

By Senator Truenow

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

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30 certain circumstances; providing retroactive
31 applicability; amending s. 366.94, F.S.; defining the
32 term "electric vehicle charging station"; authorizing
33 the department to adopt rules; requiring local
34 governmental entities to issue permits for electric
35 vehicle charging stations based on specified standards
36 and provisions of law; requiring an electric vehicle
37 charger to register with the department before being
38 placed into service for use by the public; providing
39 the department with certain authority relating to
40 electric vehicle charging stations; providing a
41 penalty; authorizing the department to issue an
42 immediate final order to an electric vehicle charging
43 station under certain circumstances; providing that
44 the department may bring an action to enjoin a
45 violation of specified provisions or rules; requiring
46 the court to issue a temporary or permanent injunction
47 under certain circumstances; amending s. 388.011,
48 F.S.; revising the definition of "board of
49 commissioners"; defining the term "program"; amending
50 s. 388.021, F.S.; making a technical change; amending
51 s. 388.181, F.S.; authorizing programs to perform
52 specified actions; amending s. 388.201, F.S.;
53 conforming provisions to changes made by the act;
54 requiring that the tentative work plan budget covering
55 the proposed operations and requirements for arthropod
56 control measures show the estimated amount to be
57 raised by county, municipality, or district taxes;
58 requiring that county commissioners' or a similar

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59 governing body's mosquito control budget be made and
60 adopted pursuant to specified provisions and requiring
61 that summary figures be incorporated into the county
62 budgets as prescribed by the department; amending s.
63 388.241, F.S.; providing that certain rights, powers,
64 and duties be vested in the board of county
65 commissioners or similar governing body of a county,
66 city, or town; amending s. 388.261, F.S.; increasing
67 the amount of state funds, supplies, services, or
68 equipment for a certain number of years for any new
69 program for the control of mosquitos and other
70 arthropods which serves an area not previously served
71 by a county, municipality, or district; conforming a
72 provision to changes made by the act; amending s.
73 388.271, F.S.; requiring each program participating in
74 arthropod control activities to file a tentative
75 integrated arthropod management plan with the
76 department by a specified date; conforming provisions
77 with changes made by the act; amending s. 388.281,
78 F.S.; requiring that all funds, supplies, and services
79 released to programs be used in accordance with the
80 integrated arthropod management plan and certified
81 budget; requiring that such integrated arthropod
82 management plan and certified budget be approved by
83 both the board of county commissioners and appropriate
84 representative; conforming provisions to changes made
85 by the act; amending s. 388.291, F.S.; providing that
86 a program may perform certain source reduction
87 measures in any area providing that the department has

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88 approved the operating or construction plan as
89 outlined in the integrated arthropod management plan;
90 conforming provisions to changes made by the act;
91 amending s. 388.301, F.S.; revising the schedule by
92 which state funds for the control of mosquitos and
93 other arthropods may be paid; conforming provisions to
94 changes made by the act; amending s. 388.311, F.S.;
95 conforming provisions to changes made by the act;
96 amending s. 388.321, F.S.; conforming provisions to
97 changes made by the act; amending s. 388.322, F.S.;
98 requiring the department to maintain a record and
99 inventory of certain property purchased with state
100 funds for arthropod control use; conforming provisions
101 to changes made by the act; amending s. 388.323, F.S.;
102 providing that certain equipment no longer needed by a
103 program be first offered for sale to other programs
104 engaged in arthropod control at a specified price;
105 requiring that all proceeds from the sale of certain
106 property owned by a program and purchased using state
107 funds be deposited in the program's state fund
108 account; conforming provisions to changes made by the
109 act; amending s. 388.341, F.S.; requiring a program
110 receiving state aid to submit a monthly report of all
111 expenditures from all funds for arthropod control by a
112 specified timeframe as may be required by the
113 department; conforming provisions to changes made by
114 the act; amending s. 388.351, F.S.; conforming
115 provisions to changes made by the act; amending s.
116 388.361, F.S.; conforming provisions to changes made

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117 by the act; amending s. 388.3711, F.S.; revising the
118 department's enforcement powers; amending s. 388.381,
119 F.S.; conforming provisions to changes made by the
120 act; amending s. 388.391, F.S.; conforming provisions
121 to changes made by the act; amending s. 388.401, F.S.;
122 conforming provisions to changes made by the act;
123 amending s. 388.46, F.S.; revising the composition of
124 the Florida Coordinating Council on Mosquito Control;
125 amending s. 403.067, F.S.; providing an exception for
126 inspection requirements for certain agricultural
127 producers; authorizing the department to adopt rules
128 establishing an enrollment in best management
129 practices by rule process; authorizing the department
130 to identify best management practices for specified
131 landowners; requiring the department to annually
132 perform onsite inspections of a certain percentage of
133 all enrollments that meet specified qualifications
134 within a specified area; providing requirements for
135 such inspections; requiring agricultural producers
136 enrolled by rule in a best management practice to
137 annually submit nutrient records to the department;
138 requiring the department to collect and retain such
139 records; amending s. 403.852, F.S.; defining the term
140 "water quality additive"; amending s. 403.859, F.S.;
141 providing that the use of certain additives in a water
142 system which do not meet the definition of water
143 quality additive or certain other additives is
144 prohibited and violates specified provisions; amending
145 s. 482.111, F.S.; revising requirements for the

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146 renewal of a pest control operator's certificate;
147 authorizing a third-party vendor to collect and retain
148 a convenience fee; amending s. 482.141, F.S.;
149 requiring the department to provide in-person and
150 remote testing for the examination through a third-
151 party vendor for an individual seeking pest control
152 operator certification; authorizing a third-party
153 vendor to collect and retain a convenience fee;
154 amending s. 482.155, F.S.; requiring the department to
155 provide in-person and remote testing for the
156 examination through a third-party vendor for an
157 individual seeking limited certification for a
158 governmental pesticide applicator or a private
159 applicator; authorizing a third-party vendor to
160 collect and retain a convenience fee; deleting
161 provisions requiring the department to make such
162 examination readily accessible and available to all
163 applicants on a specified schedule; amending s.
164 482.156, F.S.; requiring the department to provide in-
165 person and remote testing for the examination through
166 a third-party vendor for an individual seeking a
167 limited certification for commercial landscape
168 maintenance; authorizing a third-party vendor to
169 collect and retain a convenience fee; deleting
170 provisions requiring the department to make such
171 examination readily accessible and available to all
172 applicants on a specified schedule; amending s.
173 482.157, F.S.; revising requirements for issuance of a
174 limited certification for commercial wildlife

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

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204 registration statement; authorizing the department to
205 investigate or refer to the Florida Elections
206 Commission certain violations of the charitable
207 organization or sponsor; amending s. 496.415, F.S.;
208 prohibiting specified persons from soliciting or
209 accepting anything of value from a foreign source of
210 concern; amending s. 496.417, F.S.; authorizing the
211 department to investigate or refer to the Florida
212 Elections Commission certain violations of a
213 charitable organization or sponsor; amending s.
214 496.419, F.S.; prohibiting a charitable organization
215 or sponsor from registering as a charitable
216 organization for a specified timeframe if the
217 charitable organization or sponsor submits a false
218 attestation; prohibiting specified persons from
219 serving in any capacity in the charitable organization
220 for a specified timeframe if such person was serving
221 in such charitable organization at the time the
222 charitable organization submitted a false attestation;
223 creating s. 496.431, F.S.; requiring the department to
224 create the Honest Service Registry to provide
225 residents with information relating to charitable
226 organizations; requiring a charitable organization
227 included in the Honest Services Registry to submit an
228 attestation statement to the department; requiring the
229 department to publish the Honest Services Registry on
230 the department's website; requiring the department to
231 adopt rules; amending s. 500.03, F.S.; revising the
232 definition of the term "cottage food product";

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233 amending s. 500.12, F.S.; providing that the
234 department requires a food permit from any person or
235 business that operates a food establishment; revising
236 exceptions; revising the schedule for renewing certain
237 food permits; authorizing the department to establish
238 a single permit renewal date for certain food
239 establishments; amending s. 500.166, F.S.; requiring
240 certain persons engaged in interstate commerce to
241 retain all records that show certain information for a
242 specified timeframe; amending s. 500.172, F.S.;
243 authorizing the department to facilitate the
244 destruction of certain articles that violate specified
245 provisions; prohibiting certain persons from certain
246 actions without permission from, or in accord with a
247 written agreement with, the department; creating s.
248 500.75, F.S.; providing that it is unlawful to import,
249 sell, offer for sale, furnish, or give away certain
250 spores or mycelium; providing a penalty for
251 violations; creating s. 500.93, F.S.; defining terms;
252 requiring the department to adopt rules to enforce the
253 Food and Drug Administration's (FDA's) standard of
254 identity for milk to prohibit the sale of plant-based
255 products mislabeled as milk; providing a contingent
256 effective date; requiring the department to adopt
257 rules to enforce the FDA's standard of identity for
258 meat, poultry, and poultry products to prohibit the
259 sale of plant-based products mislabeled as meat;
260 providing a contingent effective date; requiring the
261 department to adopt rules; providing construction;

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262 repealing s. 501.135, F.S., relating to consumer unit
263 pricing; amending s. 501.912, F.S.; revising the
264 definition of "antifreeze"; creating s. 525.19, F.S.;
265 requiring the department to create an annual petroleum
266 registration program for petroleum owners or operators
267 who own and operate vehicles for transporting
268 petroleum; requiring the department to adopt rules for
269 such registration which include specified information;
270 requiring that the registration program be free for
271 all registrants; authorizing the department to require
272 registrants to provide certain information during a
273 state of emergency; creating s. 526.147, F.S.;

274 creating the Florida Retail Fuel Transfer Switch
275 Modernization Grant Program within the department;
276 requiring the grant program to provide funds up to a
277 certain amount to be used for installation and
278 equipment costs related to installing or modernizing
279 transfer switch infrastructure at retail fuel
280 facilities; requiring the department to award funds
281 based on specified criteria; requiring retail fuel
282 facilities awarded grant funds to comply with
283 specified provisions; requiring such facilities to
284 install a transfer switch with specified capabilities;
285 requiring retail fuel facilities to provide specified
286 documentation before being awarded funding;
287 prohibiting certain facilities from being awarded
288 funding; requiring the department, in consultation
289 with the Division of Emergency Management, to adopt
290 rules; requiring that such rules include specified

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291 information; amending s. 531.48, F.S.; requiring that
292 certain packages bear specified information on the
293 outside of the package; amending s. 531.49, F.S.;
294 revising requirements for the advertising of a
295 packaged commodity; amending s. 570.07, F.S.;
296 requiring the department to foster and encourage the
297 employment and retention of qualified veterinary
298 pathologists; providing that the department may
299 reimburse the educational expenses of certain
300 veterinary pathologists who enter into a certain
301 agreement with the department; requiring the
302 department to administer rules; requiring the
303 department to extend certain opportunities to public
304 school students enrolled in agricultural education to
305 support Future Farmers of America programming;
306 amending s. 570.544, F.S.; revising which provisions
307 the director of the Division of Consumer Services must
308 enforce; creating s. 570.546, F.S.; authorizing the
309 department to create a process for the bulk renewal of
310 licenses; authorizing the department to create a
311 process that will allow licensees to align the
312 expiration dates of licenses within a specified
313 program; authorizing the department to change the
314 expiration date for current licenses for a certain
315 purpose; requiring the department to pro-rate the
316 licensing fee for certain licenses; requiring the
317 department to adopt rules; amending s. 570.822, F.S.;
318 defining the term "declared emergency"; revising the
319 definition of the term "program"; providing that loan

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320 funds from the department may be used to restock
321 aquaculture; authorizing the department to renew a
322 loan application under certain circumstances;
323 authorizing the department to defer or waive loan
324 payments under certain circumstances; conforming
325 provisions to changes made by the act; creating s.
326 570.823, F.S.; defining terms; establishing the
327 silviculture emergency recovery program within the
328 department to administer a grant program to assist
329 certain timber landowners; requiring that such grants
330 be used for certain purposes; requiring that only
331 timber lands located on agricultural property are
332 eligible for the program; requiring the department to
333 coordinate with state agencies to provide financial
334 assistance to timber landowners after a specified
335 declared emergency; providing construction;
336 authorizing the department to adopt rules to implement
337 this section; providing construction; amending s.
338 581.1843, F.S.; deleting provisions that exclude
339 certain citrus nurseries from certain requirements;
340 deleting provisions relating to regulated areas around
341 the perimeter of commercial citrus nurseries;
342 repealing ss. 593.101, 593.102, 593.103, 593.104,
343 593.105, 593.106, 593.107, 593.108, 593.109, 593.11,
344 593.111, 593.112, 593.113, 593.114, 593.1141,
345 593.1142, 593.115, 593.116, and 593.117, F.S.,
346 relating to the Florida Boll Weevil Eradication Law;
347 definitions; powers and duties of Department of
348 Agriculture and Consumer Services; the entry of

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349 premises to carry out boll weevil eradication
350 activities and inspections; reports by persons growing
351 cotton; quarantine areas and the regulation of
352 articles within a boll weevil eradication zone; the
353 regulation of collection, transportation,
354 distribution, and movement of cotton; cooperative
355 programs for persons engaged in growing, processing,
356 marketing, or handling cotton; the department's
357 authority to designate eradication zones, prohibit
358 planting of cotton, and require participation in
359 eradication program; regulation of the pasturage of
360 livestock, entry by persons, and location of honeybee
361 colonies in eradication zones and other areas;
362 eligibility for certification of cotton growers'
363 organization; the certification of cotton growers'
364 organization; a referendum; an assessment; the
365 department's authority to enter agreements with the
366 Farm Service Agency; liens; mandamus or injunction;
367 penalty for violation; and the handling of moneys
368 received, respectively; amending s. 595.404, F.S.;
369 revising the department's powers and duties regarding
370 school nutrition programs; amending s. 599.002, F.S.;
371 renaming the Viticulture Advisory Council as the
372 Florida Wine Advisory Council; revising the membership
373 of the Florida Wine Advisory council; conforming
374 provisions to changes made by the act; amending s.
375 599.003, F.S.; renaming the State Viticulture Plan as
376 the State Wine Plan; conforming provisions to changes
377 made by the act; amending s. 599.004, F.S.; making

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378 technical changes; providing that wineries that fail
379 to recertify annually or pay a specified licensing fee
380 are subject to certain actions and costs; conforming
381 provisions to changes made by the act; amending s.
382 599.012, F.S.; conforming provisions to changes made
383 by the act; amending s. 616.12, F.S.; deleting
384 provisions requiring a person who operates a minstrel
385 show in connection with any certain public fairs to
386 pay specified license taxes; deleting a provision that
387 exempts such person from paying specified taxes;
388 creating s. 687.16, F.S.; providing a short title;
389 defining terms; prohibiting a financial institution
390 from discriminating in the provision of financial
391 services to an agricultural producer based on an ESG
392 factor; providing an inference with regard to a
393 certain violation; providing that the financial
394 institution may overcome the inference by making
395 certain demonstrations regarding its denial or
396 restriction of financial services to an agricultural
397 producer; authorizing the Attorney General to enforce
398 specified provisions; providing that a violation of
399 specified provisions constitutes an unfair and
400 deceptive trade practice; authorizing the Attorney
401 General to investigate and seek remedies for such
402 unfair trade practices; authorizing an aggrieved party
403 to seek an action for damages; amending s. 741.0305,
404 F.S.; conforming a cross-reference; amending s.
405 790.06, F.S.; revising the circumstances under which
406 the department may temporarily suspend a person's

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407 license to carry a concealed weapon or concealed
408 firearm or the processing of an application for such
409 license; requiring the department to notify certain
410 licensees or applicants of his or her right to a
411 hearing; requiring that the hearing regarding such
412 suspension of license be for a limited purpose;
413 requiring the department to issue an order lifting the
414 suspension of an applicant's license upon a certain
415 disposition of the criminal case; requiring that the
416 suspension remain in effect upon a certain disposition
417 of the criminal case; providing construction;
418 providing legislative findings; revising the duties of
419 the department after the date of receipt of a
420 completed application for a license to carry a
421 concealed weapon or concealed firearm; requiring that
422 a license issued under this section be temporarily
423 suspended or revoked if the license was issued in
424 error or if the licensee commits certain actions;
425 amending s. 790.33, F.S.; specifying requirements for
426 the assessment of certain civil fines and attorney
427 fees and costs; amending s. 812.0151, F.S.; revising
428 the elements of third degree and second degree felony
429 retail fuel theft; creating s. 812.136, F.S.; defining
430 terms; providing elements for the crime of mail theft;
431 providing elements of theft of or unauthorized
432 reproduction of a mail depository key or lock;
433 providing criminal penalties; creating s. 1013.373,
434 F.S.; prohibiting a local government from adopting any
435 measure to limit the activities of public educational

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436 facilities or auxiliary facilities constructed by
437 certain organizations; requiring that lands used for
438 agricultural education or for the Future Farmers of
439 America or 4-H activities be considered agricultural
440 lands; reenacting s. 295.07(5)(a), F.S., relating to
441 preference in appointment and retention, to
442 incorporate the amendment made to s. 110.205, F.S., in
443 references thereto; reenacting ss. 125.01(1)(r),
444 163.3162(3)(a)-(d), 163.3163(3)(c), 163.3164(4),
445 163.3194(5), 170.01(4), 193.052(2), 193.4615,
446 212.08(5)(a) and (19)(a), 373.406(2), 403.182(11)(a),
447 403.9337(4), 472.029(2)(d), 474.2021(5),
448 474.2165(4)(d), 487.081(6), 570.85(1), 570.87(1),
449 570.94(3), 582.19(1)(a), 586.055, 604.50(2)(a) and
450 (d), 604.73(3)(b), 692.201(1), 741.30(5)(a) and
451 (6)(a), 810.011(5)(a), and 823.14(6), F.S., relating
452 to powers and duties; agricultural lands and
453 practices; applications for development permits;
454 community planning act; legal status of comprehensive
455 plan; authority for providing improvements and levying
456 and collecting special assessments against property
457 benefited; preparation and serving of returns;
458 assessment of obsolete agricultural equipment; storage
459 tax; exemptions; local pollution control programs; the
460 Model Ordinance for Florida-Friendly Fertilizer Use on
461 Urban Landscapes; authorization to enter lands of
462 third parties; veterinary telehealth; ownership and
463 control of veterinary medical patient records;
464 exemptions; agritourism; agritourism participation

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465 impact on land classification; best management
466 practices for wildlife; qualifications and tenure of
467 supervisors; location of apiaries; nonresidential farm
468 buildings; urban agriculture pilot projects;
469 definitions; definitions; domestic violence; and the
470 Florida Right to Farm Act, respectively, to
471 incorporate the amendment made to s. 193.461, F.S., in
472 references thereto; reenacting ss. 189.062(1)(a) and
473 388.261(7), F.S., relating to special procedures for
474 inactive districts and state aid to counties and
475 districts for arthropod control, respectively, to
476 incorporate the amendment made to s. 388.271, F.S., in
477 references thereto; reenacting ss. 482.072(3)(b) and
478 482.163, relating to pest control customer contact
479 centers and responsibility for pest control activities
480 of employee, respectively, to incorporate the
481 amendment made to s. 482.161, F.S., in references
482 thereto; reenacting s. 487.156, F.S., relating to
483 governmental agencies, to incorporate the amendment
484 made to s. 487.044, F.S., in a reference thereto;
485 reenacting ss. 496.4055(2) and 496.406(2) and (4),
486 F.S., relating to charitable organization or sponsor
487 board duties and exemption from registration,
488 respectively, to incorporate the amendment made to s.
489 496.405, F.S., in references thereto; reenacting s.
490 500.80(1)(a), F.S., relating to cottage food
491 operations, to incorporate the amendment made to s.
492 500.12, F.S., in a reference thereto; reenacting s.
493 500.121(6), F.S., relating to disciplinary procedures,

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494 to incorporate the amendment made to s. 500.172, F.S.,
495 in a reference thereto; reenacting s. 790.061, F.S.,
496 relating to judges and justices, to incorporate the
497 amendment made to s. 790.06, F.S., in a reference
498 thereto; providing an effective date.
499

500 Be It Enacted by the Legislature of the State of Florida:
501

502 Section 1. Paragraph (m) of subsection (2) of section
503 110.205, Florida Statutes, is amended to read:

504 110.205 Career service; exemptions.—

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

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

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

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

521 3. Positions in the Department of Transportation which are
522 assigned primary duties of serving as regional toll managers and

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523 managers of offices, as specified in s. 20.23(3)(b) and (4)(c).

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

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

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

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

538

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

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

547 186.801 Ten-year site plans.—

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

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

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

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

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

567 Section 3. Paragraph (b) of subsection (3) of section
568 193.461, Florida Statutes, is amended to read:

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

571 (3)

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

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

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

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- 581 b. Whether the use has been continuous.
- 582 c. The purchase price paid.
- 583 d. Size, as it relates to specific agricultural use, but a
584 minimum acreage may not be required for agricultural assessment.
- 585 e. Whether an indicated effort has been made to care
586 sufficiently and adequately for the land in accordance with
587 accepted commercial agricultural practices, including, without
588 limitation, fertilizing, liming, tilling, mowing, reforestation,
589 and other accepted agricultural practices.
- 590 f. Whether the land is under lease and, if so, the
591 effective length, terms, and conditions of the lease.
- 592 g. Such other factors as may become applicable.
- 593 2. Offering property for sale does not constitute a primary
594 use of land and may not be the basis for denying an agricultural
595 classification if the land continues to be used primarily for
596 bona fide agricultural purposes while it is being offered for
597 sale.
- 598 3. Lands owned or leased by an electric utility as defined
599 in s. 361.11(2) which may also be the site of solar energy
600 systems as defined in s. 212.02(26) and bona fide agricultural
601 uses of the land, and which comply with all other provisions of
602 this section, must be classified agricultural by the property
603 appraiser.

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

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

608 (3) Any loan made by the Agriculture and Aquaculture
609 Producers Emergency ~~Natural Disaster~~ Recovery Loan Program

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610 pursuant to s. 570.822.

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

619 330.41 Unmanned Aircraft Systems Act.—

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

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

626 (f) "Private property" means any residential or commercial
627 property.

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

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

638 (i) "Sport shooting and training range" has the same

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639 meaning as s. 790.333(3)(h).

640 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

645 (6) PROTECTION OF AGRICULTURAL LANDS.—

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

649 1. Operate a drone.

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

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

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

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

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

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

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

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

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

676 1. Operate a drone.

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

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

685 (c) A person who violates paragraph (a) and records video
686 of the private property, state wildlife management lands, or
687 sport shooting and training range, including any person or
688 object on the premises of or within the private property, state
689 wildlife management lands, or sport shooting and training range,
690 commits a misdemeanor of the first degree, punishable as
691 provided in s. 775.082 or s. 775.083. A person who commits a
692 second or subsequent violation commits a felony of the third
693 degree, punishable as provided in s. 775.082, s. 775.083, or s.
694 775.084.

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

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

700 2. A law enforcement agency that is in compliance with s.
701 934.50 or a person under contract with or otherwise acting under
702 the direction of such law enforcement agency.

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

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

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

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

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

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

724 Section 7. Present paragraphs (3) and (4) of section
725 366.94, Florida Statutes, are redesignated as subsections (4)

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726 and (5), respectively, a new subsection (3) is added to that
727 section, and subsection (2) of that section is amended, to read:

728 366.94 Electric vehicle charging.—

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

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

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

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

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

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

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

761 1. Issuance of a warning letter.

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

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

769 (g) In addition to the remedies provided in this
770 subsection, and notwithstanding the existence of any adequate
771 remedy at law, the department may bring an action to enjoin a
772 violation of this subsection or rules adopted under this
773 subsection in the circuit court of the county in which the
774 violation occurs or is about to occur. Upon demonstration of
775 competent and substantial evidence by the department to the
776 court of the violation or threatened violation, the court shall
777 immediately issue the temporary or permanent injunction sought
778 by the department. The injunction shall be issued without bond.

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

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784 388.011 Definitions.—As used in this chapter:

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

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

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

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

797 388.021 Creation of mosquito control special districts.—

798 (1) The abatement or suppression of arthropods, whether
799 disease-bearing or merely pestiferous, within any or all
800 counties of this state is advisable and necessary for the
801 maintenance and betterment of the comfort, health, and welfare
802 of the people thereof and is found and declared to be for public
803 purposes. Areas where arthropods incubate, hatch, or occur in
804 significant numbers so as to constitute a public health,
805 welfare, or nuisance problem may be controlled or abated as
806 provided in this chapter or the rules promulgated hereunder.
807 Therefore, any municipality ~~city~~, town, or county, or any
808 portion or portions thereof, whether such portion or portions
809 include incorporated territory or portions of two or more
810 counties in the state, may be created into a special taxing
811 district for the control of arthropods under the provisions of
812 this chapter.

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

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

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

825 Section 11. Subsections (1), (2), (4), and (5) of section
826 388.201, Florida Statutes, are amended to read:

827 388.201 Program ~~District~~ budgets; hearing.—

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

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842 purposes, for the operation and maintenance of the program's
843 ~~district's~~ works, the conduct of the program ~~district~~ generally,
844 to which may be added an amount to be held as a reserve.

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

853 (4) The governing board:

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

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

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

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

870 388.241 Board of county commissioners vested with powers

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

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

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

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

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

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900 distribute the funds as prescribed by rule. Such rules shall
901 provide for up to 80 percent of the funds to be distributed to
902 programs with local funds for mosquito control budgets of less
903 than \$1 million, if the county, municipality, or district meets
904 the eligibility requirements. The funds shall be distributed as
905 equally as possible within the category of counties pursuant to
906 this section. The remaining funds shall be distributed as
907 prescribed by rule among the remaining counties to support
908 mosquito control and to support research, education, and
909 outreach.

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

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

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

926 (8) The department is authorized to use up to 5 percent of
927 the funds appropriated annually by the Legislature under this
928 section to provide technical assistance to the counties,

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929 municipalities, or districts, or to purchase equipment,
930 supplies, or services necessary to administer the provisions of
931 this chapter.

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

934 388.271 Prerequisites to participation.—

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

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

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958 purchases in accordance therewith.

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

961 388.281 Use of state matching funds.—

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

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

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

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

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

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987 arthropods in significant numbers to constitute a health or
988 nuisance problem.

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

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

1000 388.301 Payment of state funds; supplies and services.—
1001 State funds shall be payable ~~quarterly~~, in accordance with the
1002 rules of the department, upon requisition by the department to
1003 the Chief Financial Officer. The department is authorized to
1004 furnish insecticides, chemicals, materials, equipment, vehicles,
1005 and personnel in lieu of state funds where mass purchasing may
1006 save funds for the state, or where it would be more practical
1007 and economical to use equipment, supplies, and services between
1008 two or more programs ~~counties or districts~~.

1009 Section 18. Section 388.311, Florida Statutes, is amended
1010 to read:

1011 388.311 Carry over of state funds and local funds.—State
1012 and local funds budgeted for the control of mosquitoes and other
1013 arthropods shall be carried over at the end of the program's
1014 ~~county or district's~~ fiscal year, and rebudgeted for such
1015 control measures the following fiscal year.

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1016 Section 19. Section 388.321, Florida Statutes, is amended
1017 to read:

1018 388.321 Equipment to become property of a program ~~the~~
1019 ~~county or district~~.—All equipment purchased under this chapter
1020 with state funds made available directly to a program ~~the county~~
1021 ~~or district~~ shall become the property of the program ~~county or~~
1022 ~~district~~ unless otherwise provided, and may be traded in on
1023 other equipment, or sold, when no longer needed by the program
1024 ~~county or district~~.

1025 Section 20. Section 388.322, Florida Statutes, is amended
1026 to read:

1027 388.322 Record and inventory of certain property.—A record
1028 and inventory of certain property purchased with state funds for
1029 arthropod control use owned by the program ~~district~~ shall be
1030 maintained in accordance with s. 274.02.

1031 Section 21. Section 388.323, Florida Statutes, is amended
1032 to read:

1033 388.323 Disposal of surplus property.—Surplus property
1034 shall be disposed of according to the provisions set forth in s.
1035 274.05 with the following exceptions:

1036 (1) Serviceable equipment purchased using state funds for
1037 arthropod control use no longer needed by a program ~~county or~~
1038 ~~district~~ shall first be offered to any or all other programs
1039 ~~counties or districts~~ engaged in arthropod control at a price
1040 established by the board of commissioners owning the equipment.

1041 (2) The alternative procedure for disposal of surplus
1042 property, as prescribed in s. 274.06, shall be followed if it is
1043 determined that no other programs ~~county or district~~ engaged in
1044 arthropod control has need for the equipment.

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1045 (3) All proceeds from the sale of any real or tangible
1046 personal property owned by the program ~~county or district~~ and
1047 purchased using state funds shall be deposited in the program's
1048 ~~county's or district's~~ state fund account unless otherwise
1049 specifically designated by the department.

1050 Section 22. Section 388.341, Florida Statutes, is amended
1051 to read:

1052 388.341 Reports of expenditures and accomplishments.—Each
1053 program receiving state aid ~~county and district~~ participating
1054 under the provisions of this chapter shall within 30 days after
1055 the end of each month submit to the department a monthly report
1056 for the preceding month of expenditures from all funds for
1057 arthropod control, and each program participating under this
1058 chapter shall provide such reports of activities and
1059 accomplishments as may be required by the department.

1060 Section 23. Section 388.351, Florida Statutes, is amended
1061 to read:

1062 388.351 Transfer of equipment, personnel, and supplies
1063 during an emergency.—The department, upon notifying a program
1064 ~~county or district~~ and obtaining its approval, is authorized to
1065 transfer equipment, materials, and personnel from one program
1066 ~~district~~ to another in the event of an emergency brought about
1067 by an arthropod-borne epidemic or other disaster requiring
1068 emergency control.

1069 Section 24. Subsection (7) of section 388.361, Florida
1070 Statutes, is amended to read:

1071 388.361 Department authority and rules; administration.—

1072 (7) The department shall have the authority to collect,
1073 detect, suppress, and control mosquitoes and other arthropods

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1074 that are determined by the State Health Officer to pose a threat
1075 to public health, or determined by the Commissioner of
1076 Agriculture to pose a threat to animal health, wherever they may
1077 occur on public or private land in this state, and to do all
1078 things necessary in the exercise of such authority. Prior to the
1079 start of treatments for the control of mosquitoes or other
1080 arthropods, the department shall consult with the mosquito
1081 control programs ~~districts~~ in the proposed treatment areas, the
1082 Department of Health, the Department of Environmental
1083 Protection, and the Fish and Wildlife Conservation Commission
1084 regarding the proposed locations, dates, and methods to be used.

1085 Section 25. Subsections (2) and (3) of section 388.3711,
1086 Florida Statutes, are amended to read:

1087 388.3711 Enforcement.—

1088 (2) The department may issue a written warning, impose a
1089 fine; deny, suspend, or revoke any license or certification, or
1090 the disbursal of state aid; or deny participation, in accordance
1091 with the provisions of chapter 120, upon any one or more of the
1092 following grounds as may be applicable:

1093 (a) Violation of any rule of the department or provision of
1094 this chapter.

1095 (b) Violation of FIFRA or any relevant EPA rule or
1096 regulation pertaining to the use of arthropod control pesticides
1097 by the licensee.

1098 (c) Failure to give the department, or any authorized
1099 representative thereof, true information upon request regarding
1100 methods and materials used, work performed, or other information
1101 essential to the administration of this chapter.

1102 (3) The department may, if it finds a violation is of such

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1103 nature or circumstances that imposition of a fine, denial,
1104 revocation, or suspension of a certification or license or
1105 disbursal of state aid would be detrimental to the public or be
1106 unnecessarily harsh under the circumstances, in its discretion,
1107 place the offending party on probation for a period of not more
1108 than 2 years. If the department determines that the terms of
1109 such probation have been violated, it may reinstitute license or
1110 certification or state aid denial, suspension, or revocation
1111 proceedings.

1112 Section 26. Section 388.381, Florida Statutes, is amended
1113 to read:

1114 388.381 Cooperation by programs ~~counties and district~~.—Any
1115 program conducting county or district carrying on an arthropod
1116 control ~~program~~ may cooperate with another county, district, or
1117 municipality in carrying out work ~~a program~~ for the control of
1118 mosquitoes and other arthropods, by agreement as to the program
1119 and reimbursement thereof, when approved by the department.

1120 Section 27. Section 388.391, Florida Statutes, is amended
1121 to read:

1122 388.391 Control measures in municipalities and portions of
1123 counties located outside boundaries of programs ~~districts~~.—Any
1124 program ~~district~~ whose operation is limited to a portion of the
1125 county in which it is located may perform any control measures
1126 authorized by this chapter in any municipality located in the
1127 same county or in any portions of the same county, where there
1128 is no established program ~~district~~, when requested to do so by
1129 the municipality or county, pursuant to s. 388.381.

1130 Section 28. Section 388.401, Florida Statutes, is amended
1131 to read:

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1132 388.401 Penalty for damage to property or operations.-
 1133 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of
 1134 any program county or district created under this or other
 1135 chapters, or any works constructed, maintained, or controlled by
 1136 such program county or district, or who ~~shall~~ obstructs ~~obstruct~~
 1137 or causes ~~cause~~ to be obstructed any of the operations of such
 1138 program county or district, or who ~~shall~~ knowingly or willfully
 1139 violates ~~violate~~ any provisions of this chapter or any rule or
 1140 regulation promulgated by any board of commissioners of any
 1141 program, commits ~~county or district shall be guilty of a~~
 1142 misdemeanor of the second degree, punishable as provided in s.
 1143 775.082 or s. 775.083.

1144 Section 29. Paragraph (a) of subsection (2) of section
 1145 388.46, Florida Statutes, is amended to read:

1146 388.46 Florida Coordinating Council on Mosquito Control;
 1147 establishment; membership; organization; responsibilities.-

1148 (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.-

1149 (a) *Membership*.—The Florida Coordinating Council on
 1150 Mosquito Control shall be comprised of the following
 1151 representatives or their authorized designees:

- 1152 1. The Secretary of Environmental Protection.
- 1153 2. The State Surgeon General.
- 1154 3. The executive director of the Fish and Wildlife
 1155 Conservation Commission.
- 1156 4. The state epidemiologist.
- 1157 5. The Commissioner of Agriculture.
- 1158 6. The Board of Trustees of the Internal Improvement Trust
 1159 Fund.
- 1160 7. Representatives from:

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- 1161 a. The University of Florida, Institute of Food and
- 1162 Agricultural Sciences, Florida Medical Entomological Research
- 1163 Laboratory.
- 1164 b. The United States Environmental Protection Agency.
- 1165 c. The United States Department of Agriculture, Center of
- 1166 Medical, Agricultural, and Veterinary Entomology ~~Insects~~
- 1167 ~~Affecting Man~~ Laboratory.
- 1168 d. The United States Fish and Wildlife Service.
- 1169 8. Four ~~Two~~ mosquito control directors to be nominated by
- 1170 the Florida Mosquito Control Association, two representatives of
- 1171 Florida environmental groups, and two private citizens who are
- 1172 property owners whose lands are regularly subject to mosquito
- 1173 control operations, to be appointed to 4-year terms by the
- 1174 Commissioner of Agriculture and serve until his or her successor
- 1175 is appointed.

1176 Section 30. Paragraph (d) of subsection (7) of section

1177 403.067, Florida Statutes, is amended to read:

1178 403.067 Establishment and implementation of total maximum

1179 daily loads.—

1180 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND

1181 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

1182 (d) *Enforcement and verification of basin management action*

1183 *plans and management strategies*.—

1184 1. Basin management action plans are enforceable pursuant

1185 to this section and ss. 403.121, 403.141, and 403.161.

1186 Management strategies, including best management practices and

1187 water quality monitoring, are enforceable under this chapter.

1188 2. No later than January 1, 2017:

1189 a. The department, in consultation with the water

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1190 management districts and the Department of Agriculture and
1191 Consumer Services, shall initiate rulemaking to adopt procedures
1192 to verify implementation of water quality monitoring required in
1193 lieu of implementation of best management practices or other
1194 measures pursuant to sub-subparagraph (b)2.g.;

1195 b. The department, in consultation with the water
1196 management districts and the Department of Agriculture and
1197 Consumer Services, shall initiate rulemaking to adopt procedures
1198 to verify implementation of nonagricultural interim measures,
1199 best management practices, or other measures adopted by rule
1200 pursuant to subparagraph (c)1.; and

1201 c. The Department of Agriculture and Consumer Services, in
1202 consultation with the water management districts and the
1203 department, shall initiate rulemaking to adopt procedures to
1204 verify implementation of agricultural interim measures, best
1205 management practices, or other measures adopted by rule pursuant
1206 to subparagraph (c)2.

1207
1208 The rules required under this subparagraph shall include
1209 enforcement procedures applicable to the landowner, discharger,
1210 or other responsible person required to implement applicable
1211 management strategies, including best management practices or
1212 water quality monitoring as a result of noncompliance.

1213 3. At least every 2 years, the Department of Agriculture
1214 and Consumer Services shall perform onsite inspections of each
1215 agricultural producer that enrolls in a best management
1216 practice, except those enrolled by rule in subparagraph 4., to
1217 ensure that such practice is being properly implemented. Such
1218 verification must include a collection and review of the best

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1219 management practice documentation from the previous 2 years
1220 required by rules adopted pursuant to subparagraph (c)2.,
1221 including, but not limited to, nitrogen and phosphorus
1222 fertilizer application records, which must be collected and
1223 retained pursuant to subparagraphs (c)3., 4., and 6. The
1224 Department of Agriculture and Consumer Services shall initially
1225 prioritize the inspection of agricultural producers located in
1226 the basin management action plans for Lake Okeechobee, the
1227 Indian River Lagoon, the Caloosahatchee River and Estuary, and
1228 Silver Springs.

1229 4. The Department of Agriculture and Consumer Services is
1230 authorized to adopt rules establishing an enrollment in best
1231 management practices by rule process that agricultural pollutant
1232 sources and agricultural producers may utilize in lieu of the
1233 best management practices adopted in paragraph (c) and identify
1234 best management practices for landowners of parcels which meet
1235 the following requirements:

1236 a. A parcel not be less than 25 acres in size;

1237 b. A parcel designated as agricultural land use by the
1238 county in which it is located or the parcel is granted
1239 agricultural tax classification by the county property appraiser
1240 of the county in which it is located;

1241 c. A parcel with water use not exceeding 100,000 gallons
1242 per day on average unless the entire use is met using recycled
1243 water from wet detention treatment ponds or reuse water;

1244 d. A parcel where the agricultural activity on the parcel
1245 is not vegetable crop, agronomic crop, a nursery, or a dairy
1246 operation;

1247 e. A parcel not abutting an impaired water body identified

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1248 in subsection (4); and

1249 f. A parcel not part of a larger operation that is enrolled
1250 in the Department of Agriculture and Consumer Services best
1251 management practices or conducting water quality monitoring
1252 prescribed by the department or a water management district.

1253
1254 Such requirements shall specify design or performance criteria
1255 that, if applied, would result in compliance with appropriate
1256 water quality standards. The Department of Agriculture and
1257 Consumer Services is authorized to adopt additional eligibility
1258 criteria for landowners or producers to utilize enrollment by
1259 rule and to revoke enrollment by rule.

1260 5. The Department of Agriculture and Consumer Services
1261 shall annually perform onsite inspections of twenty percent for
1262 all enrollments that meet the qualifications pursuant to
1263 subparagraph 4. by rule within basin management action plan
1264 areas, to ensure that practices are being properly implemented.
1265 Such inspection must include a collection and review of the
1266 identified best management practice documentation from the
1267 previous two years required by rules adopted pursuant to
1268 subparagraph (c)2. All agricultural producers enrolled by rule
1269 in a best management practice must annually submit nutrient
1270 records, including nitrogen and phosphorus fertilizer
1271 application records for the previous calendar year, to the
1272 Department of Agriculture and Consumer Services as required by
1273 rules adopted pursuant to subparagraph (c)2. The Department of
1274 Agriculture and Consumer Services shall collect and retain these
1275 nutrient records pursuant to subparagraphs (c)3., 4., and 6.

1276 Section 31. Subsection (19) is added to section 403.852,

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1277 Florida Statutes, to read:

1278 403.852 Definitions; ss. 403.850-403.864.—As used in ss.
1279 403.850-403.864:

1280 (19) "Water quality additive" means any chemical or
1281 additive which is used in a public water system for the purpose
1282 of removing contaminants or increasing water quality. The term
1283 does not include additives used for health-related purposes.

1284 Section 32. Subsection (8) is added to section 403.859,
1285 Florida Statutes, to read:

1286 403.859 Prohibited acts.—The following acts and the causing
1287 thereof are prohibited and are violations of this act:

1288 (8) The use of any additives in a public water system which
1289 do not meet the definition of a water quality additive as
1290 defined in s. 403.852, or the use of any additives included
1291 primarily for health-related purposes.

1292 Section 33. Subsection (10) of section 482.111, Florida
1293 Statutes, is amended to read:

1294 482.111 Pest control operator's certificate.—

1295 (10) In order to renew a certificate, the certificateholder
1296 must complete 2 hours of approved continuing education on
1297 legislation, safety, pesticide labeling, and integrated pest
1298 management and 2 hours of approved continuing education in each
1299 category of her or his certificate or must pass an examination
1300 that the department shall provide in person and remotely through
1301 a third-party vendor. The third-party vendor may collect and
1302 retain a convenience fee ~~given by the department.~~ The department
1303 may not renew a certificate if the continuing education or
1304 examination requirement is not met.

1305 (a) Courses or programs, to be considered for credit, must

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1306 include one or more of the following topics:

1307 1. The law and rules of this state pertaining to pest
1308 control.

1309 2. Precautions necessary to safeguard life, health, and
1310 property in the conducting of pest control and the application
1311 of pesticides.

1312 3. Pests, their habits, recognition of the damage they
1313 cause, and identification of them by accepted common name.

1314 4. Current accepted industry practices in the conducting of
1315 fumigation, termites and other wood-destroying organisms pest
1316 control, lawn and ornamental pest control, and household pest
1317 control.

1318 5. How to read labels, a review of current state and
1319 federal laws on labeling, and a review of changes in or
1320 additions to labels used in pest control.

1321 6. Integrated pest management.

1322 (b) The certificateholder must submit with her or his
1323 application for renewal a statement certifying that she or he
1324 has completed the required number of hours of continuing
1325 education. The statement must be on a form prescribed by the
1326 department and must identify at least the date, location,
1327 provider, and subject of the training and must provide such
1328 other information as required by the department.

1329 (c) The department shall charge the same fee for
1330 examination as provided in s. 482.141(2).

1331 Section 34. Subsection (1) of section 482.141, Florida
1332 Statutes, is amended to read:

1333 482.141 Examinations.—

1334 (1) Each individual seeking certification must

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1335 satisfactorily pass an examination which must be written but
1336 which may include practical demonstration. The department shall
1337 provide in-person and remote testing through a third-party
1338 vendor. A third-party vendor may collect and retain a
1339 convenience fee ~~hold at least two examinations each year.~~ An
1340 applicant may seek certification in one or more categories.

1341 Section 35. Paragraph (b) of subsection (1) of section
1342 482.155, Florida Statutes, is amended to read:

1343 482.155 Limited certification for governmental pesticide
1344 applicators or private applicators.—

1345 (1)

1346 (b) A person seeking limited certification under this
1347 subsection must pass an examination that the department shall
1348 provide in person and remotely through a third-party vendor. The
1349 third-party vendor may collect and retain a convenience fee
1350 ~~given or approved by the department.~~ Each application for
1351 examination must be accompanied by an examination fee set by the
1352 department, in an amount of not more than \$150 or less than \$50;
1353 and a recertification fee of \$25 every 4 years. Until rules
1354 setting these fees are adopted by the department, the
1355 examination fee is \$50. Application for recertification must be
1356 accompanied by proof of having completed 4 classroom hours of
1357 acceptable continuing education. The limited certificate expires
1358 4 years after the date of issuance. If the certificateholder
1359 fails to renew his or her certificate and provide proof of
1360 completion of the required continuing education units within 60
1361 days after the expiration date, the certificateholder may be
1362 recertified only after reexamination. The department shall make
1363 available ~~provide~~ the appropriate reference material ~~and make~~

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1364 ~~the examination readily accessible and available to all~~
1365 ~~applicants at least quarterly or as necessary in each county.~~

1366 Section 36. Subsection (2) of section 482.156, Florida
1367 Statutes, is amended to read:

1368 482.156 Limited certification for commercial landscape
1369 maintenance personnel.—

1370 (2) (a) A person seeking limited certification under this
1371 section must pass an examination that the department shall
1372 provide in person and remotely through a third-party vendor. The
1373 third-party vendor may collect and retain a convenience fee
1374 ~~given by the department.~~ Each application for examination must
1375 be accompanied by an examination fee set by rule of the
1376 department, in an amount of not more than \$150 or less than \$50.
1377 Before the department issues a limited certification under this
1378 section, each person applying for the certification must furnish
1379 proof of having a certificate of insurance which states that the
1380 employer meets the requirements for minimum financial
1381 responsibility for bodily injury and property damage required by
1382 s. 482.071(4).

1383 (b) The department shall make available ~~provide~~ the
1384 appropriate reference materials for the examination and provide
1385 in-person and remote testing through a third-party vendor. A
1386 third-party vendor may collect and retain a convenience fee ~~make~~
1387 ~~the examination readily accessible and available to applicants~~
1388 ~~at least quarterly or as necessary in each county.~~

1389 Section 37. Subsection (2) of section 482.157, Florida
1390 Statutes, is amended to read:

1391 482.157 Limited certification for commercial wildlife
1392 management personnel.—

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1393 (2) The department shall issue a limited certificate to an
1394 applicant who:

1395 (a) Submits an application and examination fee of at least
1396 \$150, but not more than \$300, as prescribed by the department by
1397 rule;

1398 (b) Passes an examination that the department shall provide
1399 in person and remotely through a third-party vendor. The third-
1400 party vendor may collect and retain a convenience fee
1401 administered by the department. The department shall make
1402 available ~~provide~~ the appropriate study materials for the
1403 examination ~~and make the examination readily available to~~
1404 ~~applicants in each county as necessary, but not less frequently~~
1405 ~~than quarterly;~~ and

1406 (c) Provides proof, including a certificate of insurance,
1407 that the applicant has met the minimum bodily injury and
1408 property damage insurance requirements in s. 482.071(4).

1409 Section 38. Paragraph (m) is added to subsection (1) of
1410 section 482.161, Florida Statutes, to read:

1411 482.161 Disciplinary grounds and actions; reinstatement.—

1412 (1) The department may issue a written warning to or impose
1413 a fine against, or deny the application for licensure or
1414 licensure renewal of, a licensee, certified operator, limited
1415 certificateholder, identification cardholder, or special
1416 identification cardholder or any other person, or may suspend,
1417 revoke, or deny the issuance or renewal of any license,
1418 certificate, limited certificate, identification card, or
1419 special identification card that is within the scope of this
1420 chapter, in accordance with chapter 120, upon any of the
1421 following grounds:

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1422 (m) Upon the issuance of a final order imposing civil
1423 penalties under subsection 14(a) of the Federal Insecticide,
1424 Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction
1425 under subsection 14(b), of FIFRA.

1426 Section 39. Subsection (2) of section 487.044, Florida
1427 Statutes, is amended to read:

1428 487.044 Certification; examination.—

1429 (2) The department shall require each applicant for a
1430 certified applicator's license to demonstrate competence by a
1431 written or oral examination in which the applicant must
1432 demonstrate adequate knowledge concerning the proper use and
1433 application of restricted-use pesticides in each classification
1434 for which application for license is made. The department shall
1435 provide in-person and remote testing through a third-party
1436 vendor. A third-party vendor may collect and retain a
1437 convenience fee. The examination may be prepared, administered,
1438 and evaluated by the department. Each applicant for a certified
1439 applicator's license shall demonstrate minimum competence as to:

1440 (a) The proper use of the equipment.

1441 (b) The environmental hazards that may be involved in
1442 applying restricted-use pesticides.

1443 (c) Calculating the concentration of restricted-use
1444 pesticides to be used in particular circumstances.

1445 (d) Identification of common pests to be controlled and the
1446 damages caused by such pests.

1447 (e) Protective clothing and respiratory equipment required
1448 during the handling and application of restricted-use
1449 pesticides.

1450 (f) General precautions to be followed in the disposal of

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1451 containers, as well as the cleaning and decontamination of the
1452 equipment which the applicant proposes to use.

1453 (g) Applicable state and federal pesticide laws, rules, and
1454 regulations.

1455 (h) General safety precautions.

1456 Section 40. Subsection (6) is added to section 487.175,
1457 Florida Statutes, to read:

1458 487.175 Penalties; administrative fine; injunction.—

1459 (6) Licensure may be suspended, revoked, or denied by the
1460 department, upon the issuance of a final order to a licensee
1461 imposing civil penalties under subsection 14(a) of the Federal
1462 Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a
1463 criminal conviction under subsection 14(b) of FIFRA.

1464 Section 41. Subsections (13) through (28) of section
1465 496.404, Florida Statutes, are redesignated as subsections (15)
1466 through (30), respectively, and subsections (13) and (14) are
1467 added to that section, to read:

1468 496.404 Definitions.—As used in ss. 496.401-496.424, the
1469 term:

1470 (13) "Foreign country of concern" means the People's
1471 Republic of China, the Russian Federation, the Islamic Republic
1472 of Iran, the Venezuelan regime of Nicolás Maduro, or the Syrian
1473 Arab Republic, including any agency of or any other entity under
1474 significant control of such foreign country of concern.

1475 (14) "Foreign source of concern" means any of the
1476 following:

1477 (a) The government or any official of the government of a
1478 foreign country of concern;

1479 (b) A political party or member of a political party or any

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1480 subdivision of a political party in a foreign country of
1481 concern;

1482 (c) A partnership, an association, a corporation, an
1483 organization, or other combination of persons organized under
1484 the laws of or having its principal place of business in a
1485 foreign country of concern, or a subsidiary of such entity;

1486 (d) Any person who is domiciled in a foreign country of
1487 concern and is not a citizen or lawful permanent citizen of the
1488 United States;

1489 (e) An agent, including a subsidiary or an affiliate of a
1490 foreign legal entity, acting on behalf of a foreign source of
1491 concern; or

1492 (f) An entity in which a person, entity, or collection of
1493 persons or entities described in paragraphs (a)-(e) has a
1494 controlling interest. As used in this paragraph, the term
1495 "controlling interest" means the possession of the power to
1496 direct or cause the direction of the management or policies of
1497 an entity, whether through ownership of securities, by contract,
1498 or otherwise. A person or an entity that directly or indirectly
1499 has the right to vote 25 percent or more of the voting interest
1500 of the company or is entitled to 25 percent or more of its
1501 profits is presumed to possess a controlling interest.

1502 Section 42. Present paragraphs (d) through (g) of
1503 subsection (2) of section 496.405, Florida Statutes, are
1504 redesignated as paragraphs (f) through (i), respectively, new
1505 paragraphs (d) and (e) are added to that subsection, subsection
1506 (11) is added to that section, and paragraph (b) of subsection
1507 (1) and paragraph (b) of subsection (7) of that section are
1508 amended, to read:

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1509 496.405 Registration statements by charitable organizations
1510 and sponsors.—

1511 (1) A charitable organization or sponsor, unless exempted
1512 pursuant to s. 496.406, which intends to solicit contributions
1513 in or from this state by any means or have funds solicited on
1514 its behalf by any other person, charitable organization,
1515 sponsor, commercial co-venturer, or professional solicitor, or
1516 that participates in a charitable sales promotion or sponsor
1517 sales promotion, must, before engaging in any of these
1518 activities, file an initial registration statement, which
1519 includes an attestation statement, and a renewal statement
1520 annually thereafter, with the department.

1521 (b) Any changes to the information submitted to the
1522 department pursuant to paragraph (2) (f) ~~(2) (d)~~ on the initial
1523 registration statement, which includes an attestation statement,
1524 or the last renewal statement must be reported to the department
1525 on a form prescribed by the department within 10 days after the
1526 change occurs.

1527 (2) The initial registration statement must be submitted on
1528 a form prescribed by the department, signed by an authorized
1529 official of the charitable organization or sponsor who shall
1530 certify that the registration statement is true and correct, and
1531 include the following information or material:

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

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1538 chapter 106.

1539 (e) An attestation statement on a form prescribed by the
 1540 department, signed by an authorized official of the charitable
 1541 organization, who shall certify and attest that the charitable
 1542 organization, if prohibited by applicable federal or state law,
 1543 is not engaged in activities that would require registration
 1544 with the Department of State pursuant to chapter 106.

1545 (7)

1546 (b) If a charitable organization or sponsor discloses
 1547 information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~
 1548 in the initial registration statement or annual renewal
 1549 statement, the time limits set forth in paragraph (a) are
 1550 waived, and the department shall process such initial
 1551 registration statement or annual renewal statement in accordance
 1552 with the time limits set forth in chapter 120. The registration
 1553 of a charitable organization or sponsor shall be automatically
 1554 suspended for failure to disclose any information specified in
 1555 subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the
 1556 required information is submitted to the department.

1557 (11) The department may investigate and refer the
 1558 charitable organization or sponsor to the Florida Elections
 1559 Commission for investigation of violations pursuant to chapters
 1560 104 and 106.

1561 Section 43. Subsection (20) is added to section 496.415,
 1562 Florida Statutes, to read:

1563 496.415 Prohibited acts.—It is unlawful for any person in
 1564 connection with the planning, conduct, or execution of any
 1565 solicitation or charitable or sponsor sales promotion to:

1566 (20) Solicit or accept contributions or anything of value

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1567 from a foreign source of concern.

1568 Section 44. Section 496.417, Florida Statutes, is amended
1569 to read:

1570 496.417 Criminal penalties.—Except as otherwise provided in
1571 ss. 496.401-496.424, and in addition to any administrative or
1572 civil penalties, any person who willfully and knowingly violates
1573 ss. 496.401-496.424 commits a felony of the third degree,
1574 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
1575 For a second or subsequent conviction, such violation
1576 constitutes a felony of the second degree, punishable as
1577 provided in s. 775.082, s. 775.083, or s. 775.084. The
1578 department may also investigate and refer the charitable
1579 organization or sponsor to the Florida Elections Commission for
1580 investigation of violations pursuant to chapters 104 and 106.

1581 Section 45. Subsection (11) is added to section 496.419,
1582 Florida Statutes, to read:

1583 496.419 Powers of the department.—

1584 (11) (a) A charitable organization or sponsor whose
1585 registration is denied or revoked for submitting a false
1586 attestation required pursuant to s. 496.405(2) (d) or s.
1587 496.405(2) (e) may not register as a charitable organization or
1588 sponsor for 5 years for an initial violation, and may not
1589 register as a charitable organization or sponsor following any
1590 subsequent violations.

1591 (b) A person serving as a board member, executive
1592 leadership team member, or registering agent of a charitable
1593 organization at the time in which the charitable organization is
1594 found to have submitted a false attestation as required by s.
1595 496.405(2) (d) or (e) may not serve in any capacity with a

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1596 charitable organization required to comply with the requirements
1597 of ss. 496.405 and 496.406 for 5 years after the date of the
1598 violation of this subsection.

1599 Section 46. Section 496.431, Florida Statutes, is created
1600 to read:

1601 496.431 Honest Service Registry.—

1602 (1) The department shall create the Honest Services
1603 Registry to provide the residents of this state with the
1604 information necessary to make an informed choice when deciding
1605 which charitable organizations to support.

1606 (2) To be included on the Honest Services Registry, a
1607 charitable organization must, at a minimum, submit to the
1608 department an attestation statement on a form prescribed by the
1609 department, verified as provided in s. 92.525, attesting to all
1610 of the following:

1611 (a) That the organization does not solicit or accept,
1612 directly or indirectly, contributions, funding, support, or
1613 services from a foreign source of concern.

1614 (b) That the organization's messaging and content are not
1615 directly or indirectly produced or influenced by a foreign
1616 source of concern.

1617 (3) The department shall publish the Honest Services
1618 Registry on the department's website.

1619 (4) The department shall adopt rules to implement this
1620 section.

1621 Section 47. Paragraph (j) of subsection (1) of section
1622 500.03, Florida Statutes, is amended to read:

1623 500.03 Definitions; construction; applicability.—

1624 (1) For the purpose of this chapter, the term:

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1625 (j) "Cottage food product" means food that is not time or
1626 temperature controlled for safety, a potentially hazardous food
1627 as defined by department rule which is sold by a cottage food
1628 operation in accordance with s. 500.80.

1629 Section 48. Paragraphs (a) and (b) of subsection (1) of
1630 section 500.12, Florida Statutes, are amended to read:

1631 500.12 Food permits; building permits.-

1632 (1)(a) A food permit from the department is required of any
1633 person or business that ~~who~~ operates a food establishment,
1634 except:

1635 1. Persons or businesses operating minor food outlets that
1636 sell food that is commercially prepackaged, not potentially
1637 hazardous, not age restricted, and not time or temperature
1638 controlled for safety, if the shelf space for those items does
1639 not exceed 12 total linear feet and no other food is sold by the
1640 person or business minor food outlet.

1641 2. Persons subject to continuous, onsite federal or state
1642 inspection.

1643 3. Persons selling only legumes in the shell, either
1644 parched, roasted, or boiled.

1645 4. Persons selling sugar cane or sorghum syrup that has
1646 been boiled and bottled on a premise located within this state.
1647 Such bottles must contain a label listing the producer's name
1648 and street address, all added ingredients, the net weight or
1649 volume of the product, and a statement that reads, "This product
1650 has not been produced in a facility permitted by the Florida
1651 Department of Agriculture and Consumer Services."

1652 (b) Each food establishment regulated under this chapter
1653 must apply for and receive a food permit before operation

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1654 begins. An application for a food permit from the department
1655 must be accompanied by a fee in an amount determined by
1656 department rule. The department shall adopt by rule a schedule
1657 of fees to be paid by each food establishment as a condition of
1658 issuance or renewal of a food permit. Such fees may not exceed
1659 \$650 and must be used solely for the recovery of costs for the
1660 services provided, except that the fee accompanying an
1661 application for a food permit for operating a bottled water
1662 plant may not exceed \$1,000 and the fee accompanying an
1663 application for a food permit for operating a packaged ice plant
1664 may not exceed \$250. The fee for operating a bottled water plant
1665 or a packaged ice plant must be set by rule of the department.
1666 Food permits are not transferable from one person or physical
1667 location to another. Food permits must be renewed in accordance
1668 with subparagraphs 1.-3. If an application for renewal of a food
1669 permit is not received by the department on or before its due
1670 date, a late fee not exceeding \$100 must be paid in addition to
1671 the food permit fee before the department may issue the food
1672 permit. The moneys collected must be deposited in the General
1673 Inspection Trust Fund.

1674 1. A food permit issued to a new food establishment ~~on or~~
1675 ~~after September 1, 2023,~~ is valid for 1 calendar year after the
1676 date of issuance and must be renewed annually on or before that
1677 date thereafter.

1678 2. ~~Effective January 1, 2024,~~ A food permit issued before
1679 September 1, 2023, expires on the month and day the initial
1680 permit was issued to the food establishment and must be renewed
1681 annually on or before that date thereafter. The department may
1682 charge a prorated permit fee for purposes of this subparagraph.

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1683 3. The department may establish a single permit renewal
1684 date for multiple food establishments owned by the same entity
1685 ~~The owner of 100 or more permitted food establishment locations~~
1686 ~~may elect to set the expiration of food permits for such~~
1687 ~~establishments as December 31 of each calendar year.~~

1688 Section 49. Section 500.166, Florida Statutes, is amended
1689 to read:

1690 500.166 Records of interstate shipment.—For the purpose of
1691 enforcing this chapter, carriers engaged in interstate commerce
1692 and persons receiving food in interstate commerce shall retain
1693 all records for 3 years from the date of the record showing the
1694 movement in interstate commerce of any food, and the quantity,
1695 shipper and consignee thereof and, upon the request by an
1696 officer or employee duly designated by the department, permit
1697 the officer or employee to have access to and to copy all
1698 records showing the movement in interstate commerce of any food,
1699 and the quantity, shipper, and consignee thereof.

1700 Section 50. Subsection (1) of section 500.172, Florida
1701 Statutes, is amended to read:

1702 500.172 Embargoing, detaining, destroying of food, food
1703 processing equipment, or areas that are in violation.—

1704 (1) When the department, or its duly authorized agent who
1705 has received appropriate education and training regarding the
1706 legal requirements of this chapter, finds or has probable cause
1707 to believe that any food, food processing equipment, food
1708 processing area, or food storage area is in violation of this
1709 chapter or any rule adopted under this chapter so as to be
1710 dangerous, unwholesome, mislabeled, fraudulent, or insanitary
1711 within the meaning of this chapter, an agent of the department

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1712 may issue and enforce a stop-sale, stop-use, removal, or hold
1713 order, which order gives notice that such article, processing
1714 equipment, processing area, or storage area is or is suspected
1715 of being in violation and has been detained or embargoed and
1716 which order warns all persons not to remove, use, or dispose of
1717 such article, processing equipment, processing area, or storage
1718 area by sale or otherwise until permission for removal, use, or
1719 disposal is given by the department or the court. The department
1720 is authorized to enter into a written agreement with the owner
1721 of such food, food processing equipment, food processing area,
1722 or food storage area, or otherwise facilitate the destruction of
1723 any article found or suspected by the department to be in
1724 violation of this section. A person may not remove, use, or
1725 dispose of such detained or embargoed article, processing
1726 equipment, processing area, or storage area by sale or otherwise
1727 without such permission from or in accordance with a written
1728 agreement with the department.

1729 Section 51. Section 500.75, Florida Statutes, is created to
1730 read:

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

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1741 first degree, punishable as provided in s. 775.082 or s.
1742 775.083.

1743 Section 52. Section 500.93, Florida Statutes, is created to
1744 read:

1745 500.93 Mislabeled plant-based products as milk, meat,
1746 or poultry.—

1747 (1) As used in this section, the term:

1748 (a) "FDA" means the United States Food and Drug
1749 Administration.

1750 (b) "Meat" has the same meaning as in 9 C.F.R. s. 301.2 and
1751 the Federal Meat Inspection Act.

1752 (c) "Milk" has the same meaning as in 21 C.F.R. s. 131.110
1753 and the Grade "A" pasteurized milk ordinance.

1754 (d) "Poultry" or "Poultry Product" has the same meaning as
1755 in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

1756 (2) (a) In accordance with the established standard of
1757 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade
1758 "A" pasteurized milk ordinance, the department shall adopt rules
1759 to enforce the FDA's standard of identity for milk, as adopted
1760 in state law, to prohibit the sale of plant-based products
1761 mislabeled as milk in this state.

1762 (b) This subsection is effective upon the enactment into
1763 law of a mandatory labeling requirement to prohibit the sale of
1764 plant-based products mislabeled as milk that is consistent with
1765 this section by any 11 of the group of 14 states composed of
1766 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
1767 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
1768 Texas, Virginia, and West Virginia.

1769 (3) (a) In accordance with the established standard of

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1770 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal
1771 Meat Inspection Act, and both poultry and poultry products
1772 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection
1773 Act, the department shall adopt rules to enforce the FDA's
1774 standard of identity for meat, poultry, and poultry products as
1775 adopted in this section, to prohibit the sale of plant-based
1776 products mislabeled as meat, poultry, or poultry products in
1777 this state.

1778 (b) This subsection is effective upon the enactment into
1779 law of a mandatory labeling requirement to prohibit the sale of
1780 plant-based products mislabeled as meat, poultry, or poultry
1781 products which is consistent with this section by any 11 of the
1782 group of 14 states composed of Alabama, Arkansas, Florida,
1783 Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,
1784 South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1785 (4) The Department of Agriculture and Consumer Services
1786 shall notify the Division of Law Revision upon the enactment
1787 into law by any 11 of the group of 14 states composed of
1788 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
1789 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
1790 Texas, Virginia, and West Virginia of the mandatory labeling
1791 requirements pursuant to subsections (2) and (3).

1792 (5) The department shall adopt rules to implement this
1793 section.

1794 (6) This section may not be construed to limit the
1795 department's authority to enforce its laws and regulations.

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

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

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

1800 (1) "Antifreeze" means any substance or preparation,
1801 including, but not limited to, coolant, antifreeze-coolant,
1802 antifreeze and summer coolant, or summer coolant, that is sold,
1803 distributed, or intended for use:

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

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

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

1814 525.19 Petroleum registration.—

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

1820 (a) Name of the petroleum owner or operator;

1821 (b) Address of the petroleum owner or operator;

1822 (c) Phone number of the petroleum owner or operator;

1823 (d) E-mail address of the petroleum owner or operator;

1824 (e) Requirements for the transfer switch;

1825 (f) Fuel and petroleum infrastructure; and

1826 (g) Fuel and petroleum inventory and delivery information.

1827 (2) The registration program must be free for all

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1828 registrants.

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

1833 Section 56. Section 526.147, Florida Statutes, is created
1834 to read:

1835 526.147 Florida Retail Fuel Transfer Switch Modernization
1836 Grant Program.—

1837 (1) (a) There is created, subject to appropriation, the
1838 Florida Retail Fuel Transfer Switch Modernization Grant Program
1839 within the Department of Agriculture and Consumer Services.

1840 (b) The grant program shall provide grant funds, not to
1841 exceed \$10,000 per retail fuel facility, to be used for
1842 installation and equipment costs related to installing or
1843 modernizing transfer switch infrastructure at retail fuel
1844 facilities to allow for the continuity of fueling operations
1845 under generated power.

1846 (c) The department shall award funds based upon the
1847 following criteria:

1848 1. Up to \$10,000, of costs for transfer switch purchase and
1849 installation for retail fuel locations in fiscally constrained
1850 counties, as defined in s. 218.67.

1851 2. Up to \$5,000, of costs for transfer switch purchase and
1852 installation for all other retail fuel locations.

1853 (d) Retail fuel facilities which are awarded grant funds
1854 must comply with s. 526.143 and must install a transfer switch
1855 capable of operating all fuel pumps, dispensing equipment, life
1856 safety systems, and payment acceptance equipment using an

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1857 alternative generated power source.

1858 (e) Before being awarded funding from the department,
1859 retail fuel facilities must provide documentation on transfer
1860 switch installation and required generator sizing to the
1861 department.

1862 (f) Marinas and fueling facilities with fewer than 4
1863 fueling positions are excluded from being awarded funding
1864 through this program.

1865 (g) Fueling facilities subject to s. 526.143(2) are
1866 excluded from being awarded funding through this program.

1867 (2) The department, in consultation with the Division of
1868 Emergency Management, shall adopt rules to implement and
1869 administer this section, including establishing grant
1870 application processes for the Florida Retail Fuel Transfer
1871 Switch Modernization Grant Program. The rules must include
1872 application deadlines and establish the supporting documentation
1873 necessary to be provided to the department.

1874 Section 57. Section 531.48, Florida Statutes, is amended to
1875 read:

1876 531.48 Declarations of unit price on random packages.—In
1877 addition to the declarations required by s. 531.47, any package
1878 being one of a lot containing random weights of the same
1879 commodity ~~and bearing the total selling price of the package~~
1880 shall bear on the outside of the package a plain and conspicuous
1881 declaration of the price per single unit of weight and the total
1882 retail price of the package, as defined by department rule.

1883 Section 58. Section 531.49, Florida Statutes, is amended to
1884 read:

1885 531.49 Advertising packages for sale.—~~Whenever~~ A packaged

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

1890 Section 59. Present subsections (44), (45), and (46) of
1891 section 570.07, Florida Statutes, are redesignated as
1892 subsections (46), (47), and (48), respectively, and new
1893 subsections (44) and (45) are added to that section, to read:

1894 570.07 Department of Agriculture and Consumer Services;
1895 functions, powers, and duties.—The department shall have and
1896 exercise the following functions, powers, and duties:

1897 (44) (a) To foster and encourage the employment and
1898 retention of qualified veterinary pathologists. The department
1899 may reimburse the educational expenses of qualified veterinary
1900 pathologists who enter into an agreement with the department to
1901 retain employment for a specified period of time.

1902 (b) The department shall adopt rules to administer this
1903 subsection.

1904 (45) Subject to appropriation, to extend state and national
1905 Future Farmers of America opportunities to any public school
1906 student enrolled in agricultural education, at little or no cost
1907 to the student or school district, and to support statewide
1908 Future Farmers of America programming that helps such students
1909 develop their potential for premier leadership, personal growth,
1910 and career success.

1911 Section 60. Subsection (2) of section 570.544, Florida
1912 Statutes, is amended to read:

1913 570.544 Division of Consumer Services; director; powers;
1914 processing of complaints; records.—

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1915 (2) The director shall supervise, direct, and coordinate
 1916 the activities of the division and shall, under the direction of
 1917 the department, enforce the provisions of ss. 366.94 and ss.
 1918 604.15-604.34 and chapters 171, 472, 496, 501, 507, 525, 526,
 1919 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

1920 Section 61. Section 570.546, Florida Statutes, is created
 1921 to read:

1922 570.546 Licensing.-

1923 (1) The department is authorized to:

1924 (a) Create a process for the bulk renewal of licenses which
 1925 will allow licensees the ability, upon request, to submit all
 1926 license applications of the same type, notwithstanding any
 1927 provisions of law applicable to each application process.

1928 (b) Create a process that will allow licensees, upon
 1929 request, to align the expiration dates of licenses within a
 1930 statutory program.

1931 (c) Change the expiration dates for current licensees for
 1932 the purpose of reducing large numbers of license expirations
 1933 that occur during the same month.

1934 (2) The department shall prorate any licensing fee for
 1935 which the term of the license was reduced for the purposes of
 1936 alignment.

1937 (3) The department shall adopt rules to implement this
 1938 section.

1939 Section 62. Section 570.822, Florida Statutes, is amended
 1940 to read:

1941 570.822 Agriculture and Aquaculture Producers Emergency
 1942 ~~Natural Disaster~~ Recovery Loan Program.-

1943 (1) DEFINITIONS.-As used in this section, the term:

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1944 (a) "Bona fide farm operation" means a farm operation
1945 engaged in a good faith commercial agricultural use of land on
1946 land classified as agricultural pursuant to s. 193.461 or on
1947 sovereign submerged land that is leased to the applicant by the
1948 department pursuant to s. 597.010 and that produces agricultural
1949 products within the definition of agriculture under s. 570.02.

1950 (b) "Declared emergency natural disaster" means an
1951 emergency ~~a natural disaster~~ for which a state of emergency is
1952 declared pursuant to s. 252.36 or s. 570.07(21).

1953 (c) "Department" means the Department of Agriculture and
1954 Consumer Services.

1955 (d) "Essential physical property" means fences; equipment;
1956 structural production facilities, such as shade houses and
1957 greenhouses; or other agriculture or aquaculture facilities or
1958 infrastructure.

1959 (e) "Program" means the Agriculture and Aquaculture
1960 Producers Emergency Natural Disaster Recovery Loan Program.

1961 (2) USE OF LOAN FUNDS; LOAN TERMS.—

1962 (a) The program is established within the department to
1963 make loans to agriculture and aquaculture producers that have
1964 experienced damage or destruction from a declared emergency
1965 ~~natural disaster~~. Loan funds may be used to restore, repair, or
1966 replace essential physical property or remove vegetative debris
1967 from essential physical property, or restock aquaculture. A
1968 structure or building constructed using loan proceeds must
1969 comply with storm-hardening standards for nonresidential farm
1970 buildings as defined in s. 604.50(2). The department shall adopt
1971 such standards by rule.

1972 (b) The department may make a low-interest or interest-free

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1973 loan to an eligible applicant. The maximum amount that an
1974 applicant may receive during the application period for a loan
1975 is \$500,000. An applicant may not receive more than one loan per
1976 application period and no more than two loans per year or no
1977 more than five loans in any 3-year period. A loan term is 10
1978 years.

1979 (3) ELIGIBLE APPLICANTS.—To be eligible for the program, an
1980 applicant must:

1981 (a) Own or lease a bona fide farm operation that is located
1982 in a county named in a declared emergency ~~natural disaster~~ and
1983 that was damaged or destroyed as a result of such declared
1984 emergency ~~natural disaster~~.

1985 (b) Maintain complete and acceptable farm records, pursuant
1986 to criteria published by the department, and present them as
1987 proof of production levels and bona fide farm operations.

1988 (4) LOAN APPLICATION AND AGREEMENT.—

1989 (a) Requests for loans must be made by application to the
1990 department. Upon a determination that funding for loans is
1991 available, the department shall publicly notice an application
1992 period for the declared emergency ~~natural disaster~~, beginning
1993 within 60 days after the date of the declared emergency ~~natural~~
1994 ~~disaster~~ and running up to 1 year after the date of the declared
1995 emergency ~~natural disaster~~ or until all available loan funds are
1996 exhausted, whichever occurs first. The application may be
1997 renewed upon a determination from the department and an active
1998 declared emergency declaration.

1999 (b) An applicant must demonstrate the need for financial
2000 assistance and an ability to repay or meet a standard credit
2001 rating determined by the department.

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2002 (c) Loans must be made pursuant to written agreements
2003 specifying the terms and conditions agreed to by the approved
2004 applicant and the department. The loan agreement must specify
2005 that the loan is due upon sale if the property or other
2006 collateral for the loan is sold.

2007 (d) An approved applicant must agree to stay in production
2008 for the duration of the loan. A loan is not assumable.

2009 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured
2010 by a lien, subordinate only to any mortgage held by a financial
2011 institution as defined in s. 655.005, on property or other
2012 collateral as set forth in the loan agreement. The specific type
2013 of collateral required may vary depending upon the loan purpose,
2014 repayment ability, and the particular circumstances of the
2015 applicant. The department shall record the lien in public
2016 records in the county where the property is located and, in the
2017 case of personal property, perfect the security interest by
2018 filing appropriate Uniform Commercial Code forms with the
2019 Florida Secured Transaction Registry as required pursuant to
2020 chapter 679.

2021 (6) LOAN REPAYMENT.—

2022 (a) A loan is due and payable in accordance with the terms
2023 of the loan agreement.

2024 (b) The department shall defer payments for the first 3
2025 years of the loan. After 3 years, the department shall reduce
2026 the principal balance annually through the end of the loan term
2027 such that the original principal balance is reduced by 30
2028 percent. If the principal balance is repaid before the end of
2029 the 10th year, the applicant may not be required to pay more
2030 than 70 percent of the original principal balance. The approved

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2031 applicant must continue to be actively engaged in production in
2032 order to receive the original principal balance reductions and
2033 must continue to meet the loan agreement terms to the
2034 satisfaction of the department.

2035 (c) An approved applicant may make payments on the loan at
2036 any time without penalty. Early repayment is encouraged as other
2037 funding sources or revenues become available to the approved
2038 applicant.

2039 (d) All repayments of principal and interest, if
2040 applicable, received by the department in a fiscal year must be
2041 returned to the loan fund and made available for loans to other
2042 applicants in the next application period.

2043 (e) The department may periodically review an approved
2044 applicant to determine whether he or she continues to be in
2045 compliance with the terms of the loan agreement. If the
2046 department finds that an applicant is no longer in production or
2047 has otherwise violated the loan agreement, the department may
2048 seek repayment of the full original principal balance
2049 outstanding, including any interest or costs, as applicable, and
2050 excluding any applied or anticipated original principal balance
2051 reductions.

2052 (f) The department may defer or waive loan payments if at
2053 any time during the repayment period of a loan, the approved
2054 applicant experiences a significant hardship such as crop loss
2055 from a weather-related event or from impacts from a natural
2056 disaster or declared emergency.

2057 (7) ADMINISTRATION.—

2058 (a) The department shall create and maintain a separate
2059 account in the General Inspection Trust Fund as a fund for the

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

2073 (b) The department shall coordinate with other state
2074 agencies and other entities to ensure to the greatest extent
2075 possible that agriculture and aquaculture producers in this
2076 state have access to the maximum financial assistance available
2077 following a declared emergency ~~natural disaster~~. The
2078 coordination must endeavor to ensure that there is no
2079 duplication of financial assistance between the loan program and
2080 other funding sources, such as any federal or other state
2081 programs, including public assistance requests to the Federal
2082 Emergency Management Agency or financial assistance from the
2083 United States Department of Agriculture, which could render the
2084 approved applicant ineligible for other financial assistance.

2085 (8) PUBLIC RECORDS EXEMPTION.—

2086 (a) The following information held by the department
2087 pursuant to its administration of the program is exempt from s.
2088 119.07(1) and s. 24(a), Art. I of the State Constitution:

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2089 1. Tax returns.
2090 2. Credit history information, credit reports, and credit
2091 scores.

2092 (b) This subsection does not prohibit the disclosure of
2093 information held by the department pursuant to its
2094 administration of the program in an aggregated and anonymized
2095 format.

2096 (c) This subsection is subject to the Open Government
2097 Sunset Review Act in accordance with s. 119.15 and shall stand
2098 repealed on October 2, 2029, unless reviewed and saved from
2099 repeal through reenactment by the Legislature.

2100 (9) RULES.—The department shall adopt rules to implement
2101 this section.

2102 (10) REPORTS.—By December 1, 2024, and each December 1
2103 thereafter, the department shall provide a report on program
2104 activities during the previous fiscal year to the President of
2105 the Senate and the Speaker of the House of Representatives. The
2106 report must include information on noticed application periods,
2107 the number and value of loans awarded under the program for each
2108 application period, the number and value of loans outstanding,
2109 the number and value of any loan repayments received, and an
2110 anticipated repayment schedule for all loans.

2111 (11) SUNSET.—This section expires July 1, 2043, unless
2112 reviewed and saved from repeal through reenactment by the
2113 Legislature.

2114 Section 63. Section 570.823, Florida Statutes, is created
2115 to read:

2116 570.823 Silviculture emergency recovery program.—

2117 (1) DEFINITIONS.—As used in this section, the term:

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2118 (a) "Bona fide farm operation" means a farm operation
2119 engaged in a good faith commercial agricultural use of land on
2120 land classified as agricultural pursuant to s. 193.461 that
2121 produces agricultural products within the definition of
2122 agriculture under s. 570.02.

2123 (b) "Declared emergency" means an emergency for which a
2124 state of emergency is declared pursuant to s. 252.36 or s.
2125 570.07(21).

2126 (c) "Department" means the Department of Agriculture and
2127 Consumer Services.

2128 (d) "Program" means the Silviculture Emergency Recovery
2129 Program.

2130 (2) USE OF GRANT FUNDS; GRANT TERMS.—

2131 (a) The silviculture emergency recovery program is
2132 established within the department to administer a grant program
2133 to assist timber landowners whose timber land was damaged as a
2134 result of a declared emergency. Grants provided to eligible
2135 timber landowners must be used for:

2136 1. Timber stand restoration, including downed tree removal
2137 on land which will retain the existing trees on site which are
2138 lightly or completely undamaged; or

2139 2. Site preparation, and tree replanting.

2140 3. Road and trail clearing on private timber lands to
2141 provide emergency access and facilitate salvage operations.

2142 (b) Only timber land located on lands classified as
2143 agricultural lands under s. 193.461 are eligible for the
2144 program.

2145 (c) The department shall coordinate with state agencies and
2146 other entities to ensure to the greatest extent possible that

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2147 timber landowners have access to the maximum financial
2148 assistance available following a specified declared emergency.
2149 The coordination must endeavor to ensure that there is no
2150 duplication of financial assistance between these funds and
2151 other funding sources, such as any federal or other state
2152 programs, including public assistance requests to the Federal
2153 Emergency Management Agency or financial assistance from the
2154 United States Department of Agriculture, which would render the
2155 approved applicant ineligible for other financial assistance.

2156 (d) The department is authorized to adopt rules to
2157 implement this section, including emergency rules.
2158 Notwithstanding any other provision of law, emergency rules
2159 adopted pursuant to this subsection are effective for 6 months
2160 after adoption and may be renewed during the pendency of
2161 procedures to adopt permanent rules addressing the subject of
2162 the emergency rules.

2163 Section 64. Subsections (2) and (5) of section 581.1843,
2164 Florida Statutes, are amended to read:

2165 581.1843 Citrus nursery stock propagation and production
2166 and the establishment of regulated areas around citrus
2167 nurseries.—

2168 (2) Effective January 1, 2007, it is unlawful for any
2169 person to propagate for sale or movement any citrus nursery
2170 stock that was not propagated or grown on a site and within a
2171 protective structure approved by the department ~~and that is not~~
2172 ~~at least 1 mile away from commercial citrus groves. A citrus~~
2173 ~~nursery registered with the department prior to April 1, 2006,~~
2174 ~~shall not be required to comply with the 1-mile setback from~~
2175 ~~commercial citrus groves while continuously operating at the~~

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2176 ~~same location for which it was registered. However, the nursery~~
2177 ~~shall be required to propagate citrus within a protective~~
2178 ~~structure approved by the department. Effective January 1, 2008,~~
2179 ~~it is shall be unlawful to distribute any citrus nursery stock~~
2180 ~~that was not produced in a protective structure approved by the~~
2181 ~~department.~~

2182 ~~(5) The department shall establish regulated areas around~~
2183 ~~the perimeter of commercial citrus nurseries that were~~
2184 ~~established on sites after April 1, 2006, not to exceed a radius~~
2185 ~~of 1 mile. The planting of citrus in an established regulated~~
2186 ~~area is prohibited. The planting of citrus within a 1-mile~~
2187 ~~radius of commercial citrus nurseries that were established on~~
2188 ~~sites prior to April 1, 2006, must be approved by the~~
2189 ~~department. Citrus plants planted within a regulated area prior~~
2190 ~~to the establishment of the regulated area may remain in the~~
2191 ~~regulated area unless the department determines the citrus~~
2192 ~~plants to be infected or infested with citrus canker or citrus~~
2193 ~~greening. The department shall require the removal of infected~~
2194 ~~or infested citrus, nonapproved planted citrus, and citrus that~~
2195 ~~has sprouted by natural means in regulated areas. The property~~
2196 ~~owner shall be responsible for the removal of citrus planted~~
2197 ~~without proper approval. Notice of the removal of citrus trees,~~
2198 ~~by immediate final order of the department, shall be provided to~~
2199 ~~the owner of the property on which the trees are located. An~~
2200 ~~immediate final order issued by the department under this~~
2201 ~~section shall notify the property owner that the citrus trees,~~
2202 ~~which are the subject of the immediate final order, must be~~
2203 ~~removed and destroyed unless the property owner, no later than~~
2204 ~~10 days after delivery of the immediate final order, requests~~

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2205 ~~and obtains a stay of the immediate final order from the~~
 2206 ~~district court of appeal with jurisdiction to review such~~
 2207 ~~requests. The property owner shall not be required to seek a~~
 2208 ~~stay from the department of the immediate final order prior to~~
 2209 ~~seeking a stay from the district court of appeal.~~

2210 Section 65. Sections 593.101, 593.102, 593.103, 593.104,
 2211 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,
 2212 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116,
 2213 and 593.117, Florida Statutes, are repealed.

2214 Section 66. Subsection (11) of section 595.404, Florida
 2215 Statutes, is amended to read:

2216 595.404 School food and other nutrition programs; powers
 2217 and duties of the department.—The department has the following
 2218 powers and duties:

2219 (11) To adopt and implement an appeal process by rule, as
 2220 required by federal regulations, for applicants and participants
 2221 under the programs implemented pursuant to this chapter,
 2222 notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss.~~
 2223 ~~120.569 and 120.57-120.595.~~

2224 Section 67. Section 599.002, Florida Statutes, is amended
 2225 to read:

2226 599.002 Florida Wine Viticulture ~~Viticulture~~ Advisory Council.—

2227 (1) There is created within the Department of Agriculture
 2228 and Consumer Services the Florida Wine Viticulture ~~Viticulture~~ Advisory
 2229 Council, to consist of eight members as follows: the president
 2230 of the Florida Wine and Grape Growers Association ~~Florida Grape~~
 2231 ~~Growers' Association~~ or a designee thereof; a representative
 2232 from the Institute of Food and Agricultural Sciences; a
 2233 representative from the viticultural science program at Florida

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2234 Agricultural and Mechanical University; and five additional
2235 commercial members, to be appointed for a 2-year term each by
2236 the Commissioner of Agriculture, including a wine producer, a
2237 fresh fruit producer, a nonwine product (juice, jelly, pie
2238 fillings, etc.) producer, and a viticultural nursery operator.

2239 (2) The meetings, powers and duties, procedures, and
2240 recordkeeping of the Florida Wine ~~Viticulture~~ Advisory Council
2241 shall be pursuant to s. 570.232.

2242 (3) The primary responsibilities of the Florida Wine
2243 ~~Viticulture~~ Advisory Council are to submit to the Commissioner
2244 of Agriculture, annually, the industry's recommendations for
2245 wine and viticultural research, promotion, and education and, as
2246 necessary, the industry's recommendations for revisions to the
2247 State Wine ~~Viticulture~~ Plan.

2248 Section 68. Section 599.003, Florida Statutes, is amended
2249 to read:

2250 599.003 State Wine ~~Viticulture~~ Plan.—

2251 (1) The Commissioner of Agriculture, in consultation with
2252 the Florida Wine ~~Viticulture~~ Advisory Council, shall develop and
2253 coordinate the implementation of the State Wine ~~Viticulture~~
2254 Plan, which shall identify problems and constraints of the wine
2255 and viticulture industry, propose possible solutions to those
2256 problems, and develop planning mechanisms for the orderly growth
2257 of the industry, including:

2258 (a) Criteria for wine and viticultural research, service,
2259 and management priorities.

2260 (b) Additional proposed legislation that may be required.

2261 (c) Plans and goals to improve research and service
2262 capabilities at Florida Agricultural and Mechanical University

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2263 and the University of Florida in their efforts to address
2264 current and future needs of the industry.

2265 (d) The potential for viticulture products in terms of
2266 market and needs for development.

2267 (e) Evaluation of wine policy alternatives, including, but
2268 not limited to, continued improvement in wine quality, blending
2269 considerations, promotion and advertising, labeling and vineyard
2270 designations, and development of production and marketing
2271 strategies.

2272 (f) Evaluation of production and fresh fruit policy
2273 alternatives, including, but not limited to, setting minimum
2274 grades and standards, promotion and advertising, development of
2275 production and marketing strategies, and setting minimum
2276 standards on types and quality of nursery plants.

2277 (g) Evaluation of policy alternatives for nonwine processed
2278 products, including, but not limited to, setting minimum quality
2279 standards and development of production and marketing
2280 strategies.

2281 (h) Research and service priorities for further development
2282 of the wine and viticulture industry.

2283 (i) The identification of state agencies and public and
2284 private institutions concerned with research, education,
2285 extension, services, planning, promotion, and marketing
2286 functions related to wine and viticultural development and the
2287 delineation of contributions and responsibilities.

2288 (j) Business planning, investment potential, financial
2289 risks, and economics of production and utilization.

2290 (2) A revision and update of the State Wine ~~Viticulture~~
2291 Plan shall be submitted biennially to the President of the

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2292 Senate, the Speaker of the House of Representatives, and the
2293 chairs of appropriate committees of the Senate and House of
2294 Representatives, and a progress report and budget request shall
2295 be submitted annually.

2296 Section 69. Paragraph (a) of subsection (2) and subsection
2297 (3) of section 599.004, Florida Statutes, are amended, and
2298 paragraph (d) is added to subsection (2) of that section, to
2299 read:

2300 599.004 Florida Farm Winery Program; registration; logo;
2301 fees.—

2302 (2) (a) The department, in coordination with the Florida
2303 Wine Viticulture Advisory Council, shall develop and designate
2304 by rule a Florida Farm Winery logo, emblem, and directional sign
2305 to guide the public to certified Florida Farm Wineries Winery
2306 ~~tourist attractions~~. The logo and emblem of certified Florida
2307 Farm Winery signs shall be uniform.

2308 (d) Wineries that fail to recertify annually or pay the
2309 licensing fee required in paragraph (c) are subject to having
2310 the signs referenced in paragraph (b) removed and will be
2311 responsible for all costs incurred by the Department of
2312 Transportation in connection with the removal.

2313 (3) All fees collected, except as otherwise provided by
2314 this section, shall be deposited into the Florida Wine
2315 Viticulture Trust Fund and used to develop consumer information
2316 on the native characteristics and proper use of wines.

2317 Section 70. Paragraph (a) of subsection (1) of section
2318 599.012, Florida Statutes, is amended to read:

2319 599.012 Wine Viticulture Trust Fund; creation.—

2320 (1) There is established the Viticulture Trust Fund within

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2321 the Department of Agriculture and Consumer Services. The
2322 department shall use the moneys deposited in the trust fund
2323 pursuant to subsection (2) to do all the following:

2324 (a) Develop and coordinate the implementation of the State
2325 Viticulture Plan.

2326 Section 71. Subsection (1) of section 616.12, Florida
2327 Statutes, is amended to read:

2328 616.12 Licenses upon certain shows; distribution of fees;
2329 exemptions.—

2330 (1) Each person who operates any traveling show,
2331 exhibition, amusement enterprise, carnival, vaudeville, exhibit,
2332 ~~minstrel~~, rodeo, theatrical, game or test of skill, riding
2333 device, dramatic repertoire, other show or amusement, or
2334 concession, including a concession operating in a tent,
2335 enclosure, or other temporary structure, within the grounds of,
2336 and in connection with, any annual public fair held by a fair
2337 association shall pay the license taxes provided by law.

2338 However, if the association satisfies the requirements of this
2339 chapter, including securing the required fair permit from the
2340 department, the license taxes and local business tax authorized
2341 in chapter 205 are waived and the department shall issue a tax
2342 exemption certificate. The department shall adopt the proper
2343 forms and rules to administer this section, including the
2344 necessary tax exemption certificate, showing that the fair
2345 association has met all requirements and that the traveling
2346 show, exhibition, amusement enterprise, carnival, vaudeville,
2347 exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill,
2348 riding device, dramatic repertoire, other show or amusement, or
2349 concession is exempt.

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2350 Section 72. Section 687.16, Florida Statutes, is created to
2351 read:

2352 687.16 Florida Farmer Financial Protection Act.—

2353 (1) SHORT TITLE.—This section may be cited as the “Florida
2354 Farmer Financial Protection Act.”

2355 (2) DEFINITIONS.—

2356 (a) “Agritourism activity” has the same meaning as provided
2357 in s. 570.86.

2358 (b) “Agriculture producer” means a person or company
2359 authorized to do business in this state and engaged in the
2360 production of goods derived from plants or animals, including,
2361 but not limited to, the growing of crops, silviculture, animal
2362 husbandry, or the production of livestock or dairy products.

2363 (c) “Commissioner” means the Commissioner of Agriculture.

2364 (d) “Company” means a for-profit organization, association,
2365 corporation, partnership, joint venture, sole proprietorship,
2366 limited partnership, limited liability partnership, or limited
2367 liability company, including a wholly owned subsidiary,
2368 majority-owned subsidiary, parent company, or affiliate of those
2369 entities or business associations authorized to do business in
2370 this state.

2371 (e) “Denies or restricts” means refusing to provide
2372 services, terminating existing services, or restricting or
2373 burdening the scope or nature of services offered or provided.

2374 (f) “Discriminate in the provision of financial services”
2375 means to deny or restrict services and thereby decline to
2376 provide financial services.

2377 (g) “ESG factor” means any factor or consideration that is
2378 collateral to or not reasonably likely to affect or impact

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2379 financial risk and includes the promotion, furtherance, or
2380 achievement of environmental, social, or political goals,
2381 objectives, or outcomes, which may include the agriculture
2382 producer's greenhouse gas emissions, use of fossil-fuel derived
2383 fertilizer, or use of fossil-fuel powered machinery.

2384 (h) "Farm" means the land, buildings, support facilities,
2385 machinery, and other appurtenances used in the production of
2386 farm or aquaculture products.

2387 (i) "Financial institution" means a company authorized to
2388 do business in this state which has total assets of more than
2389 \$100 million and offers financial services. A financial
2390 institution includes any affiliate or subsidiary company, even
2391 if that affiliate or subsidiary company is also a financial
2392 institution.

2393 (j) "Financial service" means any product or service that
2394 is of a financial nature and is offered by a financial
2395 institution.

2396 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.-

2397 (a) A financial institution may not discriminate in the
2398 provision of financial services to an agriculture producer
2399 based, in whole or in part, upon an ESG factor.

2400 (b) If a financial institution has made any ESG commitment
2401 related to agriculture, there is an inference that the
2402 institution's denial or restriction of a financial service to an
2403 agriculture producer violates paragraph (a).

2404 (c) A financial institution may overcome the inference in
2405 paragraph (b) by demonstrating that its denial or restriction of
2406 a financial service was based solely on documented risk
2407 analysis, and not on any ESG factor.

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2408 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney
2409 General, in consultation with the Office of Financial
2410 Regulation, is authorized to enforce subsection (3). Any
2411 violation of subsection (3) constitutes an unfair trade practice
2412 under part II of chapter 501 and the Attorney General is
2413 authorized to investigate and seek remedies as provided in
2414 general law. Actions for damages may be sought by an aggrieved
2415 party.

2416 Section 73. Paragraph (a) of subsection (3) of section
2417 741.0305, Florida Statutes, is amended to read:

2418 741.0305 Marriage fee reduction for completion of
2419 premarital preparation course.—

2420 (3)(a) All individuals electing to participate in a
2421 premarital preparation course shall choose from the following
2422 list of qualified instructors:

2423 1. A psychologist licensed under chapter 490.
2424 2. A clinical social worker licensed under chapter 491.
2425 3. A marriage and family therapist licensed under chapter
2426 491.

2427 4. A mental health counselor licensed under chapter 491.
2428 5. An official representative of a religious institution
2429 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the
2430 representative has relevant training.

2431 6. Any other provider designated by a judicial circuit,
2432 including, but not limited to, school counselors who are
2433 certified to offer such courses. Each judicial circuit may
2434 establish a roster of area course providers, including those who
2435 offer the course on a sliding fee scale or for free.

2436 Section 74. Paragraph (h) of subsection (2), subsection

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2437 (3), paragraph (c) of subsection (6), and subsection (10) of
2438 section 790.06, Florida Statutes, are amended to read:

2439 790.06 License to carry concealed weapon or concealed
2440 firearm.—

2441 (2) The Department of Agriculture and Consumer Services
2442 shall issue a license if the applicant:

2443 (h) Demonstrates competence with a firearm by any one of
2444 the following:

2445 1. Completion of any hunter education or hunter safety
2446 course approved by the Fish and Wildlife Conservation Commission
2447 or a similar agency of another state;

2448 2. Completion of any National Rifle Association firearms
2449 safety or training course;

2450 3. Completion of any firearms safety or training course or
2451 class available to the general public offered by a law
2452 enforcement agency, junior college, college, or private or
2453 public institution or organization or firearms training school,
2454 using instructors certified by the National Rifle Association,
2455 Criminal Justice Standards and Training Commission, or the
2456 Department of Agriculture and Consumer Services;

2457 4. Completion of any law enforcement firearms safety or
2458 training course or class offered for security guards,
2459 investigators, special deputies, or any division or subdivision
2460 of a law enforcement agency or security enforcement;

2461 5. Presents evidence of equivalent experience with a
2462 firearm through participation in organized shooting competition
2463 or United States military service;

2464 6. Is licensed or has been licensed to carry a concealed
2465 weapon or concealed firearm in this state or a county or

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2466 municipality of this state, unless such license has been revoked
2467 for cause; or

2468 7. Completion of any firearms training or safety course or
2469 class conducted by a state-certified or National Rifle
2470 Association certified firearms instructor;

2471

2472 A photocopy of a certificate of completion of any of the courses
2473 or classes; an affidavit from the instructor, school, club,
2474 organization, or group that conducted or taught such course or
2475 class attesting to the completion of the course or class by the
2476 applicant; or a copy of any document that shows completion of
2477 the course or class or evidences participation in firearms
2478 competition shall constitute evidence of qualification under
2479 this paragraph. A person who conducts a course pursuant to
2480 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as
2481 an instructor, attests to the completion of such courses, must
2482 maintain records certifying that he or she observed the student
2483 safely handle and discharge the firearm in his or her physical
2484 presence and that the discharge of the firearm included live
2485 fire using a firearm and ammunition as defined in s. 790.001;

2486 (3)(a) The Department of Agriculture and Consumer Services
2487 shall deny a license if the applicant has been found guilty of,
2488 had adjudication of guilt withheld for, or had imposition of
2489 sentence suspended for one or more crimes of violence
2490 constituting a misdemeanor, unless 3 years have elapsed since
2491 probation or any other conditions set by the court have been
2492 fulfilled or the record has been sealed or expunged. The
2493 Department of Agriculture and Consumer Services shall revoke a
2494 license if the licensee has been found guilty of, had

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2495 adjudication of guilt withheld for, or had imposition of
2496 sentence suspended for one or more crimes of violence within the
2497 preceding 3 years. The department shall, upon notification by a
2498 law enforcement agency, a court, clerk's office, or the Florida
2499 Department of Law Enforcement ~~and subsequent written~~
2500 ~~verification~~, temporarily suspend a license or the processing of
2501 an application for a license if the licensee or applicant is
2502 arrested or formally charged with a crime that would disqualify
2503 such person from having a license under this section, until
2504 final disposition of the case. The department shall suspend a
2505 license or the processing of an application for a license if the
2506 licensee or applicant is issued an injunction that restrains the
2507 licensee or applicant from committing acts of domestic violence
2508 or acts of repeat violence. The department shall notify the
2509 licensee or applicant suspended under this section of his or her
2510 right to a hearing pursuant to chapter 120. A hearing conducted
2511 regarding the temporary suspension must be for the limited
2512 purpose of determining whether the licensee has been arrested or
2513 charged with a disqualifying crime or issued an injunction or
2514 court order. If the criminal case or injunction results in a
2515 nondisqualifying disposition, the department must issue an order
2516 lifting the suspension upon the applicant or licensee's
2517 submission to the department of a certified copy of the final
2518 resolution. If the criminal case results in a disqualifying
2519 disposition, the suspension remains in effect and the department
2520 must proceed with denial or revocation proceedings pursuant to
2521 chapter 120.

2522 (b) This subsection may not be construed to limit,
2523 restrict, or inhibit the constitutional right to bear arms and

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2524 carry a concealed weapon in this state. The Legislature finds it
2525 a matter of public policy and public safety that it is necessary
2526 to ensure that potentially disqualifying information about an
2527 applicant or licensee is investigated and processed in a timely
2528 manner by the department pursuant to this section. The
2529 Legislature intends to clarify that suspensions pursuant to this
2530 section are temporary, and the department has the duty to make
2531 an eligibility determination and issue a license in the time
2532 frame prescribed in this subsection.

2533 (6)

2534 (c) The Department of Agriculture and Consumer Services
2535 shall, within 90 days after the date of receipt of the items
2536 listed in subsection (5):

2537 1. Issue the license; or

2538 2. Deny the application based solely on the ground that the
2539 applicant fails to qualify under the criteria listed in
2540 subsection (2) or subsection (3). If the Department of
2541 Agriculture and Consumer Services denies the application, it
2542 shall notify the applicant in writing, stating the ground for
2543 denial and informing the applicant of any right to a hearing
2544 pursuant to chapter 120.

2545 3. In the event the result of the criminal history
2546 screening identifies ~~department receives~~ criminal history
2547 information related to a crime that may disqualify the applicant
2548 but does not contain with no final disposition of the crime or
2549 lacks sufficient information to make an eligibility
2550 determination on a crime which may disqualify the applicant, the
2551 time limitation prescribed by this paragraph may be extended for
2552 up to an additional 90 days from the receipt of the information

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

2563 (10) A license issued under this section shall be
2564 temporarily suspended as provided for in subparagraph (6)(c)3.,
2565 or revoked pursuant to chapter 120 if the license was issued in
2566 error or if the licensee:

2567 (a) Is found to be ineligible under the criteria set forth
2568 in subsection (2);

2569 (b) Develops or sustains a physical infirmity which
2570 prevents the safe handling of a weapon or firearm;

2571 (c) Is convicted of a felony which would make the licensee
2572 ineligible to possess a firearm pursuant to s. 790.23;

2573 (d) Is found guilty of a crime under chapter 893, or
2574 similar laws of any other state, relating to controlled
2575 substances;

2576 (e) Is committed as a substance abuser under chapter 397,
2577 or is deemed a habitual offender under s. 856.011(3), or similar
2578 laws of any other state;

2579 (f) Is convicted of a second violation of s. 316.193, or a
2580 similar law of another state, within 3 years after a first
2581 conviction of such section or similar law of another state, even

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2582 though the first violation may have occurred before the date on
2583 which the application was submitted;

2584 (g) Is adjudicated an incapacitated person under s.
2585 744.331, or similar laws of any other state; or

2586 (h) Is committed to a mental institution under chapter 394,
2587 or similar laws of any other state.

2588

2589 Notwithstanding s. 120.60(5), service of a notice of the
2590 suspension or revocation of a concealed weapon or concealed
2591 firearm license must be given by either certified mail, return
2592 receipt requested, to the licensee at his or her last known
2593 mailing address furnished to the Department of Agriculture and
2594 Consumer Services, or by personal service. If a notice given by
2595 certified mail is returned as undeliverable, a second attempt
2596 must be made to provide notice to the licensee at that address,
2597 by either first-class mail in an envelope, postage prepaid,
2598 addressed to the licensee at his or her last known mailing
2599 address furnished to the department, or, if the licensee has
2600 provided an e-mail address to the department, by e-mail. Such
2601 mailing by the department constitutes notice, and any failure by
2602 the licensee to receive such notice does not stay the effective
2603 date or term of the suspension or revocation. A request for
2604 hearing must be filed with the department within 21 days after
2605 notice is received by personal delivery, or within 26 days after
2606 the date the department deposits the notice in the United States
2607 mail (21 days plus 5 days for mailing). The department shall
2608 document its attempts to provide notice, and such documentation
2609 is admissible in the courts of this state and constitutes
2610 sufficient proof that notice was given.

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2611 Section 75. Paragraph (f) of subsection (3) of section
2612 790.33, Florida Statutes, is amended to read:

2613 790.33 Field of regulation of firearms and ammunition
2614 preempted.—

2615 (3) PROHIBITIONS; PENALTIES.—

2616 (f)1. A person or an organization whose membership is
2617 adversely affected by any ordinance, regulation, measure,
2618 directive, rule, enactment, order, or policy, whether written or
2619 unwritten, promulgated or caused to be enforced in violation of
2620 this section may file suit against any county, agency,
2621 municipality, district, or other entity in any court of this
2622 state having jurisdiction over any defendant to the suit for
2623 declaratory and injunctive relief and for actual damages, as
2624 limited herein, caused by the violation. Civil fines assessed
2625 pursuant to paragraph (3) (c) and any attorney fees and costs
2626 shall be assessed only upon a finding that the entity received
2627 notice of the local ordinance or administrative rule or
2628 regulation impinging upon such exclusive occupation of the field
2629 of regulation of firearms and ammunition at least 30 days before
2630 a suit under this paragraph was filed and that the entity failed
2631 to change the ordinance, regulation, measure, directive, rule,
2632 enactment, order, or policy within that 30-day period. A court
2633 shall award the prevailing party ~~plaintiff~~ in any such suit:

2634 a. Reasonable attorney fees and costs in accordance with
2635 the laws of this state, including a contingency fee multiplier,
2636 as authorized by law; and

2637 b. The actual damages incurred, but not more than \$100,000.

2638 2. If after the filing of a complaint a defendant
2639 voluntarily changes the ordinance, regulation, measure,

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2640 directive, rule, enactment, order, or policy, written or
2641 unwritten, promulgated or caused to be enforced in violation of
2642 this section, with or without court action, the plaintiff is
2643 considered a prevailing plaintiff for purposes of this section.

2644

2645 Interest on the sums awarded pursuant to this subsection shall
2646 accrue at the legal rate from the date on which suit was filed.

2647 Section 76. Subsection (2) of section 812.0151, Florida
2648 Statutes, is amended to read:

2649 812.0151 Retail fuel theft.—

2650 (2) (a) A person commits a felony of the third degree,
2651 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2652 if he or she willfully, knowingly, and without authorization:

2653 1. Breaches a retail fuel dispenser or accesses any
2654 internal portion of a retail fuel dispenser; or

2655 2. Possesses any device constructed for the purpose of
2656 fraudulently altering, manipulating, or interrupting the normal
2657 functioning of a retail fuel dispenser.

2658 3. Possesses any form of a payment instrument that can be
2659 used, alone or in conjunction with another access device, to
2660 authorize a fuel transaction or obtain fuel, including, but not
2661 limited to, a plastic payment card with a magnetic stripe or a
2662 chip encoded with account information or both, with the intent
2663 to defraud the fuel retailer, the authorized payment instrument
2664 financial account holder, or the banking institution that issued
2665 the payment instrument financial account.

2666 (b) A person commits a felony of the second degree,
2667 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2668 if he or she willfully, knowingly, and without authorization:

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2669 1. Physically tampers with, manipulates, removes, replaces,
2670 or interrupts any mechanical or electronic component located on
2671 ~~within~~ the internal or external portion of a retail fuel
2672 dispenser; or

2673 2. Uses any form of electronic communication to
2674 fraudulently alter, manipulate, or interrupt the normal
2675 functioning of a retail fuel dispenser.

2676 (c) A person commits a felony of the third degree,
2677 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2678 if he or she:

2679 1. Obtains fuel as a result of violating paragraph (a) or
2680 paragraph (b); ~~or~~

2681 2. Modifies a vehicle's factory installed fuel tank or
2682 possesses any item used to hold fuel which was not fitted to a
2683 vehicle or conveyance at the time of manufacture with the intent
2684 to use such fuel tank or item to hold or transport fuel obtained
2685 as a result of violating paragraph (a) or paragraph (b); or

2686 3. Uses any form of a payment instrument that can be used,
2687 alone or in conjunction with another access device, to authorize
2688 a fuel transaction or obtain fuel, including, but not limited
2689 to, a plastic payment card with a magnetic stripe or a chip
2690 encoded with account information or both, with the intent to
2691 defraud the fuel retailer, the authorized payment instrument
2692 financial account holder, or the banking institution that issued
2693 the payment instrument financial account.

2694 Section 77. Section 812.136, Florida Statutes, is created
2695 to read:

2696 812.136 Mail theft.—

2697 (1) As used in this section, unless the context otherwise

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2698 requires:

2699 (a) "Mail" means any letter, postal card, parcel, envelope,
2700 package, bag, or any other sealed article addressed to another,
2701 along with its contents.

2702 (b) "Mail depository" means a mail box, letter box, mail
2703 route, or mail receptacle of a postal service, an office of a
2704 postal service, or mail carrier of a postal service, or a
2705 vehicle of a postal service.

2706 (c) "Postal service" means the United States Postal Service
2707 or its contractors, or any commercial courier that delivers
2708 mail.

2709 (2) Any of the following acts shall constitute mail theft:

2710 (a) Removing mail from a mail depository or taking mail
2711 from a mail carrier of a postal service with an intent to steal.

2712 (b) Obtaining custody of mail by fraud or deception with an
2713 intent to steal.

2714 (c) Selling, receiving, possessing, transferring, buying,
2715 or concealing mail obtained by acts described in paragraph (a)
2716 or paragraph (b) of this subsection, while knowing or having
2717 reason to know the mail was obtained illegally.

2718 (3) Any of the following shall constitute theft of or
2719 unauthorized reproduction of a mail depository key or lock:

2720 (a) Stealing or obtaining by false pretense any key or lock
2721 adopted by a postal service for a mail depository or other
2722 authorized receptacle for the deposit or delivery of mail.

2723 (b) Knowingly and unlawfully making, forging, or
2724 counterfeiting any such key or possessing any such key or lock
2725 adopted by a postal service with the intent to unlawfully or
2726 improperly use, sell, or otherwise dispose of the key or lock,

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2727 or to cause the key or lock to be unlawfully or improperly used,
2728 sold, or otherwise disposed.

2729 (4) The first violation of this section shall constitute a
2730 misdemeanor of the first degree, punishable by a term of
2731 imprisonment not exceeding 1 year pursuant to s. 775.082(4)(a)
2732 or a fine not to exceed \$1,000 pursuant to s. 775.083(1)(d), or
2733 both. A second or subsequent violation of this section shall
2734 constitute a felony of the third degree, punishable by a term of
2735 imprisonment not exceeding 5 years pursuant to s. 775.82(3)(e)
2736 or a fine not to exceed \$5,000 pursuant to s. 775.083(1)(c), or
2737 both.

2738 Section 78. Section 1013.373, Florida Statutes, is created
2739 to read:

2740 1013.373 Educational facilities used for agricultural
2741 education.—

2742 (1) Notwithstanding any other provision of law, a local
2743 government may not adopt any ordinance, regulation, rule, or
2744 policy to prohibit, restrict, regulate, or otherwise limit any
2745 activities of public educational facilities and auxiliary
2746 facilities constructed by a board for agricultural education,
2747 for Future Farmers of America or 4-H activities, or the storage
2748 of any animals or equipment therein.

2749 (2) Lands used for agricultural education or for Future
2750 Farmers of America or 4-H activities shall be considered
2751 agricultural lands pursuant to s. 193.461 and subject to s.
2752 823.14.

2753 Section 79. For the purpose of incorporating the amendment
2754 made by this act to section 110.205, Florida Statutes, in a
2755 reference thereto, paragraph (a) of subsection (5) of section

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2756 295.07, Florida Statutes, is reenacted to read:

2757 295.07 Preference in appointment and retention.—

2758 (5) The following positions are exempt from this section:

2759 (a) Those positions that are exempt from the state Career
2760 Service System under s. 110.205(2); however, all positions under
2761 the University Support Personnel System of the State University
2762 System as well as all Career Service System positions under the
2763 Florida College System and the School for the Deaf and the
2764 Blind, or the equivalent of such positions at state
2765 universities, Florida College System institutions, or the School
2766 for the Deaf and the Blind, are not exempt.

2767 Section 80. For the purpose of incorporating the amendment
2768 made by this act to section 193.461, Florida Statutes, in a
2769 reference thereto, paragraph (r) of subsection (1) of section
2770 125.01, Florida Statutes, is reenacted to read:

2771 125.01 Powers and duties.—

2772 (1) The legislative and governing body of a county shall
2773 have the power to carry on county government. To the extent not
2774 inconsistent with general or special law, this power includes,
2775 but is not restricted to, the power to:

2776 (r) Levy and collect taxes, both for county purposes and
2777 for the providing of municipal services within any municipal
2778 service taxing unit, and special assessments; borrow and expend
2779 money; and issue bonds, revenue certificates, and other
2780 obligations of indebtedness, which power shall be exercised in
2781 such manner, and subject to such limitations, as may be provided
2782 by general law. There shall be no referendum required for the
2783 levy by a county of ad valorem taxes, both for county purposes
2784 and for the providing of municipal services within any municipal

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2785 service taxing unit.

2786 1. Notwithstanding any other provision of law, a county may
2787 not levy special assessments on lands classified as agricultural
2788 lands under s. 193.461 unless the revenue from such assessments
2789 has been pledged for debt service and is necessary to meet
2790 obligations of bonds or certificates issued by the county which
2791 remain outstanding on July 1, 2023, including refundings thereof
2792 for debt service savings where the maturity of the debt is not
2793 extended. For bonds or certificates issued after July 1, 2023,
2794 special assessments securing such bonds may not be levied on
2795 lands classified as agricultural under s. 193.461.

2796 2. The provisions of subparagraph 1. do not apply to
2797 residential structures and their curtilage.

2798 Section 81. For the purpose of incorporating the amendment
2799 made by this act to section 193.461, Florida Statutes, in a
2800 reference thereto, paragraphs (a) through (d) of subsection (3)
2801 of section 163.3162, Florida Statutes, are reenacted to read:

2802 163.3162 Agricultural lands and practices.—

2803 (3) DUPLICATION OF REGULATION.—Except as otherwise provided
2804 in this section and s. 487.051(2), and notwithstanding any other
2805 law, including any provision of chapter 125 or this chapter:

2806 (a) A governmental entity may not exercise any of its
2807 powers to adopt or enforce any ordinance, resolution,
2808 regulation, rule, or policy to prohibit, restrict, regulate, or
2809 otherwise limit an activity of a bona fide farm operation on
2810 land classified as agricultural land pursuant to s. 193.461, if
2811 such activity is regulated through implemented best management
2812 practices, interim measures, or regulations adopted as rules
2813 under chapter 120 by the Department of Environmental Protection,

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2814 the Department of Agriculture and Consumer Services, or a water
2815 management district as part of a statewide or regional program;
2816 or if such activity is expressly regulated by the United States
2817 Department of Agriculture, the United States Army Corps of
2818 Engineers, or the United States Environmental Protection Agency.

2819 (b) A governmental entity may not charge a fee on a
2820 specific agricultural activity of a bona fide farm operation on
2821 land classified as agricultural land pursuant to s. 193.461, if
2822 such agricultural activity is regulated through implemented best
2823 management practices, interim measures, or regulations adopted
2824 as rules under chapter 120 by the Department of Environmental
2825 Protection, the Department of Agriculture and Consumer Services,
2826 or a water management district as part of a statewide or
2827 regional program; or if such agricultural activity is expressly
2828 regulated by the United States Department of Agriculture, the
2829 United States Army Corps of Engineers, or the United States
2830 Environmental Protection Agency.

2831 (c) A governmental entity may not charge an assessment or
2832 fee for stormwater management on a bona fide farm operation on
2833 land classified as agricultural land pursuant to s. 193.461, if
2834 the farm operation has a National Pollutant Discharge
2835 Elimination System permit, environmental resource permit, or
2836 works-of-the-district permit or implements best management
2837 practices adopted as rules under chapter 120 by the Department
2838 of Environmental Protection, the Department of Agriculture and
2839 Consumer Services, or a water management district as part of a
2840 statewide or regional program.

2841 (d) For each governmental entity that, before March 1,
2842 2009, adopted a stormwater utility ordinance or resolution,

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2843 adopted an ordinance or resolution establishing a municipal
2844 services benefit unit, or adopted a resolution stating the
2845 governmental entity's intent to use the uniform method of
2846 collection pursuant to s. 197.3632 for such stormwater
2847 ordinances, the governmental entity may continue to charge an
2848 assessment or fee for stormwater management on a bona fide farm
2849 operation on land classified as agricultural pursuant to s.
2850 193.461, if the ordinance or resolution provides credits against
2851 the assessment or fee on a bona fide farm operation for the
2852 water quality or flood control benefit of:

2853 1. The implementation of best management practices adopted
2854 as rules under chapter 120 by the Department of Environmental
2855 Protection, the Department of Agriculture and Consumer Services,
2856 or a water management district as part of a statewide or
2857 regional program;

2858 2. The stormwater quality and quantity measures required as
2859 part of a National Pollutant Discharge Elimination System
2860 permit, environmental resource permit, or works-of-the-district
2861 permit; or

2862 3. The implementation of best management practices or
2863 alternative measures which the landowner demonstrates to the
2864 governmental entity to be of equivalent or greater stormwater
2865 benefit than those provided by implementation of best management
2866 practices adopted as rules under chapter 120 by the Department
2867 of Environmental Protection, the Department of Agriculture and
2868 Consumer Services, or a water management district as part of a
2869 statewide or regional program, or stormwater quality and
2870 quantity measures required as part of a National Pollutant
2871 Discharge Elimination System permit, environmental resource

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2872 permit, or works-of-the-district permit.

2873 Section 82. For the purpose of incorporating the amendment
2874 made by this act to section 193.461, Florida Statutes, in a
2875 reference thereto, paragraph (c) of subsection (3) of section
2876 163.3163, Florida Statutes, is reenacted to read:

2877 163.3163 Applications for development permits; disclosure
2878 and acknowledgment of contiguous sustainable agricultural land.—

2879 (3) As used in this section, the term:

2880 (c) "Sustainable agricultural land" means land classified
2881 as agricultural land pursuant to s. 193.461 which is used for a
2882 farm operation that uses current technology, based on science or
2883 research and demonstrated measurable increases in productivity,
2884 to meet future food, feed, fiber, and energy needs, while
2885 considering the environmental impacts and the social and
2886 economic benefits to the rural communities.

2887 Section 83. For the purpose of incorporating the amendment
2888 made by this act to section 193.461, Florida Statutes, in a
2889 reference thereto, subsection (4) of section 163.3164, Florida
2890 Statutes, is reenacted to read:

2891 163.3164 Community Planning Act; definitions.—As used in
2892 this act:

2893 (4) "Agricultural enclave" means an unincorporated,
2894 undeveloped parcel that:

2895 (a) Is owned by a single person or entity;

2896 (b) Has been in continuous use for bona fide agricultural
2897 purposes, as defined by s. 193.461, for a period of 5 years
2898 prior to the date of any comprehensive plan amendment
2899 application;

2900 (c) Is surrounded on at least 75 percent of its perimeter

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2901 by:

2902 1. Property that has existing industrial, commercial, or
2903 residential development; or2904 2. Property that the local government has designated, in
2905 the local government's comprehensive plan, zoning map, and
2906 future land use map, as land that is to be developed for
2907 industrial, commercial, or residential purposes, and at least 75
2908 percent of such property is existing industrial, commercial, or
2909 residential development;2910 (d) Has public services, including water, wastewater,
2911 transportation, schools, and recreation facilities, available or
2912 such public services are scheduled in the capital improvement
2913 element to be provided by the local government or can be
2914 provided by an alternative provider of local government
2915 infrastructure in order to ensure consistency with applicable
2916 concurrency provisions of s. 163.3180; and2917 (e) Does not exceed 1,280 acres; however, if the property
2918 is surrounded by existing or authorized residential development
2919 that will result in a density at buildout of at least 1,000
2920 residents per square mile, then the area shall be determined to
2921 be urban and the parcel may not exceed 4,480 acres.2922 Section 84. For the purpose of incorporating the amendment
2923 made by this act to section 193.461, Florida Statutes, in a
2924 reference thereto, subsection (5) of section 163.3194, Florida
2925 Statutes, is reenacted to read:

2926 163.3194 Legal status of comprehensive plan.—

2927 (5) The tax-exempt status of lands classified as
2928 agricultural under s. 193.461 shall not be affected by any
2929 comprehensive plan adopted under this act as long as the land

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2930 meets the criteria set forth in s. 193.461.

2931 Section 85. For the purpose of incorporating the amendment
2932 made by this act to section 193.461, Florida Statutes, in a
2933 reference thereto, subsection (4) of section 170.01, Florida
2934 Statutes, is reenacted to read:

2935 170.01 Authority for providing improvements and levying and
2936 collecting special assessments against property benefited.—

2937 (4) Notwithstanding any other provision of law, a
2938 municipality may not levy special assessments for the provision
2939 of fire protection services on lands classified as agricultural
2940 lands under s. 193.461 unless the land contains a residential
2941 dwelling or nonresidential farm building, with the exception of
2942 an agricultural pole barn, provided the nonresidential farm
2943 building exceeds a just value of \$10,000. Such special
2944 assessments must be based solely on the special benefit accruing
2945 to that portion of the land consisting of the residential
2946 dwelling and curtilage, and qualifying nonresidential farm
2947 buildings. As used in this subsection, the term "agricultural
2948 pole barn" means a nonresidential farm building in which 70
2949 percent or more of the perimeter walls are permanently open and
2950 allow free ingress and egress.

2951 Section 86. For the purpose of incorporating the amendment
2952 made by this act to section 193.461, Florida Statutes, in a
2953 reference thereto, subsection (2) of section 193.052, Florida
2954 Statutes, is reenacted to read:

2955 193.052 Preparation and serving of returns.—

2956 (2) No return shall be required for real property the
2957 ownership of which is reflected in instruments recorded in the
2958 public records of the county in which the property is located,

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2959 unless otherwise required in this title. In order for land to be
2960 considered for agricultural classification under s. 193.461 or
2961 high-water recharge classification under s. 193.625, an
2962 application for classification must be filed on or before March
2963 1 of each year with the property appraiser of the county in
2964 which the land is located, except as provided in s.
2965 193.461(3)(a). The application must state that the lands on
2966 January 1 of that year were used primarily for bona fide
2967 commercial agricultural or high-water recharge purposes.

2968 Section 87. For the purpose of incorporating the amendment
2969 made by this act to section 193.461, Florida Statutes, in a
2970 reference thereto, section 193.4615, Florida Statutes, is
2971 reenacted to read:

2972 193.4615 Assessment of obsolete agricultural equipment.—For
2973 purposes of ad valorem property taxation, agricultural equipment
2974 that is located on property classified as agricultural under s.
2975 193.461 and that is no longer usable for its intended purpose
2976 shall be deemed to have a market value no greater than its value
2977 for salvage.

2978 Section 88. For the purpose of incorporating the amendment
2979 made by this act to section 193.461, Florida Statutes, in a
2980 reference thereto, paragraph (a) of subsection (5) and paragraph
2981 (a) of subsection (19) of section 212.08, Florida Statutes, are
2982 reenacted to read:

2983 212.08 Sales, rental, use, consumption, distribution, and
2984 storage tax; specified exemptions.—The sale at retail, the
2985 rental, the use, the consumption, the distribution, and the
2986 storage to be used or consumed in this state of the following
2987 are hereby specifically exempt from the tax imposed by this

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2988 chapter.

2989 (5) EXEMPTIONS; ACCOUNT OF USE.—

2990 (a) *Items in agricultural use and certain nets.*—There are

2991 exempt from the tax imposed by this chapter nets designed and

2992 used exclusively by commercial fisheries; disinfectants,

2993 fertilizers, insecticides, pesticides, herbicides, fungicides,

2994 and weed killers used for application on crops or groves,

2995 including commercial nurseries and home vegetable gardens, used

2996 in dairy barns or on poultry farms for the purpose of protecting

2997 poultry or livestock, or used directly on poultry or livestock;

2998 animal health products that are administered to, applied to, or

2999 consumed by livestock or poultry to alleviate pain or cure or

3000 prevent sickness, disease, or suffering, including, but not

3001 limited to, antiseptics, absorbent cotton, gauze for bandages,

3002 lotions, vaccines, vitamins, and worm remedies; aquaculture

3003 health products that are used by aquaculture producers, as

3004 defined in s. 597.0015, to prevent or treat fungi, bacteria, and

3005 parasitic diseases; portable containers or movable receptacles

3006 in which portable containers are placed, used for processing

3007 farm products; field and garden seeds, including flower seeds;

3008 nursery stock, seedlings, cuttings, or other propagative

3009 material purchased for growing stock; seeds, seedlings,

3010 cuttings, and plants used to produce food for human consumption;

3011 cloth, plastic, and other similar materials used for shade,

3012 mulch, or protection from frost or insects on a farm; hog wire

3013 and barbed wire fencing, including gates and materials used to

3014 construct or repair such fencing, used in agricultural

3015 production on lands classified as agricultural lands under s.

3016 193.461; materials used to construct or repair permanent or

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3017 temporary fencing used to contain, confine, or process cattle,
3018 including gates and energized fencing systems, used in
3019 agricultural operations on lands classified as agricultural
3020 lands under s. 193.461; stakes used by a farmer to support
3021 plants during agricultural production; generators used on
3022 poultry farms; and liquefied petroleum gas or other fuel used to
3023 heat a structure in which started pullets or broilers are
3024 raised; however, such exemption is not allowed unless the
3025 purchaser or lessee signs a certificate stating that the item to
3026 be exempted is for the exclusive use designated herein. Also
3027 exempt are cellophane wrappers, glue for tin and glass
3028 (apiarists), mailing cases for honey, shipping cases, window
3029 cartons, and baling wire and twine used for baling hay, when
3030 used by a farmer to contain, produce, or process an agricultural
3031 commodity.

3032 (19) FLORIDA FARM TEAM CARD.—

3033 (a) Notwithstanding any other law, a farmer whose property
3034 has been classified as agricultural pursuant to s. 193.461 or
3035 who has implemented agricultural best management practices
3036 adopted by the Department of Agriculture and Consumer Services
3037 pursuant to s. 403.067(7)(c)2. may apply to the department for a
3038 Florida farm tax exempt agricultural materials (TEAM) card to
3039 claim the applicable sales tax exemptions provided in this
3040 section. A farmer may present the Florida farm TEAM card to a
3041 selling dealer in lieu of a certificate or affidavit otherwise
3042 required by this chapter.

3043 Section 89. For the purpose of incorporating the amendment
3044 made by this act to section 193.461, Florida Statutes, in a
3045 reference thereto, subsection (2) of section 373.406, Florida

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3046 Statutes, is reenacted to read:

3047 373.406 Exemptions.—The following exemptions shall apply:

3048 (2) Notwithstanding s. 403.927, nothing herein, or in any
3049 rule, regulation, or order adopted pursuant hereto, shall be
3050 construed to affect the right of any person engaged in the
3051 occupation of agriculture, silviculture, floriculture, or
3052 horticulture to alter the topography of any tract of land,
3053 including, but not limited to, activities that may impede or
3054 divert the flow of surface waters or adversely impact wetlands,
3055 for purposes consistent with the normal and customary practice
3056 of such occupation in the area. However, such alteration or
3057 activity may not be for the sole or predominant purpose of
3058 impeding or diverting the flow of surface waters or adversely
3059 impacting wetlands. This exemption applies to lands classified
3060 as agricultural pursuant to s. 193.461 and to activities
3061 requiring an environmental resource permit pursuant to this
3062 part. This exemption does not apply to any activities previously
3063 authorized by an environmental resource permit or a management
3064 and storage of surface water permit issued pursuant to this part
3065 or a dredge and fill permit issued pursuant to chapter 403. This
3066 exemption has retroactive application to July 1, 1984.

3067 Section 90. For the purpose of incorporating the amendment
3068 made by this act to section 193.461, Florida Statutes, in a
3069 reference thereto, paragraph (a) of subsection (11) of section
3070 403.182, Florida Statutes, is reenacted to read:

3071 403.182 Local pollution control programs.—

3072 (11) (a) Notwithstanding this section or any existing local
3073 pollution control programs, the Secretary of Environmental
3074 Protection has exclusive jurisdiction in setting standards or

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3075 procedures for evaluating environmental conditions and assessing
3076 potential liability for the presence of contaminants on land
3077 that is classified as agricultural land pursuant to s. 193.461
3078 and being converted to a nonagricultural use. The exclusive
3079 jurisdiction includes defining what constitutes all appropriate
3080 inquiry consistent with 40 C.F.R. part 312 and guidance
3081 thereunder.

3082 Section 91. For the purpose of incorporating the amendment
3083 made by this act to section 193.461, Florida Statutes, in a
3084 reference thereto, subsection (4) of section 403.9337, Florida
3085 Statutes, is reenacted to read:

3086 403.9337 Model Ordinance for Florida-Friendly Fertilizer
3087 Use on Urban Landscapes.—

3088 (4) This section does not apply to the use of fertilizer on
3089 farm operations as defined in s. 823.14 or on lands classified
3090 as agricultural lands pursuant to s. 193.461.

3091 Section 92. For the purpose of incorporating the amendment
3092 made by this act to section 193.461, Florida Statutes, in a
3093 reference thereto, paragraph (d) of subsection (2) of section
3094 472.029, Florida Statutes, is reenacted to read:

3095 472.029 Authorization to enter lands of third parties;
3096 conditions.—

3097 (2) LIABILITY AND DUTY OF CARE ON AGRICULTURAL LAND.—

3098 (d) This subsection applies only to land classified as
3099 agricultural pursuant to s. 193.461.

3100 Section 93. For the purpose of incorporating the amendment
3101 made by this act to section 193.461, Florida Statutes, in a
3102 reference thereto, subsection (5) of section 474.2021, Florida
3103 Statutes, is reenacted to read:

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3104 474.2021 Veterinary telehealth.—

3105 (5) A veterinarian personally acquainted with the caring
3106 and keeping of an animal or group of animals on food-producing
3107 animal operations on land classified as agricultural pursuant to
3108 s. 193.461 who has recently seen the animal or group of animals
3109 or has made medically appropriate and timely visits to the
3110 premises where the animal or group of animals is kept may
3111 practice veterinary telehealth for animals on such operations.

3112 Section 94. For the purpose of incorporating the amendment
3113 made by this act to section 193.461, Florida Statutes, in a
3114 reference thereto, paragraph (d) of subsection (4) of section
3115 474.2165, Florida Statutes, is reenacted to read:

3116 474.2165 Ownership and control of veterinary medical
3117 patient records; report or copies of records to be furnished.—

3118 (4) Except as otherwise provided in this section, such
3119 records may not be furnished to, and the medical condition of a
3120 patient may not be discussed with, any person other than the
3121 client or the client's legal representative or other
3122 veterinarians involved in the care or treatment of the patient,
3123 except upon written authorization of the client. However, such
3124 records may be furnished without written authorization under the
3125 following circumstances:

3126 (d) In any criminal action or situation where a
3127 veterinarian suspects a criminal violation. If a criminal
3128 violation is suspected, a veterinarian may, without notice to or
3129 authorization from the client, report the violation to a law
3130 enforcement officer, an animal control officer who is certified
3131 pursuant to s. 828.27(4)(a), or an agent appointed under s.
3132 828.03. However, if a suspected violation occurs at a commercial

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3133 food-producing animal operation on land classified as
3134 agricultural under s. 193.461, the veterinarian must provide
3135 notice to the client or the client's legal representative before
3136 reporting the suspected violation to an officer or agent under
3137 this paragraph. The report may not include written medical
3138 records except upon the issuance of an order from a court of
3139 competent jurisdiction.

3140 Section 95. For the purpose of incorporating the amendment
3141 made by this act to section 193.461, Florida Statutes, in a
3142 reference thereto, subsection (6) of section 487.081, Florida
3143 Statutes, is reenacted to read:

3144 487.081 Exemptions.—

3145 (6) The Department of Environmental Protection is not
3146 authorized to institute proceedings against any property owner
3147 or leaseholder of property under the provisions of s. 376.307(5)
3148 to recover any costs or damages associated with pesticide
3149 contamination of soil or water, or the evaluation, assessment,
3150 or remediation of pesticide contamination of soil or water,
3151 including sampling, analysis, and restoration of soil or potable
3152 water supplies, subject to the following conditions:

3153 (a) The pesticide contamination of soil or water is
3154 determined to be the result of the use of pesticides by the
3155 property owner or leaseholder, in accordance with state and
3156 federal law, applicable registered labels, and rules on property
3157 classified as agricultural land pursuant to s. 193.461;

3158 (b) The property owner or leaseholder maintains records of
3159 such pesticide applications and such records are provided to the
3160 department upon request;

3161 (c) In the event of pesticide contamination of soil or

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3162 water, the department, upon request, shall make such records
3163 available to the Department of Environmental Protection;

3164 (d) This subsection does not limit regulatory authority
3165 under a federally delegated or approved program; and

3166 (e) This subsection is remedial in nature and shall apply
3167 retroactively.

3168

3169 The department, in consultation with the secretary of the
3170 Department of Environmental Protection, may adopt rules
3171 prescribing the format, content, and retention time for records
3172 to be maintained under this subsection.

3173 Section 96. For the purpose of incorporating the amendment
3174 made by this act to section 193.461, Florida Statutes, in a
3175 reference thereto, subsection (1) of section 570.87, Florida
3176 Statutes, is reenacted to read:

3177 570.87 Agritourism participation impact on land
3178 classification.—

3179 (1) In order to promote and perpetuate agriculture
3180 throughout this state, farm operations are encouraged to engage
3181 in agritourism. An agricultural classification pursuant to s.
3182 193.461 may not be denied or revoked solely due to the conduct
3183 of agritourism activity on a bona fide farm or the construction,
3184 alteration, or maintenance of a nonresidential farm building,
3185 structure, or facility on a bona fide farm which is used to
3186 conduct agritourism activities. So long as the building,
3187 structure, or facility is an integral part of the agricultural
3188 operation, the land it occupies shall be considered agricultural
3189 in nature. However, such buildings, structures, and facilities,
3190 and other improvements on the land, must be assessed under s.

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3191 193.011 at their just value and added to the agriculturally
3192 assessed value of the land.

3193 Section 97. For the purpose of incorporating the amendment
3194 made by this act to section 193.461, Florida Statutes, in a
3195 reference thereto, subsection (3) of section 570.94, Florida
3196 Statutes, is reenacted to read:

3197 570.94 Best management practices for wildlife.—The
3198 department and the Fish and Wildlife Conservation Commission
3199 recognize that agriculture provides a valuable benefit to the
3200 conservation and management of fish and wildlife in the state
3201 and agree to enter into a memorandum of agreement to develop and
3202 adopt by rule voluntary best management practices for the
3203 state's agriculture industry which reflect the industry's
3204 existing contribution to the conservation and management of
3205 freshwater aquatic life and wild animal life in the state.

3206 (3) Notwithstanding any other provision of law, including
3207 s. 163.3162, the implementation of the best management practices
3208 pursuant to this section is voluntary and except as specifically
3209 provided under this section and s. 9, Art. IV of the State
3210 Constitution, an agency, department, district, or unit of local
3211 government may not adopt or enforce any ordinance, resolution,
3212 regulation, rule, or policy regarding the best management
3213 practices on land classified as agricultural land pursuant to s.
3214 193.461.

3215 Section 98. For the purpose of incorporating the amendment
3216 made by this act to section 193.461, Florida Statutes, in a
3217 reference thereto, paragraph (a) of subsection (1) of section
3218 582.19, Florida Statutes, is reenacted to read:

3219 582.19 Qualifications and tenure of supervisors.—

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3220 (1) The governing body of the district shall consist of
3221 five supervisors, elected as provided in s. 582.18.

3222 (a) To qualify to serve on the governing body of a
3223 district, a supervisor must be an eligible voter who resides in
3224 the district and who:

3225 1. Is actively engaged in, or retired after 10 years of
3226 being engaged in, agriculture as defined in s. 570.02;

3227 2. Is employed by an agricultural producer; or

3228 3. Owns, leases, or is actively employed on land classified
3229 as agricultural under s. 193.461.

3230 Section 99. For the purpose of incorporating the amendment
3231 made by this act to section 193.461, Florida Statutes, in a
3232 reference thereto, subsection (1) of section 570.85, Florida
3233 Statutes, is reenacted to read:

3234 570.85 Agritourism.—

3235 (1) It is the intent of the Legislature to promote
3236 agritourism as a way to support bona fide agricultural
3237 production by providing a stream of revenue and by educating the
3238 general public about the agricultural industry. It is also the
3239 intent of the Legislature to eliminate duplication of regulatory
3240 authority over agritourism as expressed in this section. Except
3241 as otherwise provided for in this section, and notwithstanding
3242 any other law, a local government may not adopt or enforce a
3243 local ordinance, regulation, rule, or policy that prohibits,
3244 restricts, regulates, or otherwise limits an agritourism
3245 activity on land classified as agricultural land under s.
3246 193.461. This subsection does not limit the powers and duties of
3247 a local government to address substantial offsite impacts of
3248 agritourism activities or an emergency as provided in chapter

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3249 252.

3250 Section 100. For the purpose of incorporating the amendment
3251 made by this act to section 193.461, Florida Statutes, in a
3252 reference thereto, section 586.055, Florida Statutes, is
3253 reenacted to read:

3254 586.055 Location of apiaries.—An apiary may be located on
3255 land classified as agricultural under s. 193.461 or on land that
3256 is integral to a beekeeping operation.

3257 Section 101. For the purpose of incorporating the amendment
3258 made by this act to section 193.461, Florida Statutes, in
3259 references thereto, paragraphs (a) and (d) of subsection (2) of
3260 section 604.50, Florida Statutes, are reenacted to read:

3261 604.50 Nonresidential farm buildings; farm fences; farm
3262 signs.—

3263 (2) As used in this section, the term:

3264 (a) "Bona fide agricultural purposes" has the same meaning
3265 as provided in s. 193.461(3)(b).

3266 (d) "Nonresidential farm building" means any temporary or
3267 permanent building or support structure that is classified as a
3268 nonresidential farm building on a farm under s. 553.73(10)(c) or
3269 that is used primarily for agricultural purposes, is located on
3270 land that is an integral part of a farm operation or is
3271 classified as agricultural land under s. 193.461, and is not
3272 intended to be used as a residential dwelling. The term may
3273 include, but is not limited to, a barn, greenhouse, shade house,
3274 farm office, storage building, or poultry house.

3275 Section 102. For the purpose of incorporating the amendment
3276 made by this act to section 193.461, Florida Statutes, in a
3277 reference thereto, paragraph (b) of subsection (3) of section

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3278 604.73, Florida Statutes, is reenacted to read:

3279 604.73 Urban agriculture pilot projects; local regulation
3280 of urban agriculture.—

3281 (3) DEFINITIONS.—As used in this section, the term:

3282 (b) “Urban agriculture” means any new or existing
3283 noncommercial agricultural uses on land that is:

3284 1. Within a dense urban land area, as described in s.

3285 380.0651(3) (a);

3286 2. Not classified as agricultural pursuant to s. 193.461;

3287 3. Not zoned as agricultural as its principal use; and

3288 4. Designated by a municipality for inclusion in an urban
3289 agricultural pilot project that has been approved by the
3290 department.

3291

3292 The term does not include vegetable gardens, as defined in s.
3293 604.71(4), for personal consumption on residential properties.

3294 Section 103. For the purpose of incorporating the amendment
3295 made by this act to section 193.461, Florida Statutes, in a
3296 reference thereto, subsection (1) of section 692.201, Florida
3297 Statutes, is reenacted to read:

3298 692.201 Definitions.—As used in this part, the term:

3299 (1) “Agricultural land” means land classified as
3300 agricultural under s. 193.461.

3301 Section 104. For the purpose of incorporating the amendment
3302 made by this act to section 193.461, Florida Statutes, in a
3303 reference thereto, paragraph (a) of subsection (5) of section
3304 810.011, Florida Statutes, is reenacted to read:

3305 810.011 Definitions.—As used in this chapter:

3306 (5) (a) “Posted land” is land upon which any of the

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3307 following are placed:

3308 1. Signs placed not more than 500 feet apart along and at
3309 each corner of the boundaries of the land or, for land owned by
3310 a water control district that exists pursuant to chapter 298 or
3311 was created by special act of the Legislature, signs placed at
3312 or near the intersection of any district canal right-of-way and
3313 a road right-of-way or, for land classified as agricultural
3314 pursuant to s. 193.461, signs placed at each point of ingress
3315 and at each corner of the boundaries of the agricultural land,
3316 which prominently display in letters of not less than 2 inches
3317 in height the words "no trespassing" and the name of the owner,
3318 lessee, or occupant of the land. The signs must be placed along
3319 the boundary line of posted land in a manner and in such
3320 position as to be clearly noticeable from outside the boundary
3321 line; or

3322 2.a. A conspicuous no trespassing notice is painted on
3323 trees or posts on the property, provided that the notice is:

3324 (I) Painted in an international orange color and displaying
3325 the stenciled words "No Trespassing" in letters no less than 2
3326 inches high and 1 inch wide either vertically or horizontally;

3327 (II) Placed so that the bottom of the painted notice is not
3328 less than 3 feet from the ground or more than 5 feet from the
3329 ground; and

3330 (III) Placed at locations that are readily visible to any
3331 person approaching the property and no more than 500 feet apart
3332 on agricultural land.

3333 b. When a landowner uses the painted no trespassing posting
3334 to identify a no trespassing area, those painted notices must be
3335 accompanied by signs complying with subparagraph 1. and must be

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3336 placed conspicuously at all places where entry to the property
3337 is normally expected or known to occur.

3338 Section 105. For the purpose of incorporating the amendment
3339 made by this act to section 193.461, Florida Statutes, in a
3340 reference thereto, paragraph (a) of subsection (5) and paragraph
3341 (a) of subsection (6) of section 741.30, Florida Statutes, are
3342 reenacted to read:

3343 741.30 Domestic violence; injunction; powers and duties of
3344 court and clerk; petition; notice and hearing; temporary
3345 injunction; issuance of injunction; statewide verification
3346 system; enforcement; public records exemption.—

3347 (5) (a) If it appears to the court that an immediate and
3348 present danger of domestic violence exists, the court may grant
3349 a temporary injunction ex parte, pending a full hearing, and may
3350 grant such relief as the court deems proper, including an
3351 injunction:

3352 1. Restraining the respondent from committing any acts of
3353 domestic violence.

3354 2. Awarding to the petitioner the temporary exclusive use
3355 and possession of the dwelling that the parties share or
3356 excluding the respondent from the residence of the petitioner.

3357 3. On the same basis as provided in s. 61.13, providing the
3358 petitioner a temporary parenting plan, including a time-sharing
3359 schedule, which may award the petitioner up to 100 percent of
3360 the time-sharing. If temporary time-sharing is awarded to the
3361 respondent, the exchange of the child must occur at a neutral
3362 safe exchange location as provided in s. 125.01(8) or a location
3363 authorized by a supervised visitation program as defined in s.
3364 753.01 if the court determines it is in the best interests of

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3365 the child after consideration of all of the factors specified in
3366 s. 61.13(3). The temporary parenting plan remains in effect
3367 until the order expires or an order is entered by a court of
3368 competent jurisdiction in a pending or subsequent civil action
3369 or proceeding affecting the placement of, access to, parental
3370 time with, adoption of, or parental rights and responsibilities
3371 for the minor child.

3372 4. If the petitioner and respondent have an existing
3373 parenting plan or time-sharing schedule under another court
3374 order, designating that the exchange of the minor child or
3375 children of the parties must occur at a neutral safe exchange
3376 location as provided in s. 125.01(8) or a location authorized by
3377 a supervised visitation program as defined in s. 753.01 if the
3378 court determines it is in the best interests of the child after
3379 consideration of all of the factors specified in s. 61.13(3).

3380 5. Awarding to the petitioner the temporary exclusive care,
3381 possession, or control of an animal that is owned, possessed,
3382 harbored, kept, or held by the petitioner, the respondent, or a
3383 minor child residing in the residence or household of the
3384 petitioner or respondent. The court may order the respondent to
3385 temporarily have no contact with the animal and prohibit the
3386 respondent from taking, transferring, encumbering, concealing,
3387 harming, or otherwise disposing of the animal. This subparagraph
3388 does not apply to an animal owned primarily for a bona fide
3389 agricultural purpose, as defined under s. 193.461, or to a
3390 service animal, as defined under s. 413.08, if the respondent is
3391 the service animal's handler.

3392 (6) (a) Upon notice and hearing, when it appears to the
3393 court that the petitioner is either the victim of domestic

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3394 violence as defined by s. 741.28 or has reasonable cause to
3395 believe he or she is in imminent danger of becoming a victim of
3396 domestic violence, the court may grant such relief as the court
3397 deems proper, including an injunction:

3398 1. Restraining the respondent from committing any acts of
3399 domestic violence.

3400 2. Awarding to the petitioner the exclusive use and
3401 possession of the dwelling that the parties share or excluding
3402 the respondent from the residence of the petitioner.

3403 3. On the same basis as provided in chapter 61, providing
3404 the petitioner with 100 percent of the time-sharing in a
3405 temporary parenting plan that remains in effect until the order
3406 expires or an order is entered by a court of competent
3407 jurisdiction in a pending or subsequent civil action or
3408 proceeding affecting the placement of, access to, parental time
3409 with, adoption of, or parental rights and responsibilities for
3410 the minor child.

3411 4. If the petitioner and respondent have an existing
3412 parenting plan or time-sharing schedule under another court
3413 order, designating that the exchange of the minor child or
3414 children of the parties must occur at a neutral safe exchange
3415 location as provided in s. 125.01(8) or a location authorized by
3416 a supervised visitation program as defined in s. 753.01 if the
3417 court determines it is in the best interests of the child after
3418 consideration of all of the factors specified in s. 61.13(3).

3419 5. On the same basis as provided in chapter 61,
3420 establishing temporary support for a minor child or children or
3421 the petitioner. An order of temporary support remains in effect
3422 until the order expires or an order is entered by a court of

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3423 competent jurisdiction in a pending or subsequent civil action
3424 or proceeding affecting child support.

3425 6. Ordering the respondent to participate in treatment,
3426 intervention, or counseling services to be paid for by the
3427 respondent. When the court orders the respondent to participate
3428 in a batterers' intervention program, the court, or any entity
3429 designated by the court, must provide the respondent with a list
3430 of batterers' intervention programs from which the respondent
3431 must choose a program in which to participate.

3432 7. Referring a petitioner to a certified domestic violence
3433 center. The court must provide the petitioner with a list of
3434 certified domestic violence centers in the circuit which the
3435 petitioner may contact.

3436 8. Awarding to the petitioner the exclusive care,
3437 possession, or control of an animal that is owned, possessed,
3438 harbored, kept, or held by the petitioner, the respondent, or a
3439 minor child residing in the residence or household of the
3440 petitioner or respondent. The court may order the respondent to
3441 have no contact with the animal and prohibit the respondent from
3442 taking, transferring, encumbering, concealing, harming, or
3443 otherwise disposing of the animal. This subparagraph does not
3444 apply to an animal owned primarily for a bona fide agricultural
3445 purpose, as defined under s. 193.461, or to a service animal, as
3446 defined under s. 413.08, if the respondent is the service
3447 animal's handler.

3448 9. Ordering such other relief as the court deems necessary
3449 for the protection of a victim of domestic violence, including
3450 injunctions or directives to law enforcement agencies, as
3451 provided in this section.

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3452 Section 106. For the purpose of incorporating the amendment
3453 made by this act to section 193.461, Florida Statutes, in a
3454 reference thereto, subsection (6) of section 823.14, Florida
3455 Statutes, is reenacted to read:

3456 823.14 Florida Right to Farm Act.—

3457 (6) LIMITATION ON DUPLICATION OF GOVERNMENT REGULATION.—It
3458 is the intent of the Legislature to eliminate duplication of
3459 regulatory authority over farm operations as expressed in this
3460 subsection. Except as otherwise provided for in this section and
3461 s. 487.051(2), and notwithstanding any other provision of law, a
3462 local government may not adopt any ordinance, regulation, rule,
3463 or policy to prohibit, restrict, regulate, or otherwise limit an
3464 activity of a bona fide farm operation on land classified as
3465 agricultural land pursuant to s. 193.461, where such activity is
3466 regulated through implemented best management practices or
3467 interim measures developed by the Department of Environmental
3468 Protection, the Department of Agriculture and Consumer Services,
3469 or water management districts and adopted under chapter 120 as
3470 part of a statewide or regional program. When an activity of a
3471 farm operation takes place within a wellfield protection area as
3472 defined in any wellfield protection ordinance adopted by a local
3473 government, and the adopted best management practice or interim
3474 measure does not specifically address wellfield protection, a
3475 local government may regulate that activity pursuant to such
3476 ordinance. This subsection does not limit the powers and duties
3477 provided for in s. 373.4592 or limit the powers and duties of
3478 any local government to address an emergency as provided for in
3479 chapter 252.

3480 Section 107. For the purpose of incorporating the amendment

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3481 made by this act to section 388.271, Florida Statutes, in a
3482 reference thereto, paragraph (a) of subsection (1) of section
3483 189.062, Florida Statutes, is reenacted to read:

3484 189.062 Special procedures for inactive districts.—

3485 (1) The department shall declare inactive any special
3486 district in this state by documenting that:

3487 (a) The special district meets one of the following
3488 criteria:

3489 1. The registered agent of the district, the chair of the
3490 governing body of the district, or the governing body of the
3491 appropriate local general-purpose government notifies the
3492 department in writing that the district has taken no action for
3493 2 or more years;

3494 2. The registered agent of the district, the chair of the
3495 governing body of the district, or the governing body of the
3496 appropriate local general-purpose government notifies the
3497 department in writing that the district has not had a governing
3498 body or a sufficient number of governing body members to
3499 constitute a quorum for 2 or more years;

3500 3. The registered agent of the district, the chair of the
3501 governing body of the district, or the governing body of the
3502 appropriate local general-purpose government fails to respond to
3503 an inquiry by the department within 21 days;

3504 4. The department determines, pursuant to s. 189.067, that
3505 the district has failed to file any of the reports listed in s.
3506 189.066;

3507 5. The district has not had a registered office and agent
3508 on file with the department for 1 or more years;

3509 6. The governing body of a special district provides

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3510 documentation to the department that it has unanimously adopted
3511 a resolution declaring the special district inactive. The
3512 special district is responsible for payment of any expenses
3513 associated with its dissolution;

3514 7. The district is an independent special district or a
3515 community redevelopment district created under part III of
3516 chapter 163 that has reported no revenue, no expenditures, and
3517 no debt under s. 189.016(9) or s. 218.32 for at least 5
3518 consecutive fiscal years beginning no earlier than October 1,
3519 2018. This subparagraph does not apply to a community
3520 development district established under chapter 190 or to any
3521 independent special district operating pursuant to a special act
3522 that provides that any amendment to chapter 190 to grant
3523 additional powers constitutes a power of that district; or

3524 8. For a mosquito control district created pursuant to
3525 chapter 388, the department has received notice from the
3526 Department of Agriculture and Consumer Services that the
3527 district has failed to file a tentative work plan and tentative
3528 detailed work plan budget as required by s. 388.271.

3529 Section 108. For the purpose of incorporating the amendment
3530 made by this act to section 388.271, Florida Statutes, in a
3531 reference thereto, subsection (7) of section 388.261, Florida
3532 Statutes, is reenacted to read:

3533 388.261 State aid to counties and districts for arthropod
3534 control; distribution priorities and limitations.—

3535 (7) The department may use state funds appropriated for a
3536 county or district under subsection (1) or subsection (2) to
3537 provide state mosquito or other arthropod control equipment,
3538 supplies, or services when requested by a county or district

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3539 eligible to receive state funds under s. 388.271.

3540 Section 109. For the purpose of incorporating the amendment
3541 made by this act to section 482.161, Florida Statutes, in a
3542 reference thereto, paragraph (b) of subsection (3) of section
3543 482.072, Florida Statutes, is reenacted to read:

3544 482.072 Pest control customer contact centers.—

3545 (3)

3546 (b) Notwithstanding any other provision of this section:

3547 1. A customer contact center licensee is subject to
3548 disciplinary action under s. 482.161 for a violation of this
3549 section or a rule adopted under this section committed by a
3550 person who solicits pest control services or provides customer
3551 service in a customer contact center.

3552 2. A pest control business licensee may be subject to
3553 disciplinary action under s. 482.161 for a violation of this
3554 section or a rule adopted under this section committed by a
3555 person who solicits pest control services or provides customer
3556 service in a customer contact center operated by a licensee if
3557 the licensee participates in the violation.

3558 Section 110. For the purpose of incorporating the amendment
3559 made by this act to section 482.161, Florida Statutes, in a
3560 reference thereto, section 482.163, Florida Statutes, is
3561 reenacted to read:

3562 482.163 Responsibility for pest control activities of
3563 employee.—Proper performance of pest control activities by a
3564 pest control business employee is the responsibility not only of
3565 the employee but also of the certified operator in charge, and
3566 the certified operator in charge may be disciplined pursuant to
3567 the provisions of s. 482.161 for the pest control activities of

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3568 an employee. A licensee may not automatically be considered
3569 responsible for violations made by an employee. However, the
3570 licensee may not knowingly encourage, aid, or abet violations of
3571 this chapter.

3572 Section 111. For the purpose of incorporating the amendment
3573 made by this act to section 487.044, Florida Statutes, in a
3574 reference thereto, section 487.156, Florida Statutes, is
3575 reenacted to read:

3576 487.156 Governmental agencies.—All governmental agencies
3577 shall be subject to the provisions of this part and rules
3578 adopted under this part. Public applicators using or supervising
3579 the use of restricted-use pesticides shall be subject to
3580 examination as provided in s. 487.044.

3581 Section 112. For the purpose of incorporating the amendment
3582 made by this act to section 496.405, Florida Statutes, in a
3583 reference thereto, subsection (2) of section 496.4055, Florida
3584 Statutes, is reenacted to read:

3585 496.4055 Charitable organization or sponsor board duties.—

3586 (2) The board of directors, or an authorized committee
3587 thereof, of a charitable organization or sponsor required to
3588 register with the department under s. 496.405 shall adopt a
3589 policy regarding conflict of interest transactions. The policy
3590 shall require annual certification of compliance with the policy
3591 by all directors, officers, and trustees of the charitable
3592 organization. A copy of the annual certification shall be
3593 submitted to the department with the annual registration
3594 statement required by s. 496.405.

3595 Section 113. For the purpose of incorporating the amendment
3596 made by this act to section 496.405, Florida Statutes, in a

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3597 reference thereto, subsections (2) and (4) of section 496.406,
3598 Florida Statutes, are reenacted to read:

3599 496.406 Exemption from registration.—

3600 (2) Before soliciting contributions, a charitable
3601 organization or sponsor claiming to be exempt from the
3602 registration requirements of s. 496.405 under paragraph (1)(d)
3603 must submit annually to the department, on forms prescribed by
3604 the department:

3605 (a) The name, street address, and telephone number of the
3606 charitable organization or sponsor, the name under which it
3607 intends to solicit contributions, the purpose for which it is
3608 organized, and the purpose or purposes for which the
3609 contributions to be solicited will be used.

3610 (b) The tax exempt status of the organization.

3611 (c) The date on which the organization's fiscal year ends.

3612 (d) The names, street addresses, and telephone numbers of
3613 the individuals or officers who have final responsibility for
3614 the custody of the contributions and who will be responsible for
3615 the final distribution of the contributions.

3616 (e) A financial statement of support, revenue, and expenses
3617 and a statement of functional expenses that must include, but
3618 not be limited to, expenses in the following categories:

3619 program, management and general, and fundraising. In lieu of the
3620 financial statement, a charitable organization or sponsor may
3621 submit a copy of its Internal Revenue Service Form 990 and all
3622 attached schedules or Internal Revenue Service Form 990-EZ and
3623 Schedule O.

3624 (4) Exemption from the registration requirements of s.
3625 496.405 does not limit the applicability of other provisions of

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3626 this section to a charitable organization or sponsor.

3627 Section 114. For the purpose of incorporating the amendment
3628 made by this act to section 500.12, Florida Statutes, in a
3629 reference thereto, paragraph (a) of subsection (1) of section
3630 500.80, Florida Statutes, is reenacted to read:

3631 500.80 Cottage food operations.—

3632 (1)(a) A cottage food operation must comply with the
3633 applicable requirements of this chapter but is exempt from the
3634 permitting requirements of s. 500.12 if the cottage food
3635 operation complies with this section and has annual gross sales
3636 of cottage food products that do not exceed \$250,000.

3637 Section 115. For the purpose of incorporating the amendment
3638 made by this act to section 500.172, Florida Statutes, in a
3639 reference thereto, subsection (6) of section 500.121, Florida
3640 Statutes, is reenacted to read:

3641 500.121 Disciplinary procedures.—

3642 (6) If the department determines that a food offered in a
3643 food establishment is labeled with nutrient claims that are in
3644 violation of this chapter, the department shall retest or
3645 reexamine the product within 90 days after notification to the
3646 manufacturer and to the firm at which the product was collected.
3647 If the product is again found in violation, the department shall
3648 test or examine the product for a third time within 60 days
3649 after the second notification. The product manufacturer shall
3650 reimburse the department for the cost of the third test or
3651 examination. If the product is found in violation for a third
3652 time, the department shall exercise its authority under s.
3653 500.172 and issue a stop-sale or stop-use order. The department
3654 may impose additional sanctions for violations of this

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3655 subsection.

3656 Section 116. For the purpose of incorporating the amendment
3657 made by this act to section 790.06, Florida Statutes, in a
3658 reference thereto, section 790.061, Florida Statutes, is
3659 reenacted to read:

3660 790.061 Judges and justices; exceptions from licensure
3661 provisions.—A county court judge, circuit court judge, district
3662 court of appeal judge, justice of the supreme court, federal
3663 district court judge, or federal court of appeals judge serving
3664 in this state is not required to comply with the provisions of
3665 s. 790.06 in order to receive a license to carry a concealed
3666 weapon or firearm, except that any such justice or judge must
3667 comply with the provisions of s. 790.06(2)(h). The Department of
3668 Agriculture and Consumer Services shall issue a license to carry
3669 a concealed weapon or firearm to any such justice or judge upon
3670 demonstration of competence of the justice or judge pursuant to
3671 s. 790.06(2)(h).

3672 Section 117. This act shall take effect July 1, 2025.