, or the governing body of the
3231 appropriate local general-purpose government notifies the
3232 department in writing that the district has not had a governing
3233 body or a sufficient number of governing body members to
3234 constitute a quorum for 2 or more years;

3235 3. The registered agent of the district, the chair of the
3236 governing body of the district, or the governing body of the
3237 appropriate local general-purpose government fails to respond to
3238 an inquiry by the department within 21 days;

3239 4. The department determines, pursuant to s. 189.067, that
3240 the district has failed to file any of the reports listed in s.
3241 189.066;

3242 5. The district has not had a registered office and agent
3243 on file with the department for 1 or more years;

3244 6. The governing body of a special district provides
3245 documentation to the department that it has unanimously adopted
3246 a resolution declaring the special district inactive. The
3247 special district is responsible for payment of any expenses
3248 associated with its dissolution;

3249 7. The district is an independent special district or a
3250 community redevelopment district created under part III of
3251 chapter 163 that has reported no revenue, no expenditures, and
3252 no debt under s. 189.016(9) or s. 218.32 for at least 5
3253 consecutive fiscal years beginning no earlier than October 1,
3254 2018. This subparagraph does not apply to a community
3255 development district established under chapter 190 or to any
3256 independent special district operating pursuant to a special act
3257 that provides that any amendment to chapter 190 to grant
3258 additional powers constitutes a power of that district; or



292806

3259 8. For a mosquito control district created pursuant to
3260 chapter 388, the department has received notice from the
3261 Department of Agriculture and Consumer Services that the
3262 district has failed to file a tentative work plan and tentative
3263 detailed work plan budget as required by s. 388.271.

3264 Section 111. For the purpose of incorporating the amendment
3265 made by this act to section 388.271, Florida Statutes, in a
3266 reference thereto, subsection (7) of section 388.261, Florida
3267 Statutes, is reenacted to read:

3268 388.261 State aid to counties and districts for arthropod
3269 control; distribution priorities and limitations.—

3270 (7) The department may use state funds appropriated for a
3271 county or district under subsection (1) or subsection (2) to
3272 provide state mosquito or other arthropod control equipment,
3273 supplies, or services when requested by a county or district
3274 eligible to receive state funds under s. 388.271.

3275 Section 112. For the purpose of incorporating the amendment
3276 made by this act to section 482.161, Florida Statutes, in a
3277 reference thereto, paragraph (b) of subsection (3) of section
3278 482.072, Florida Statutes, is reenacted to read:

3279 482.072 Pest control customer contact centers.—

3280 (3)

3281 (b) Notwithstanding any other provision of this section:

3282 1. A customer contact center licensee is subject to
3283 disciplinary action under s. 482.161 for a violation of this
3284 section or a rule adopted under this section committed by a
3285 person who solicits pest control services or provides customer
3286 service in a customer contact center.

3287 2. A pest control business licensee may be subject to



292806

3288 disciplinary action under s. 482.161 for a violation of this
3289 section or a rule adopted under this section committed by a
3290 person who solicits pest control services or provides customer
3291 service in a customer contact center operated by a licensee if
3292 the licensee participates in the violation.

3293 Section 113. For the purpose of incorporating the amendment
3294 made by this act to section 482.161, Florida Statutes, in a
3295 reference thereto, section 482.163, Florida Statutes, is
3296 reenacted to read:

3297 482.163 Responsibility for pest control activities of
3298 employee.—Proper performance of pest control activities by a
3299 pest control business employee is the responsibility not only of
3300 the employee but also of the certified operator in charge, and
3301 the certified operator in charge may be disciplined pursuant to
3302 the provisions of s. 482.161 for the pest control activities of
3303 an employee. A licensee may not automatically be considered
3304 responsible for violations made by an employee. However, the
3305 licensee may not knowingly encourage, aid, or abet violations of
3306 this chapter.

3307 Section 114. For the purpose of incorporating the amendment
3308 made by this act to section 487.044, Florida Statutes, in a
3309 reference thereto, section 487.156, Florida Statutes, is
3310 reenacted to read:

3311 487.156 Governmental agencies.—All governmental agencies
3312 shall be subject to the provisions of this part and rules
3313 adopted under this part. Public applicators using or supervising
3314 the use of restricted-use pesticides shall be subject to
3315 examination as provided in s. 487.044.

3316 Section 115. For the purpose of incorporating the amendment



292806

3317 made by this act to section 496.405, Florida Statutes, in a
3318 reference thereto, subsection (2) of section 496.4055, Florida
3319 Statutes, is reenacted to read:

3320 496.4055 Charitable organization or sponsor board duties.—

3321 (2) The board of directors, or an authorized committee
3322 thereof, of a charitable organization or sponsor required to
3323 register with the department under s. 496.405 shall adopt a
3324 policy regarding conflict of interest transactions. The policy
3325 shall require annual certification of compliance with the policy
3326 by all directors, officers, and trustees of the charitable
3327 organization. A copy of the annual certification shall be
3328 submitted to the department with the annual registration
3329 statement required by s. 496.405.

3330 Section 116. For the purpose of incorporating the amendment
3331 made by this act to section 496.405, Florida Statutes, in
3332 references thereto, subsections (2) and (4) of section 496.406,
3333 Florida Statutes, are reenacted to read:

3334 496.406 Exemption from registration.—

3335 (2) Before soliciting contributions, a charitable
3336 organization or sponsor claiming to be exempt from the
3337 registration requirements of s. 496.405 under paragraph (1)(d)
3338 must submit annually to the department, on forms prescribed by
3339 the department:

3340 (a) The name, street address, and telephone number of the
3341 charitable organization or sponsor, the name under which it
3342 intends to solicit contributions, the purpose for which it is
3343 organized, and the purpose or purposes for which the
3344 contributions to be solicited will be used.

3345 (b) The tax exempt status of the organization.



292806

3346 (c) The date on which the organization's fiscal year ends.

3347 (d) The names, street addresses, and telephone numbers of
3348 the individuals or officers who have final responsibility for
3349 the custody of the contributions and who will be responsible for
3350 the final distribution of the contributions.

3351 (e) A financial statement of support, revenue, and expenses
3352 and a statement of functional expenses that must include, but
3353 not be limited to, expenses in the following categories:
3354 program, management and general, and fundraising. In lieu of the
3355 financial statement, a charitable organization or sponsor may
3356 submit a copy of its Internal Revenue Service Form 990 and all
3357 attached schedules or Internal Revenue Service Form 990-EZ and
3358 Schedule O.

3359 (4) Exemption from the registration requirements of s.
3360 496.405 does not limit the applicability of other provisions of
3361 this section to a charitable organization or sponsor.

3362 Section 117. For the purpose of incorporating the amendment
3363 made by this act to section 500.12, Florida Statutes, in a
3364 reference thereto, paragraph (a) of subsection (1) of section
3365 500.80, Florida Statutes, is reenacted to read:

3366 500.80 Cottage food operations.—

3367 (1)(a) A cottage food operation must comply with the
3368 applicable requirements of this chapter but is exempt from the
3369 permitting requirements of s. 500.12 if the cottage food
3370 operation complies with this section and has annual gross sales
3371 of cottage food products that do not exceed \$250,000.

3372 Section 118. For the purpose of incorporating the amendment
3373 made by this act to section 500.172, Florida Statutes, in a
3374 reference thereto, subsection (6) of section 500.121, Florida



292806

3375 Statutes, is reenacted to read:

3376 500.121 Disciplinary procedures.—

3377 (6) If the department determines that a food offered in a
3378 food establishment is labeled with nutrient claims that are in
3379 violation of this chapter, the department shall retest or
3380 reexamine the product within 90 days after notification to the
3381 manufacturer and to the firm at which the product was collected.
3382 If the product is again found in violation, the department shall
3383 test or examine the product for a third time within 60 days
3384 after the second notification. The product manufacturer shall
3385 reimburse the department for the cost of the third test or
3386 examination. If the product is found in violation for a third
3387 time, the department shall exercise its authority under s.
3388 500.172 and issue a stop-sale or stop-use order. The department
3389 may impose additional sanctions for violations of this
3390 subsection.

3391 Section 119. For the purpose of incorporating the amendment
3392 made by this act to section 790.06, Florida Statutes, in a
3393 reference thereto, section 790.061, Florida Statutes, is
3394 reenacted to read:

3395 790.061 Judges and justices; exceptions from licensure
3396 provisions.—A county court judge, circuit court judge, district
3397 court of appeal judge, justice of the supreme court, federal
3398 district court judge, or federal court of appeals judge serving
3399 in this state is not required to comply with the provisions of
3400 s. 790.06 in order to receive a license to carry a concealed
3401 weapon or firearm, except that any such justice or judge must
3402 comply with the provisions of s. 790.06(2)(h). The Department of
3403 Agriculture and Consumer Services shall issue a license to carry



292806

3404 a concealed weapon or firearm to any such justice or judge upon
3405 demonstration of competence of the justice or judge pursuant to
3406 s. 790.06(2) (h).

3407 Section 120. This act shall take effect July 1, 2025.

3408

3409 ===== T I T L E A M E N D M E N T =====

3410 And the title is amended as follows:

3411 Delete everything before the enacting clause
3412 and insert:

3413 A bill to be entitled
3414 An act relating to the Department of Agriculture and
3415 Consumer Services; amending s. 110.205, F.S.;
3416 providing that certain positions in the department are
3417 exempt from the Career Service System; amending s.
3418 163.3162, F.S.; defining terms; prohibiting
3419 governmental entities from adopting or enforcing any
3420 legislation that inhibits the construction of housing
3421 for legally verified agricultural workers on
3422 agricultural land operated as a bona fide farm;
3423 requiring that the construction or installation of
3424 such housing units on agricultural lands satisfies
3425 certain criteria; requiring that local ordinances
3426 comply with certain regulations; authorizing
3427 governmental entities to adopt local land use
3428 regulations that are less restrictive; requiring
3429 property owners to maintain certain records for a
3430 specified timeframe; requiring the discontinued use or
3431 removal of a housing site under certain circumstances;
3432 specifying applicability of permit allocation systems



292806

3433 in certain areas of critical state concern;
3434 authorizing the continued use of housing sites
3435 constructed before the effective date of the act if
3436 certain conditions are met; requiring the department
3437 to adopt certain rules; providing for enforcement;
3438 requiring the department to submit certain information
3439 to the State Board of Immigration Enforcement on a
3440 certain schedule; amending s. 186.801, F.S.; requiring
3441 an electric utility to submit a 10-year site plan for
3442 a proposed power plant on certain lands to the county
3443 commission where such proposed power plant is located;
3444 requiring a county commission receiving such site
3445 plans to fulfill certain requirements; amending s.
3446 193.461, F.S.; revising requirements for land to be
3447 classified as agricultural; amending s. 201.25, F.S.;
3448 conforming a provision to changes made by the act;
3449 amending s. 253.0341, F.S.; authorizing the department
3450 to surplus certain lands determined to be suitable for
3451 bona fide agricultural production; requiring the
3452 department to consult with the Department of
3453 Environmental protection before making such
3454 determination; requiring the department to retain a
3455 rural-lands-protection easement for all surplusd
3456 lands and deposit all proceeds into a specified trust
3457 fund; requiring the department to provide a report of
3458 lands surplusd to the board of trustees; providing
3459 that certain lands are ineligible to be surplusd;
3460 providing for retroactive applicability; amending s.
3461 330.41, F.S.; defining terms; prohibiting a person



292806

3462 from knowingly or willfully performing certain actions
3463 on lands classified as agricultural; providing
3464 criminal penalties; providing applicability;
3465 prohibiting a person from knowingly or willfully
3466 performing certain actions on private property, state
3467 wildlife management lands, or a sport shooting and
3468 training range; providing criminal penalties;
3469 providing applicability; creating s. 366.20, F.S.;
3470 requiring that certain lands acquired or owned by an
3471 electric utility be offered for fee simple acquisition
3472 by the department before the land may be offered for
3473 sale or transfer to a private individual or entity;
3474 providing retroactive applicability; amending s.
3475 366.94, F.S.; defining the term "electric vehicle
3476 charging station"; authorizing the department to adopt
3477 rules; requiring local governmental entities to issue
3478 permits for electric vehicle charging stations based
3479 on specified standards and provisions of law;
3480 requiring that an electric vehicle charger be
3481 registered with the department before being placed
3482 into service for use by the public; providing the
3483 department with certain authority relating to electric
3484 vehicle charging stations; providing a penalty;
3485 authorizing the department to issue an immediate final
3486 order to an electric vehicle charging station under
3487 certain circumstances; providing that the department
3488 may bring an action to enjoin a violation of specified
3489 provisions or rules; requiring the court to issue a
3490 temporary or permanent injunction under certain



3491 circumstances; amending s. 388.011, F.S.; revising the
3492 definition of the terms "board of commissioners" and
3493 "district"; defining the term "program"; amending s.
3494 388.021, F.S.; making a technical change; amending s.
3495 388.181, F.S.; authorizing programs to perform
3496 specified actions; amending s. 388.201, F.S.;

3497 conforming provisions to changes made by the act;
3498 requiring that the tentative work plan budget covering
3499 the proposed operations and requirements for arthropod
3500 control measures show the estimated amount to be
3501 raised by county, municipality, or district taxes;
3502 requiring that county commissioners' or a similar
3503 governing body's mosquito control budget be made and
3504 adopted pursuant to specified provisions and requiring
3505 that summary figures be incorporated into the county
3506 budgets as prescribed by the department; amending s.
3507 388.241, F.S.; providing that certain rights, powers,
3508 and duties be vested in the board of county
3509 commissioners or similar governing body of a county,
3510 city, or town; amending s. 388.261, F.S.; increasing
3511 the amount of state funds, supplies, services, or
3512 equipment for a certain number of years for any new
3513 program for the control of mosquitos and other
3514 arthropods which serves an area not previously served
3515 by a county, municipality, or district; conforming a
3516 provision to changes made by the act; amending s.
3517 388.271, F.S.; requiring each program participating in
3518 arthropod control activities to file a tentative
3519 integrated arthropod management plan with the



292806

3520 department by a specified date; conforming provisions
3521 to changes made by the act; amending s. 388.281, F.S.;
3522 requiring that all funds, supplies, and services
3523 released to programs be used in accordance with the
3524 integrated arthropod management plan and certified
3525 budget; requiring that such integrated arthropod
3526 management plan and certified budget be approved by
3527 both the department and the board of county
3528 commissioners and an appropriate representative;
3529 conforming provisions to changes made by the act;
3530 amending s. 388.291, F.S.; providing that a program
3531 may perform certain source reduction measures in any
3532 area providing that the department has approved the
3533 operating or construction plan as outlined in the
3534 integrated arthropod management plan; conforming
3535 provisions to changes made by the act; amending s.
3536 388.301, F.S.; revising the schedule by which state
3537 funds for the control of mosquitos and other
3538 arthropods may be paid; conforming provisions to
3539 changes made by the act; amending s. 388.311, F.S.;
3540 conforming provisions to changes made by the act;
3541 amending s. 388.321, F.S.; conforming provisions to
3542 changes made by the act; amending s. 388.322, F.S.;
3543 requiring the department to maintain a record and
3544 inventory of certain property purchased with state
3545 funds for arthropod control use; conforming provisions
3546 to changes made by the act; amending s. 388.323, F.S.;
3547 providing that certain equipment no longer needed by a
3548 program be first offered for sale to other programs



292806

3549 engaged in arthropod control at a specified price;
3550 requiring that all proceeds from the sale of certain
3551 property owned by a program and purchased using state
3552 funds be deposited in the program's state fund
3553 account; conforming provisions to changes made by the
3554 act; amending s. 388.341, F.S.; requiring a program
3555 receiving state aid to submit a monthly report of all
3556 expenditures from all funds for arthropod control by a
3557 specified timeframe as may be required by the
3558 department; conforming provisions to changes made by
3559 the act; amending s. 388.351, F.S.; conforming
3560 provisions to changes made by the act; amending s.
3561 388.361, F.S.; conforming provisions to changes made
3562 by the act; amending s. 388.3711, F.S.; revising the
3563 department's enforcement powers; amending s. 388.381,
3564 F.S.; conforming provisions to changes made by the
3565 act; amending s. 388.391, F.S.; conforming provisions
3566 to changes made by the act; amending s. 388.401, F.S.;
3567 conforming provisions to changes made by the act;
3568 amending s. 388.46, F.S.; revising the composition of
3569 the Florida Coordinating Council on Mosquito Control;
3570 amending s. 403.067, F.S.; providing an exception for
3571 inspection requirements for certain agricultural
3572 producers; authorizing the department to adopt rules
3573 establishing an enrollment in best management
3574 practices by rule process; authorizing the department
3575 to identify best management practices for specified
3576 landowners; requiring the department to perform onsite
3577 inspections annually of a certain percentage of all



292806

3578 enrollments that meet specified qualifications within
3579 a specified area; providing requirements for such
3580 inspections; requiring agricultural producers enrolled
3581 by rule in a best management practice to submit
3582 nutrient records annually to the department; requiring
3583 the department to collect and retain such records;
3584 amending s. 403.852, F.S.; defining the term "water
3585 quality additive"; amending s. 403.859, F.S.;
3586 providing that the use of certain additives in a water
3587 system which do not meet the definition of water
3588 quality additive or certain other additives is
3589 prohibited and violates specified provisions; amending
3590 s. 482.111, F.S.; revising requirements for the
3591 renewal of a pest control operator's certificate;
3592 authorizing a third-party vendor to collect and retain
3593 a convenience fee; amending s. 482.141, F.S.;
3594 requiring the department to provide in-person and
3595 remote testing for the examination through a third-
3596 party vendor for an individual seeking pest control
3597 operator certification; authorizing a third-party
3598 vendor to collect and retain a convenience fee;
3599 amending s. 482.155, F.S.; requiring the department to
3600 provide in-person and remote testing for the
3601 examination through a third-party vendor for an
3602 individual seeking limited certification for a
3603 governmental pesticide applicator or a private
3604 applicator; authorizing a third-party vendor to
3605 collect and retain a convenience fee; deleting
3606 provisions requiring the department to make such



292806

3607 examination readily accessible and available to all
3608 applicants on a specified schedule; amending s.
3609 482.156, F.S.; requiring the department to provide in-
3610 person and remote testing for the examination through
3611 a third-party vendor for an individual seeking a
3612 limited certification for commercial landscape
3613 maintenance; authorizing a third-party vendor to
3614 collect and retain a convenience fee; deleting
3615 provisions requiring the department to make such
3616 examination readily accessible and available to all
3617 applicants on a specified schedule; amending s.
3618 482.157, F.S.; revising requirements for issuance of a
3619 limited certification for commercial wildlife
3620 management personnel; authorizing a third-party vendor
3621 to collect and retain a convenience fee; deleting
3622 provisions requiring the department to make an
3623 examination readily accessible and available to all
3624 applicants on a specified schedule; amending s.
3625 482.161, F.S.; authorizing the department to take
3626 specified disciplinary action upon the issuance of a
3627 final order imposing civil penalties or a criminal
3628 conviction pursuant to the Federal Insecticide,
3629 Fungicide, and Rodenticide Act; amending s. 487.044,
3630 F.S.; requiring the department to provide in-person
3631 and remote testing through a third-party vendor for
3632 the examination of an individual seeking a limited
3633 certification for pesticide application; authorizing a
3634 third-party vendor to collect and retain a convenience
3635 fee; amending s. 487.175, F.S.; providing that the



292806

3636 department may suspend, revoke, or deny licensure of a
3637 pesticide applicator upon issuance of a final order to
3638 a licensee which imposes civil penalties or a criminal
3639 conviction under the Federal Insecticide, Fungicide,
3640 and Rodenticide Act; amending s. 496.404, F.S.;
3641 defining the terms "foreign country of concern" and
3642 "foreign source of concern"; amending s. 496.405,
3643 F.S.; revising which documents a charitable
3644 organization or sponsor must file before engaging in
3645 specified activities; requiring that any changes to
3646 such documents be reported to the department on a
3647 specified form in a specified timeframe; revising the
3648 requirements of the charitable organization's initial
3649 registration statement; authorizing the department to
3650 investigate or refer to the Florida Elections
3651 Commission certain violations of the charitable
3652 organization or sponsor; amending s. 496.415, F.S.;
3653 prohibiting specified persons from soliciting or
3654 accepting anything of value from a foreign source of
3655 concern; amending s. 496.417, F.S.; authorizing the
3656 department to investigate or refer to the Florida
3657 Elections Commission certain violations of a
3658 charitable organization or sponsor; amending s.
3659 496.419, F.S.; providing penalties for a charitable
3660 organization or sponsor whose registration is denied
3661 or revoked for submitting a false attestation;
3662 creating s. 496.431, F.S.; requiring the department to
3663 create the Honest Service Registry to provide
3664 residents with information relating to charitable



292806

3665 organizations; requiring a charitable organization
3666 included in the Honest Services Registry to submit an
3667 attestation statement to the department; requiring the
3668 department to publish the Honest Services Registry on
3669 the department's website; requiring the department to
3670 adopt rules; amending s. 500.03, F.S.; revising the
3671 definition of the term "cottage food product";
3672 amending s. 500.12, F.S.; providing that the
3673 department requires a food permit from any person or
3674 business that operates a food establishment; revising
3675 exceptions; revising the schedule for renewing certain
3676 food permits; authorizing the department to establish
3677 a single permit renewal date for certain food
3678 establishments; amending s. 500.166, F.S.; requiring
3679 certain persons engaged in interstate commerce to
3680 retain all records that show certain information for a
3681 specified timeframe; amending s. 500.172, F.S.;
3682 authorizing the department to facilitate the
3683 destruction of certain articles that violate specified
3684 provisions; prohibiting certain persons from certain
3685 actions without permission from, or in accord with a
3686 written agreement with, the department; creating s.
3687 500.75, F.S.; providing that it is unlawful to import,
3688 sell, offer for sale, furnish, or give away certain
3689 spores or mycelium; providing a penalty for
3690 violations; creating s. 500.93, F.S.; defining terms;
3691 requiring the department to adopt rules to enforce the
3692 Food and Drug Administration's standard of identity
3693 for milk, meat, poultry, and poultry products, and



292806

3694 eggs and egg products to prohibit the sale of plant-
3695 based products mislabeled as milk, meat, poultry, or
3696 poultry products, or egg or egg products; providing
3697 contingent effective dates; requiring the department
3698 to adopt rules; providing construction; repealing s.
3699 501.135, F.S., relating to consumer unit pricing;
3700 amending s. 501.912, F.S.; revising the definition of
3701 the term "antifreeze"; creating s. 525.19, F.S.;

3702 requiring the department to create an annual petroleum
3703 registration program for petroleum owners or
3704 operators; requiring the department to adopt rules for
3705 such registration which include specified information;
3706 requiring that the registration program be free for
3707 all registrants; authorizing the department to require
3708 registrants to provide certain information during a
3709 state of emergency; creating s. 526.147, F.S.;

3710 creating the Florida Retail Fuel Transfer Switch
3711 Modernization Grant Program within the department;
3712 requiring the grant program to provide funds up to a
3713 certain amount to be used for installation and
3714 equipment costs related to installing or modernizing
3715 transfer switch infrastructure at retail fuel
3716 facilities; requiring the department to award funds
3717 based on specified criteria; requiring retail fuel
3718 facilities awarded grant funds to comply with
3719 specified provisions; requiring such facilities to
3720 install a transfer switch with specified capabilities;
3721 requiring retail fuel facilities to provide specified
3722 documentation before being awarded funding;



292806

3723 prohibiting certain facilities from being awarded
3724 funding; requiring the department, in consultation
3725 with the Division of Emergency Management, to adopt
3726 rules; requiring that such rules include specified
3727 information; amending s. 531.48, F.S.; requiring that
3728 certain packages bear specified information on the
3729 outside of the package; amending s. 531.49, F.S.;
3730 revising requirements for the advertising of a
3731 packaged commodity; amending s. 570.07, F.S.;
3732 requiring the department to foster and encourage the
3733 employment and retention of qualified veterinary
3734 pathologists; providing that the department may
3735 reimburse the educational expenses of certain
3736 veterinary pathologists who enter into a certain
3737 agreement with the department; requiring the
3738 department to adopt certain rules; requiring the
3739 department to extend certain opportunities to public
3740 school students enrolled in agricultural education to
3741 support Future Farmers of America programming;
3742 requiring the department to use contracts procured by
3743 agencies; defining the term "agency"; amending s.
3744 570.544, F.S.; revising which provisions the director
3745 of the Division of Consumer Services must enforce;
3746 creating s. 570.546, F.S.; authorizing the department
3747 to create a process for the bulk renewal of licenses;
3748 authorizing the department to create a process that
3749 will allow licensees to align the expiration dates of
3750 licenses within a specified program; authorizing the
3751 department to change the expiration date for current



292806

3752 licenses for a certain purpose; requiring the
3753 department to prorate the licensing fee for certain
3754 licenses; requiring the department to adopt rules;
3755 amending s. 570.694, F.S.; creating the Florida
3756 Aquaculture Foundation as a direct support
3757 organization within the department; providing the
3758 purpose of the foundation; providing governance for
3759 the foundation; authorizing the department to appoint
3760 an advisory committee adjunct to the foundation;
3761 amending s. 570.822, F.S.; revising the definition of
3762 the terms "declared natural disaster" and "program";
3763 providing that loan funds from the department may be
3764 used to restock aquaculture; authorizing the
3765 department to renew a loan application under certain
3766 circumstances; authorizing the department to defer or
3767 waive loan payments under certain circumstances;
3768 conforming provisions to changes made by the act;
3769 creating s. 570.823, F.S.; defining terms;
3770 establishing the silviculture emergency recovery
3771 program within the department to administer a grant
3772 program to assist certain timber landowners; requiring
3773 that such grants be used for certain purposes;
3774 requiring that only timber lands located on
3775 agricultural property are eligible for the program;
3776 requiring the department to coordinate with state
3777 agencies to provide financial assistance to timber
3778 landowners after a specified declared emergency;
3779 providing construction; authorizing the department to
3780 adopt rules to implement this section; providing



292806

3781 construction; amending s. 581.1843, F.S.; deleting
3782 provisions that exclude certain citrus nurseries from
3783 certain requirements; deleting provisions relating to
3784 regulated areas around the perimeter of commercial
3785 citrus nurseries; repealing ss. 593.101, 593.102,
3786 593.103, 593.104, 593.105, 593.106, 593.107, 593.108,
3787 593.109, 593.11, 593.111, 593.112, 593.113, 593.114,
3788 593.1141, 593.1142, 593.115, 593.116, and 593.117,
3789 F.S., relating to the Florida Boll Weevil Eradication
3790 Law; definitions; powers and duties of Department of
3791 Agriculture and Consumer Services; the entry of
3792 premises to carry out boll weevil eradication
3793 activities and inspections; reports by persons growing
3794 cotton; quarantine areas and the regulation of
3795 articles within a boll weevil eradication zone; the
3796 regulation of collection, transportation,
3797 distribution, and movement of cotton; cooperative
3798 programs for persons engaged in growing, processing,
3799 marketing, or handling cotton; the department's
3800 authority to designate eradication zones, prohibit
3801 planting of cotton, and require participation in
3802 eradication program; regulation of the pasturage of
3803 livestock, entry by persons, and location of honeybee
3804 colonies in eradication zones and other areas;
3805 eligibility for certification of cotton growers'
3806 organization; the certification of cotton growers'
3807 organization; a referendum; an assessment; the
3808 department's authority to enter agreements with the
3809 Farm Service Agency; liens; mandamus or injunction;



292806

3810 penalty for violation; and the handling of moneys
3811 received, respectively; amending s. 595.404, F.S.;
3812 revising the department's powers and duties regarding
3813 school nutrition programs; amending s. 599.002, F.S.;
3814 renaming the Viticulture Advisory Council as the
3815 Florida Wine Advisory Council; revising the membership
3816 of the Florida Wine Advisory Council; conforming
3817 provisions to changes made by the act; amending s.
3818 599.003, F.S.; renaming the State Viticulture Plan as
3819 the State Wine Plan; conforming provisions to changes
3820 made by the act; amending s. 599.004, F.S.; making
3821 technical changes; providing that wineries that fail
3822 to recertify annually or pay a specified licensing fee
3823 are subject to certain actions and costs; conforming
3824 provisions to changes made by the act; amending s.
3825 599.012, F.S.; conforming provisions to changes made
3826 by the act; amending s. 616.12, F.S.; deleting
3827 provisions requiring a person who operates a minstrel
3828 show in connection with any certain public fairs to
3829 pay specified license taxes; deleting a provision that
3830 exempts such person from paying specified taxes;
3831 creating s. 687.16, F.S.; providing a short title;
3832 defining terms; prohibiting a financial institution
3833 from discriminating in the provision of financial
3834 services to an agricultural producer based on an ESG
3835 factor; providing an inference with regard to a
3836 certain violation; providing that the financial
3837 institution may overcome the inference by making
3838 certain demonstrations regarding its denial or



292806

3839 restriction of financial services to an agricultural
3840 producer; authorizing the Attorney General to enforce
3841 specified provisions; providing that a violation of
3842 specified provisions constitutes an unfair and
3843 deceptive trade practice; authorizing the Attorney
3844 General to investigate and seek remedies for such
3845 unfair trade practices; authorizing an aggrieved party
3846 to seek an action for damages; amending s. 741.0305,
3847 F.S.; conforming a cross-reference; amending s.
3848 790.06, F.S.; revising the circumstances under which
3849 the department may temporarily suspend a person's
3850 license to carry a concealed weapon or concealed
3851 firearm or the processing of an application for such
3852 license; requiring the department to notify certain
3853 licensees or applicants of his or her right to a
3854 hearing; requiring that the hearing regarding such
3855 suspension of license be for a limited purpose;
3856 requiring the department to issue an order lifting the
3857 suspension of an applicant's license upon a certain
3858 disposition of the criminal case; requiring that the
3859 suspension remain in effect upon a certain disposition
3860 of the criminal case; providing construction;
3861 providing legislative findings; revising the duties of
3862 the department after the date of receipt of a
3863 completed application for a license to carry a
3864 concealed weapon or concealed firearm; requiring that
3865 a license issued under this section be temporarily
3866 suspended or revoked if the license was issued in
3867 error or if the licensee commits certain actions;



292806

3868 amending s. 812.0151, F.S.; revising the elements of
3869 third degree and second degree felony retail fuel
3870 theft; creating s. 812.136, F.S.; defining terms;
3871 providing elements for the crime of mail theft;
3872 providing elements of theft of or unauthorized
3873 reproduction of a mail depository key or lock;
3874 providing criminal penalties; amending s. 934.50,
3875 F.S.; deleting certain exceptions from the prohibited
3876 uses of drones; creating s. 1013.373, F.S.;

3877 prohibiting a local government from adopting any
3878 measure to limit the activities of public educational
3879 facilities or auxiliary facilities constructed by
3880 certain organizations; requiring that lands used for
3881 agricultural education or for the Future Farmers of
3882 America or 4-H activities be considered agricultural
3883 lands; reenacting s. 295.07(5)(a), F.S., relating to
3884 preference in appointment and retention, to
3885 incorporate the amendment made to s. 110.205, F.S., in
3886 a reference thereto; reenacting ss. 125.01(1)(r),
3887 163.3162(3)(a) through (d), 163.3163(3)(c),
3888 163.3164(4), 163.3194(5), 170.01(4), 193.052(2),
3889 193.4615, 212.08(5)(a) and (19)(a), 373.406(2),
3890 403.182(11)(a), 403.9337(4), 472.029(2)(d),
3891 474.2021(5), 474.2165(4)(d), 487.081(6), 570.85(1),
3892 570.87(1), 570.94(3), 582.19(1)(a), 586.055,
3893 604.50(2)(a) and (d), 604.73(3)(b), 692.201(1),
3894 741.30(5)(a) and (6)(a), 810.011(5)(a), and 823.14(6),
3895 F.S., relating to powers and duties; agricultural
3896 lands and practices; applications for development



292806

3897 permits; community planning act; legal status of
3898 comprehensive plan; authority for providing
3899 improvements and levying and collecting special
3900 assessments against property benefited; preparation
3901 and serving of returns; assessment of obsolete
3902 agricultural equipment; storage tax; exemptions; local
3903 pollution control programs; the Model Ordinance for
3904 Florida-Friendly Fertilizer Use on Urban Landscapes;
3905 authorization to enter lands of third parties;
3906 veterinary telehealth; ownership and control of
3907 veterinary medical patient records; exemptions;
3908 agritourism; agritourism participation impact on land
3909 classification; best management practices for
3910 wildlife; qualifications and tenure of supervisors;
3911 location of apiaries; nonresidential farm buildings;
3912 urban agriculture pilot projects; definitions;
3913 domestic violence; definitions; and the Florida Right
3914 to Farm Act, respectively, to incorporate the
3915 amendment made to s. 193.461, F.S., in references
3916 thereto; reenacting ss. 189.062(1)(a) and 388.261(7),
3917 F.S., relating to special procedures for inactive
3918 districts and state aid to counties and districts for
3919 arthropod control, respectively, to incorporate the
3920 amendment made to s. 388.271, F.S., in references
3921 thereto; reenacting ss. 482.072(3)(b) and 482.163,
3922 F.S., relating to pest control customer contact
3923 centers and responsibility for pest control activities
3924 of employee, respectively, to incorporate the
3925 amendment made to s. 482.161, F.S., in references



292806

3926 thereto; reenacting s. 487.156, F.S., relating to
3927 governmental agencies, to incorporate the amendment
3928 made to s. 487.044, F.S., in a reference thereto;
3929 reenacting ss. 496.4055(2) and 496.406(2) and (4),
3930 F.S., relating to charitable organization or sponsor
3931 board duties and exemption from registration,
3932 respectively, to incorporate the amendment made to s.
3933 496.405, F.S., in references thereto; reenacting s.
3934 500.80(1)(a), F.S., relating to cottage food
3935 operations, to incorporate the amendment made to s.
3936 500.12, F.S., in a reference thereto; reenacting s.
3937 500.121(6), F.S., relating to disciplinary procedures,
3938 to incorporate the amendment made to s. 500.172, F.S.,
3939 in a reference thereto; reenacting s. 790.061, F.S.,
3940 relating to judges and justices, to incorporate the
3941 amendment made to s. 790.06, F.S., in a reference
3942 thereto; providing an effective date.