

By the Committee on Agriculture; and Senator Truenow

575-02298-25

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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           163.3162, F.S.; defining terms; prohibiting  
7           governmental entities from adopting or enforcing any  
8           legislation that inhibits the construction of housing  
9           for legally verified agricultural workers on  
10          agricultural land operated as a bona fide farm;  
11          requiring that the construction or installation of  
12          such housing units on agricultural lands satisfies  
13          certain criteria; requiring that local ordinances  
14          comply with certain regulations; authorizing  
15          governmental entities to adopt local land use  
16          regulations that are less restrictive; requiring  
17          property owners to maintain certain records for a  
18          specified timeframe; requiring that use of a housing  
19          site be discontinued and authorizing the removal of a  
20          such site under certain circumstances; specifying  
21          applicability of permit allocation systems in certain  
22          areas of critical state concern; authorizing the  
23          continued use of housing sites constructed before the  
24          effective date of the act if certain conditions are  
25          met; requiring the department to adopt certain rules;  
26          providing for enforcement; requiring the department to  
27          submit certain information to the State Board of  
28          Immigration Enforcement on a certain schedule;  
29          amending s. 201.25, F.S.; conforming a provision to

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30 changes made by the act; amending s. 253.0341, F.S.;

31 authorizing the department to surplus certain lands

32 determined to be suitable for bona fide agricultural

33 production; requiring the department to consult with

34 the Department of Environmental Protection before

35 making such determination; requiring the Department of

36 Agriculture and Consumer Services to retain a rural-

37 lands-protection easement for all surplus lands and

38 deposit all proceeds into a specified trust fund;

39 requiring the department to provide a report of lands

40 surplus to the board of trustees; providing that

41 certain lands are ineligible to be surplus;

42 providing for retroactive applicability; amending s.

43 330.41, F.S.; defining terms; prohibiting a person

44 from knowingly or willfully performing certain actions

45 on lands classified as agricultural; providing

46 criminal penalties; providing applicability;

47 prohibiting a person from knowingly or willfully

48 performing certain actions on private property, state

49 wildlife management lands, or a sport shooting and

50 training range; providing criminal penalties;

51 providing applicability; creating s. 366.20, F.S.;

52 requiring that certain lands acquired or owned by an

53 electric utility be offered for fee simple acquisition

54 by the department before the land may be offered for

55 sale or transfer to a private individual or entity;

56 providing retroactive applicability; amending s.

57 366.94, F.S.; defining the term "electric vehicle

58 charging station"; authorizing the department to adopt

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59 rules; requiring local governmental entities to issue  
60 permits for electric vehicle charging stations based  
61 on specified standards and provisions of law;  
62 requiring that an electric vehicle charger be  
63 registered with the department before being placed  
64 into service for use by the public; providing the  
65 department with certain authority relating to electric  
66 vehicle charging stations; providing a penalty;  
67 authorizing the department to issue an immediate final  
68 order to an electric vehicle charging station under  
69 certain circumstances; providing that the department  
70 may bring an action to enjoin a violation of specified  
71 provisions or rules; requiring the court to issue a  
72 temporary or permanent injunction under certain  
73 circumstances; amending s. 388.011, F.S.; revising the  
74 definition of the terms "board of commissioners" and  
75 "district"; defining the term "program"; amending s.  
76 388.021, F.S.; making a technical change; amending s.  
77 388.181, F.S.; authorizing programs to perform  
78 specified actions; amending s. 388.201, F.S.;  
79 conforming provisions to changes made by the act;  
80 requiring that the tentative work plan budget covering  
81 the proposed operations and requirements for arthropod  
82 control measures show the estimated amount to be  
83 raised by county, municipality, or district taxes;  
84 requiring that county commissioners' or a similar  
85 governing body's mosquito control budget be made and  
86 adopted pursuant to specified provisions and requiring  
87 that summary figures be incorporated into the county

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88 budgets as prescribed by the department; amending s.  
89 388.241, F.S.; providing that certain rights, powers,  
90 and duties be vested in the board of county  
91 commissioners or similar governing body of a county,  
92 city, or town; amending s. 388.261, F.S.; increasing  
93 the amount of state funds, supplies, services, or  
94 equipment for a certain number of years for any new  
95 program for the control of mosquitos and other  
96 arthropods which serves an area not previously served  
97 by a county, municipality, or district; conforming a  
98 provision to changes made by the act; amending s.  
99 388.271, F.S.; requiring each program participating in  
100 arthropod control activities to file a tentative  
101 integrated arthropod management plan with the  
102 department by a specified date; conforming provisions  
103 to changes made by the act; amending s. 388.281, F.S.;  
104 requiring that all funds, supplies, and services  
105 released to programs be used in accordance with the  
106 integrated arthropod management plan and certified  
107 budget; requiring that such integrated arthropod  
108 management plan and certified budget be approved by  
109 both the department and the board of county  
110 commissioners and an appropriate representative;  
111 conforming provisions to changes made by the act;  
112 amending s. 388.291, F.S.; providing that a program  
113 may perform certain source reduction measures in any  
114 area providing that the department has approved the  
115 operating or construction plan as outlined in the  
116 integrated arthropod management plan; conforming

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117 provisions to changes made by the act; amending s.  
118 388.301, F.S.; revising the schedule by which state  
119 funds for the control of mosquitos and other  
120 arthropods may be paid; conforming provisions to  
121 changes made by the act; amending s. 388.311, F.S.;  
122 conforming provisions to changes made by the act;  
123 amending s. 388.321, F.S.; conforming provisions to  
124 changes made by the act; amending s. 388.322, F.S.;  
125 requiring the department to maintain a record and  
126 inventory of certain property purchased with state  
127 funds for arthropod control use; conforming provisions  
128 to changes made by the act; amending s. 388.323, F.S.;  
129 providing that certain equipment no longer needed by a  
130 program be first offered for sale to other programs  
131 engaged in arthropod control at a specified price;  
132 requiring that all proceeds from the sale of certain  
133 property owned by a program and purchased using state  
134 funds be deposited in the program's state fund  
135 account; conforming provisions to changes made by the  
136 act; amending s. 388.341, F.S.; requiring a program  
137 receiving state aid to submit a monthly report of all  
138 expenditures from all funds for arthropod control by a  
139 specified timeframe as may be required by the  
140 department; conforming provisions to changes made by  
141 the act; amending s. 388.351, F.S.; conforming  
142 provisions to changes made by the act; amending s.  
143 388.361, F.S.; conforming provisions to changes made  
144 by the act; amending s. 388.3711, F.S.; revising the  
145 department's enforcement powers; amending s. 388.381,

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146 F.S.; conforming provisions to changes made by the  
147 act; amending s. 388.391, F.S.; conforming provisions  
148 to changes made by the act; amending s. 388.401, F.S.;  
149 conforming provisions to changes made by the act;  
150 amending s. 388.46, F.S.; revising the composition of  
151 the Florida Coordinating Council on Mosquito Control;  
152 amending s. 403.067, F.S.; providing an exception for  
153 inspection requirements for certain agricultural  
154 producers; authorizing the department to adopt rules  
155 establishing an enrollment in best management  
156 practices by rule process; authorizing the department  
157 to identify best management practices for specified  
158 landowners; requiring the department to perform onsite  
159 inspections annually of a certain percentage of all  
160 enrollments that meet specified qualifications within  
161 a specified area; providing requirements for such  
162 inspections; requiring agricultural producers enrolled  
163 by rule in a best management practice to submit  
164 nutrient records annually to the department; requiring  
165 the department to collect and retain such records;  
166 amending s. 403.852, F.S.; defining the term "water  
167 quality additive"; amending s. 403.859, F.S.;  
168 providing that the use of certain additives in a water  
169 system which do not meet the definition of water  
170 quality additive or certain other additives is  
171 prohibited and violates specified provisions; amending  
172 s. 482.111, F.S.; revising requirements for the  
173 renewal of a pest control operator's certificate;  
174 authorizing a third-party vendor to collect and retain

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175 a convenience fee; amending s. 482.141, F.S.;

176 requiring the department to provide in-person and

177 remote testing for the examination through a third-

178 party vendor for an individual seeking pest control

179 operator certification; authorizing a third-party

180 vendor to collect and retain a convenience fee;

181 amending s. 482.155, F.S.; requiring the department to

182 provide in-person and remote testing for the

183 examination through a third-party vendor for an

184 individual seeking limited certification for a

185 governmental pesticide applicator or a private

186 applicator; authorizing a third-party vendor to

187 collect and retain a convenience fee; deleting

188 provisions requiring the department to make such

189 examination readily accessible and available to all

190 applicants on a specified schedule; amending s.

191 482.156, F.S.; requiring the department to provide in-

192 person and remote testing for the examination through

193 a third-party vendor for an individual seeking a

194 limited certification for commercial landscape

195 maintenance; authorizing a third-party vendor to

196 collect and retain a convenience fee; deleting

197 provisions requiring the department to make such

198 examination readily accessible and available to all

199 applicants on a specified schedule; amending s.

200 482.157, F.S.; revising requirements for issuance of a

201 limited certification for commercial wildlife

202 management personnel; authorizing a third-party vendor

203 to collect and retain a convenience fee; deleting

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204 provisions requiring the department to make an  
205 examination readily accessible and available to all  
206 applicants on a specified schedule; amending s.  
207 482.161, F.S.; authorizing the department to take  
208 specified disciplinary action upon the issuance of a  
209 final order imposing civil penalties or a criminal  
210 conviction pursuant to the Federal Insecticide,  
211 Fungicide, and Rodenticide Act; amending s. 487.044,  
212 F.S.; requiring the department to provide in-person  
213 and remote testing through a third-party vendor for  
214 the examination of an individual seeking a limited  
215 certification for pesticide application; authorizing a  
216 third-party vendor to collect and retain a convenience  
217 fee; amending s. 487.175, F.S.; providing that the  
218 department may suspend, revoke, or deny licensure of a  
219 pesticide applicator upon issuance of a final order to  
220 a licensee which imposes civil penalties or a criminal  
221 conviction under the Federal Insecticide, Fungicide,  
222 and Rodenticide Act; amending s. 496.404, F.S.;

223 defining the terms "foreign country of concern" and  
224 "foreign source of concern"; amending s. 496.405,  
225 F.S.; revising which documents a charitable  
226 organization or sponsor must file before engaging in  
227 specified activities; requiring that any changes to  
228 such documents be reported to the department on a  
229 specified form in a specified timeframe; revising the  
230 requirements of the charitable organization's initial  
231 registration statement; authorizing the department to  
232 investigate or refer to the Florida Elections



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233 Commission certain violations of the charitable  
234 organization or sponsor; amending s. 496.415, F.S.;  
235 prohibiting specified persons from soliciting or  
236 accepting anything of value from a foreign source of  
237 concern; amending s. 496.417, F.S.; authorizing the  
238 department to investigate or refer to the Florida  
239 Elections Commission certain violations of a  
240 charitable organization or sponsor; amending s.  
241 496.419, F.S.; providing penalties for a charitable  
242 organization or sponsor whose registration is denied  
243 or revoked for submitting a false attestation;  
244 creating s. 496.431, F.S.; requiring the department to  
245 create the Honest Service Registry to provide  
246 residents with information relating to charitable  
247 organizations; requiring a charitable organization  
248 included in the Honest Services Registry to submit an  
249 attestation statement to the department; requiring the  
250 department to publish the Honest Services Registry on  
251 the department's website; requiring the department to  
252 adopt rules; amending s. 500.03, F.S.; revising the  
253 definition of the term "cottage food product";  
254 amending s. 500.12, F.S.; providing that the  
255 department requires a food permit from any person or  
256 business that operates a food establishment; revising  
257 exceptions; revising the schedule for renewing certain  
258 food permits; authorizing the department to establish  
259 a single permit renewal date for certain food  
260 establishments; amending s. 500.166, F.S.; requiring  
261 certain persons engaged in interstate commerce to

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262 retain all records that show certain information for a  
263 specified timeframe; amending s. 500.172, F.S.;

264 authorizing the department to facilitate the  
265 destruction of certain articles that violate specified  
266 provisions; prohibiting certain persons from certain  
267 actions without permission from, or in accord with a  
268 written agreement with, the department; creating s.  
269 500.75, F.S.; providing that it is unlawful to import,  
270 sell, offer for sale, furnish, or give away certain  
271 spores or mycelium; providing a penalty for  
272 violations; creating s. 500.93, F.S.; defining terms;  
273 requiring the department to adopt rules to enforce the  
274 Food and Drug Administration's standard of identity  
275 for milk, meat, poultry, and poultry products, and  
276 eggs and egg products to prohibit the sale of plant-  
277 based products mislabeled as milk, meat, poultry, or  
278 poultry products, or egg or egg products; providing  
279 contingent effective dates; requiring the department  
280 to adopt rules; providing construction; repealing s.  
281 501.135, F.S., relating to consumer unit pricing;  
282 amending s. 501.912, F.S.; revising the definition of  
283 the term "antifreeze"; creating s. 525.19, F.S.;

284 requiring the department to create an annual petroleum  
285 registration program for petroleum owners or  
286 operators; requiring the department to adopt rules for  
287 such registration which include specified information;  
288 requiring that the registration program be free for  
289 all registrants; authorizing the department to require  
290 registrants to provide certain information during a

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291 state of emergency; creating s. 526.147, F.S.;

292 creating the Florida Retail Fuel Transfer Switch

293 Modernization Grant Program within the department;

294 requiring the grant program to provide funds up to a

295 certain amount to be used for installation and

296 equipment costs related to installing or modernizing

297 transfer switch infrastructure at retail fuel

298 facilities; requiring the department to award funds

299 based on specified criteria; requiring retail fuel

300 facilities awarded grant funds to comply with

301 specified provisions; requiring such facilities to

302 install a transfer switch with specified capabilities;

303 requiring retail fuel facilities to provide specified

304 documentation before being awarded funding;

305 prohibiting certain facilities from being awarded

306 funding; requiring the department, in consultation

307 with the Division of Emergency Management, to adopt

308 rules; requiring that such rules include specified

309 information; amending s. 531.48, F.S.; requiring that

310 certain packages bear specified information on the

311 outside of the package; amending s. 531.49, F.S.;

312 revising requirements for the advertising of a

313 packaged commodity; amending s. 570.07, F.S.;

314 requiring the department to foster and encourage the

315 employment and retention of qualified veterinary

316 pathologists; providing that the department may

317 reimburse the educational expenses of certain

318 veterinary pathologists who enter into a certain

319 agreement with the department; requiring the

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320 department to adopt certain rules; requiring the  
321 department to extend certain opportunities to public  
322 school students enrolled in agricultural education to  
323 support Future Farmers of America programming;  
324 requiring the department to use contracts procured by  
325 agencies; defining the term "agency"; amending s.  
326 570.544, F.S.; revising which provisions the director  
327 of the Division of Consumer Services must enforce;  
328 creating s. 570.546, F.S.; authorizing the department  
329 to create a process for the bulk renewal of licenses;  
330 authorizing the department to create a process that  
331 will allow licensees to align the expiration dates of  
332 licenses within a specified program; authorizing the  
333 department to change the expiration date for current  
334 licenses for a certain purpose; requiring the  
335 department to prorate the licensing fee for certain  
336 licenses; requiring the department to adopt rules;  
337 amending s. 570.694, F.S.; creating the Florida  
338 Aquaculture Foundation as a direct support  
339 organization within the department; providing the  
340 purpose of the foundation; providing governance for  
341 the foundation; authorizing the department to appoint  
342 an advisory committee adjunct to the foundation;  
343 amending s. 570.822, F.S.; revising the definition of  
344 the terms "declared natural disaster" and "program";  
345 providing that loan funds from the department may be  
346 used to restock aquaculture; authorizing the  
347 department to renew a loan application under certain  
348 circumstances; authorizing the department to defer or

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349 waive loan payments under certain circumstances;  
350 conforming provisions to changes made by the act;  
351 creating s. 570.823, F.S.; defining terms;  
352 establishing the silviculture emergency recovery  
353 program within the department to administer a grant  
354 program to assist certain timber landowners; requiring  
355 that such grants be used for certain purposes;  
356 requiring that only timber lands located on  
357 agricultural property are eligible for the program;  
358 requiring the department to coordinate with state  
359 agencies to provide financial assistance to timber  
360 landowners after a specified declared emergency;  
361 providing construction; authorizing the department to  
362 adopt rules to implement this section; providing  
363 construction; amending s. 581.1843, F.S.; deleting  
364 provisions that exclude certain citrus nurseries from  
365 certain requirements; deleting provisions relating to  
366 regulated areas around the perimeter of commercial  
367 citrus nurseries; repealing ss. 593.101, 593.102,  
368 593.103, 593.104, 593.105, 593.106, 593.107, 593.108,  
369 593.109, 593.11, 593.111, 593.112, 593.113, 593.114,  
370 593.1141, 593.1142, 593.115, 593.116, and 593.117,  
371 F.S., relating to the Florida Boll Weevil Eradication  
372 Law; definitions; powers and duties of Department of  
373 Agriculture and Consumer Services; the entry of  
374 premises to carry out boll weevil eradication  
375 activities and inspections; reports by persons growing  
376 cotton; quarantine areas and the regulation of  
377 articles within a boll weevil eradication zone; the

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378 regulation of collection, transportation,  
379 distribution, and movement of cotton; cooperative  
380 programs for persons engaged in growing, processing,  
381 marketing, or handling cotton; the department's  
382 authority to designate eradication zones, prohibit  
383 planting of cotton, and require participation in  
384 eradication program; regulation of the pasturage of  
385 livestock, entry by persons, and location of honeybee  
386 colonies in eradication zones and other areas;  
387 eligibility for certification of cotton growers'  
388 organization; the certification of cotton growers'  
389 organization; a referendum; an assessment; the  
390 department's authority to enter agreements with the  
391 Farm Service Agency; liens; mandamus or injunction;  
392 penalty for violation; and the handling of moneys  
393 received, respectively; amending s. 595.404, F.S.;  
394 revising the department's powers and duties regarding  
395 school nutrition programs; amending s. 599.002, F.S.;  
396 renaming the Viticulture Advisory Council as the  
397 Florida Wine Advisory Council; revising the membership  
398 of the Florida Wine Advisory Council; conforming  
399 provisions to changes made by the act; amending s.  
400 599.003, F.S.; renaming the State Viticulture Plan as  
401 the State Wine Plan; conforming provisions to changes  
402 made by the act; amending s. 599.004, F.S.; making  
403 technical changes; providing that wineries that fail  
404 to recertify annually or pay a specified licensing fee  
405 are subject to certain actions and costs; conforming  
406 provisions to changes made by the act; amending s.

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407 599.012, F.S.; conforming provisions to changes made  
408 by the act; amending s. 616.12, F.S.; deleting  
409 provisions requiring a person who operates a minstrel  
410 show in connection with any certain public fairs to  
411 pay specified license taxes; deleting a provision that  
412 exempts such person from paying specified taxes;  
413 creating s. 687.16, F.S.; providing a short title;  
414 defining terms; prohibiting a financial institution  
415 from discriminating in the provision of financial  
416 services to an agricultural producer based on an ESG  
417 factor; providing an inference with regard to a  
418 certain violation; providing that the financial  
419 institution may overcome the inference by making  
420 certain demonstrations regarding its denial or  
421 restriction of financial services to an agricultural  
422 producer; authorizing the Attorney General to enforce  
423 specified provisions; providing that a violation of  
424 specified provisions constitutes an unfair and  
425 deceptive trade practice; authorizing the Attorney  
426 General to investigate and seek remedies for such  
427 unfair trade practices; authorizing an aggrieved party  
428 to seek an action for damages; amending s. 741.0305,  
429 F.S.; conforming a cross-reference; amending s.  
430 790.06, F.S.; revising the circumstances under which  
431 the department may temporarily suspend a person's  
432 license to carry a concealed weapon or concealed  
433 firearm or the processing of an application for such  
434 license; requiring the department to notify certain  
435 licensees or applicants of his or her right to a

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436 hearing; requiring that the hearing regarding such  
437 suspension of license be for a limited purpose;  
438 requiring the department to issue an order lifting the  
439 suspension of an applicant's license upon a certain  
440 disposition of the criminal case; requiring that the  
441 suspension remain in effect upon a certain disposition  
442 of the criminal case; providing construction;  
443 providing legislative findings; revising the duties of  
444 the department after the date of receipt of a  
445 completed application for a license to carry a  
446 concealed weapon or concealed firearm; requiring that  
447 a license issued under this section be temporarily  
448 suspended or revoked if the license was issued in  
449 error or if the licensee commits certain actions;  
450 amending s. 812.0151, F.S.; revising the elements of  
451 third degree and second degree felony retail fuel  
452 theft; creating s. 812.136, F.S.; defining terms;  
453 providing elements for the crime of mail theft;  
454 providing elements of theft of or unauthorized  
455 reproduction of a mail depository key or lock;  
456 providing criminal penalties; amending s. 934.50,  
457 F.S.; deleting certain exceptions from the prohibited  
458 uses of drones; creating s. 1013.373, F.S.;

459 prohibiting a local government from adopting any  
460 measure to limit the activities of public educational  
461 facilities or auxiliary facilities constructed by  
462 certain organizations; requiring that lands used for  
463 agricultural education or for the Future Farmers of  
464 America or 4-H activities be considered agricultural



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465 lands; reenacting s. 295.07(5)(a), F.S., relating to  
466 preference in appointment and retention, to  
467 incorporate the amendment made to s. 110.205, F.S., in  
468 a reference thereto; reenacting ss. 125.01(1)(r),  
469 163.3162(3)(a) through (d), 163.3163(3)(c),  
470 163.3164(4), 163.3194(5), 170.01(4), 193.052(2),  
471 193.4615, 212.08(5)(a) and (19)(a), 373.406(2),  
472 403.182(11)(a), 403.9337(4), 472.029(2)(d),  
473 474.2021(5), 474.2165(4)(d), 487.081(6), 570.85(1),  
474 570.87(1), 570.94(3), 582.19(1)(a), 586.055,  
475 604.50(2)(a) and (d), 604.73(3)(b), 692.201(1),  
476 741.30(5)(a) and (6)(a), 810.011(5)(a), and 823.14(6),  
477 F.S., relating to powers and duties; agricultural  
478 lands and practices; applications for development  
479 permits; community planning act; legal status of  
480 comprehensive plan; authority for providing  
481 improvements and levying and collecting special  
482 assessments against property benefited; preparation  
483 and serving of returns; assessment of obsolete  
484 agricultural equipment; storage tax; exemptions; local  
485 pollution control programs; the Model Ordinance for  
486 Florida-Friendly Fertilizer Use on Urban Landscapes;  
487 authorization to enter lands of third parties;  
488 veterinary telehealth; ownership and control of  
489 veterinary medical patient records; exemptions;  
490 agritourism; agritourism participation impact on land  
491 classification; best management practices for  
492 wildlife; qualifications and tenure of supervisors;  
493 location of apiaries; nonresidential farm buildings;

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494 urban agriculture pilot projects; definitions;  
495 domestic violence; definitions; and the Florida Right  
496 to Farm Act, respectively, to incorporate the  
497 amendment made to s. 193.461, F.S., in references  
498 thereto; reenacting ss. 189.062(1)(a) and 388.261(7),  
499 F.S., relating to special procedures for inactive  
500 districts and state aid to counties and districts for  
501 arthropod control, respectively, to incorporate the  
502 amendment made to s. 388.271, F.S., in references  
503 thereto; reenacting ss. 482.072(3)(b) and 482.163,  
504 F.S., relating to pest control customer contact  
505 centers and responsibility for pest control activities  
506 of employee, respectively, to incorporate the  
507 amendment made to s. 482.161, F.S., in references  
508 thereto; reenacting s. 487.156, F.S., relating to  
509 governmental agencies, to incorporate the amendment  
510 made to s. 487.044, F.S., in a reference thereto;  
511 reenacting ss. 496.4055(2) and 496.406(2) and (4),  
512 F.S., relating to charitable organization or sponsor  
513 board duties and exemption from registration,  
514 respectively, to incorporate the amendment made to s.  
515 496.405, F.S., in references thereto; reenacting s.  
516 500.80(1)(a), F.S., relating to cottage food  
517 operations, to incorporate the amendment made to s.  
518 500.12, F.S., in a reference thereto; reenacting s.  
519 500.121(6), F.S., relating to disciplinary procedures,  
520 to incorporate the amendment made to s. 500.172, F.S.,  
521 in a reference thereto; reenacting s. 790.061, F.S.,  
522 relating to judges and justices, to incorporate the

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523 amendment made to s. 790.06, F.S., in a reference  
524 thereto; providing an effective date.  
525

526 Be It Enacted by the Legislature of the State of Florida:  
527

528 Section 1. Paragraph (m) of subsection (2) of section  
529 110.205, Florida Statutes, is amended to read:

530 110.205 Career service; exemptions.—

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

533 (m) All assistant division director, deputy division  
534 director, and bureau chief positions in any department, and  
535 those positions determined by the department to have managerial  
536 responsibilities comparable to such positions, which include,  
537 but are not limited to:

538 1. Positions in The Department of Health and the Department  
539 of Children and Families which are assigned primary duties of  
540 serving as the superintendent or assistant superintendent of an  
541 institution.

542 2. Positions in The Department of Corrections which are  
543 assigned primary duties of serving as the warden, assistant  
544 warden, colonel, or major of an institution or that are assigned  
545 primary duties of serving as the circuit administrator or deputy  
546 circuit administrator.

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

550 4. Positions in The Department of Environmental Protection  
551 which are assigned the duty of an Environmental Administrator or

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552 program administrator.

553 5. Positions in The Department of Health which are assigned  
554 the duties of Environmental Administrator, Assistant County  
555 Health Department Director, and County Health Department  
556 Financial Administrator.

557 6. Positions in The Department of Highway Safety and Motor  
558 Vehicles which are assigned primary duties of serving as  
559 captains in the Florida Highway Patrol.

560 7. Positions in the Department of Agriculture and Consumer  
561 Services which are assigned primary duties of serving as  
562 captains or majors in the Office of Agricultural Law  
563 Enforcement.

564  
565 Unless otherwise fixed by law, the department shall set the  
566 salary and benefits of the positions listed in this paragraph in  
567 accordance with the rules established for the Selected Exempt  
568 Service.

569 Section 2. Present paragraphs (a) through (d) of subsection  
570 (2) of section 163.3162, Florida Statutes, are redesignated as  
571 paragraphs (b) through (e), respectively, new paragraph (a) and  
572 paragraphs (f) and (g) are added to that subsection, and  
573 subsections (5), (6), and (7) are added to that section, to  
574 read:

575 163.3162 Agricultural Lands and Practices.—

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

577 (a) "Department" means the Department of Agriculture and  
578 Consumer Services.

579 (f) "Housing site" means the totality of development  
580 supporting authorized housing, including buildings, mobile

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581 homes, barracks, dormitories used as living quarters, parking  
582 areas, common areas such as athletic fields or playgrounds,  
583 storage structures, and other related structures.

584 (g) "Legally verified agricultural worker" means a person  
585 who:

586 1. Is lawfully present in the United States;

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

589 3. Has been verified through the process provided in s.  
590 448.095(2) and is authorized to work at the time of employment;

591 4. Is seasonally or annually employed in bona fide  
592 agricultural production;

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

595 6. Is not an unauthorized alien as defined in s.  
596 448.095(1).

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

598 (a) A governmental entity may not adopt or enforce any  
599 legislation, regulation, or ordinance to inhibit the  
600 construction or installation of housing for legally verified  
601 agricultural workers on land classified as agricultural land  
602 pursuant to s. 193.461 which is operated as a bona fide farm  
603 except as provided in this subsection.

604 (b) Construction or installation of housing units for  
605 legally verified agricultural workers on parcels of land  
606 classified as agricultural land under s. 193.461 must satisfy  
607 all of the following criteria:

608 1. The dwelling units must meet federal, state, and local  
609 building standards, including standards of the Department of

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610 Health adopted pursuant to ss. 381.008-381.00897 and federal  
611 standards for H-2A visa housing. If written notice of intent is  
612 required to be submitted to the Department of Health pursuant to  
613 s. 381.0083, the appropriate governmental entity with  
614 jurisdiction over the agricultural lands may also require  
615 submittal of a copy of the written notice.

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

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

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

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

628 6. A housing site must be located at least 100 feet from a  
629 property line adjacent to property zoned for residential use. If  
630 the housing site is located less than 250 feet from any property  
631 line, screening must be provided between the housing site and  
632 any residentially developed adjacent parcels that are under  
633 different ownership. The screening may be designed in any of the  
634 following ways:

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

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

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639 all sides with brick, stone, or painted or pigmented stucco;

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

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

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

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

652 (c) Any local ordinance adopted pursuant to this subsection  
653 must comply with all state and federal regulations for migrant  
654 farmworker housing, as applicable, including rules adopted by  
655 the Department of Health pursuant to ss. 381.008-381.00897 and  
656 federal regulations under the Migrant and Seasonal Agricultural  
657 Worker Protection Act or the H-2A visa program. A governmental  
658 entity may adopt local government land use regulations that are  
659 less restrictive than this subsection, but which still meet  
660 regulations established by the Department of Health pursuant to  
661 ss. 381.008-381.00897 and federal regulations under the Migrant  
662 and Seasonal Agricultural Worker Protection Act or the H-2A visa  
663 program. An ordinance adopted pursuant to this paragraph may not  
664 conflict with the definition and requirements of a legally  
665 verified agricultural worker.

666 (d) Beginning July 1, 2025, a property owner must maintain  
667 records of all approved permits, including successor permits,

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668 for migrant labor camps or residential migrant housing as  
669 required under s. 381.0081. A property owner must maintain such  
670 records for at least 3 years and make the records available for  
671 inspection within 14 days after receipt of a request for records  
672 by a governmental entity.

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

675 1. If, for any reason, a housing site is not being used for  
676 legally verified agricultural workers for longer than 365 days,  
677 any structure used as living quarters must be removed from the  
678 housing site within 180 days after receipt of written  
679 notification from the county unless the property owner can  
680 demonstrate that use of the site for housing legally verified  
681 agricultural workers will occur within 90 days after the written  
682 notification.

683 2. If the property on which the housing site is located  
684 ceases to be classified as agricultural land pursuant to s.  
685 193.461.

686 3. If the permit authorized by the Department of Health for  
687 the housing site is revoked, all structures must be removed from  
688 the housing site within 180 days after receipt of written  
689 notification from the county unless the permit is reinstated by  
690 the Department of Health.

691 4. If a housing site is found to be occupied by any person  
692 who does not meet the definition of a legally verified  
693 agricultural worker, or is otherwise unlawfully present in the  
694 United States. A property owner who violates this subparagraph  
695 is subject to a Class I fine pursuant to s. 570.971, not to  
696 exceed \$1,000, for the first violation, and a Class II fine, not



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697 to exceed \$5,000, for any subsequent violations. The fines shall  
698 be collected by the clerk of the court of the county in which  
699 the violation occurred.

700 (f) Notwithstanding this subsection, the construction or  
701 installation of housing for legally verified agricultural  
702 workers in the Florida Keys Area of Critical State Concern or  
703 the City of Key West Area of Critical State Concern is subject  
704 to the permit allocation systems of the Florida Keys Area of  
705 Critical State Concern or City of Key West Area of Critical  
706 State Concern, respectively.

707 (g) A housing site that was constructed and in use before  
708 July 1, 2024, may continue to be used, and the property owner  
709 may not be required by a governmental entity to make changes to  
710 meet the requirements of this subsection, unless the housing  
711 site will be enlarged, remodeled, renovated, or rehabilitated.  
712 The property owner of a housing site authorized under this  
713 paragraph must provide regular maintenance and repair, including  
714 compliance with health and safety regulations and maintenance  
715 standards, for such housing site to ensure the health, safety,  
716 and habitability of the housing site.

717 (6) DATA COLLECTION.—The Department shall adopt rules  
718 providing for:

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

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

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726 Government entities shall provide this information quarterly to  
727 the department in a format and timeframe prescribed by rule.

728 (7) ENFORCEMENT.—

729 (a) In addition to the enforcement methods of employment  
730 verification outlined in s. 448.095, the Department shall  
731 enforce the requirements of subsection (5). Enforcement includes  
732 completing routine inspections based on a random sample of data  
733 collected by government entities and submitted to the  
734 Department, the investigation and review of complaints, and the  
735 enforcement of violations.

736 (b) The Department shall submit the information collected  
737 to the State Board of Immigration Enforcement on a quarterly  
738 basis, except that the first quarter shall begin 60 days after  
739 the first quarterly data report under subsection (6) by a  
740 government entity is received and reviewed by the Department.

741 Section 3. Subsection (3) of section 201.25, Florida  
742 Statutes, is amended to read:

743 201.25 Tax exemptions for certain loans.—There shall be  
744 exempt from all taxes imposed by this chapter:

745 (3) Any loan made by the Agriculture and Aquaculture  
746 Producers Emergency Natural Disaster Recovery Loan Program  
747 pursuant to s. 570.822.

748 Section 4. Subsection (19) is added to section 253.0341,  
749 Florida Statutes, to read:

750 253.0341 Surplus of state-owned lands.—

751 (19) Notwithstanding any other law or rule, the Department  
752 of Agriculture and Consumer Services may surplus lands acquired  
753 pursuant to s. 366.20 which are determined to be suitable for  
754 bona fide agricultural production, as defined in s. 193.461. The

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755 Department of Agriculture and Consumer Services shall consult  
756 with the Department of Environmental Protection in the process  
757 of making such determination. In the event that lands acquired  
758 pursuant to s. 366.20, which are determined to be suitable for  
759 bona fide agricultural production are surplusued, the Department  
760 of Agriculture and Consumer Services must retain a rural-lands-  
761 protection easements pursuant to s. 570.71(3), and all proceeds  
762 must be deposited into the Incidental Trust Fund within the  
763 Department of Agriculture and Consumer Services for less than  
764 fee simple land acquisition pursuant to ss. 570.71 and 570.715.  
765 By January 1, 2026, and each January 1 thereafter, the  
766 Department of Agriculture and Consumer Services shall provide a  
767 report of lands surplusued pursuant to this subsection to the  
768 board.

769 (a) Any lands designated as a state forest, state park, or  
770 wildlife management area are ineligible to be surplusued pursuant  
771 to this subsection.

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

773 Section 5. Present paragraphs (a) through (d) and (e) of  
774 subsection (2) and subsection (6) of section 330.41, Florida  
775 Statutes, are redesignated as paragraphs (b) through (e) and (j)  
776 of subsection (2) and subsection (8), respectively, new  
777 paragraphs (a) and (f) and paragraphs (g), (h), and (i) are  
778 added to subsection (2) and new subsection (6) and subsection  
779 (7) are added to that section, and paragraph (d) of subsection  
780 (4) of that section is amended, to read:

781 330.41 Unmanned Aircraft Systems Act.—

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

783 (a) "Commercial property" means real property other than

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784 residential property. The term includes, but is not limited to,  
785 a property zoned multifamily residential which is comprised of  
786 five or more dwelling units, and real property used for  
787 commercial, industrial, or agricultural purposes.

788 (f) "Private property" means any residential or commercial  
789 property.

790 (g) "Property owner" means the owner or owners of record of  
791 real property. The term includes real property held in trust for  
792 the benefit of one or more individuals, in which case the  
793 individual or individuals may be considered as the property  
794 owner or owners, provided that the trustee provides written  
795 consent. The term does not include persons renting, using,  
796 living, or otherwise occupying real property.

797 (h) "Residential property" means real property zoned as  
798 residential or multifamily residential and composed of four or  
799 fewer dwelling units.

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

802 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

807 (6) PROTECTION OF AGRICULTURAL LANDS.—

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

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

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813       2. Allow a drone to come within a distance close enough to  
814 such lands to interfere with or cause a disturbance to  
815 agricultural production.

816       (b) A person who violates paragraph (a) commits a  
817 misdemeanor of the second degree, punishable as provided in s.  
818 775.082 or s. 775.083. A person who commits a second or  
819 subsequent violation commits a misdemeanor of the first degree,  
820 punishable as provided in s. 775.082 or s. 775.083.

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

823       1. The owner of the agricultural lands, or a person acting  
824 under the prior written consent of the owner of the agricultural  
825 lands.

826       2. A person or entity acting in compliance with the  
827 provisions of s. 934.50.

828       (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING  
829 LANDS.—

830       (a) A person may not knowingly or willfully allow a drone  
831 to make contact with private property, state wildlife management  
832 lands, or a sport shooting and training range or any person or  
833 object on the premises of or within such property with the  
834 intent to harass.

835       (b) A person who violates paragraph (a) commits a  
836 misdemeanor of the second degree, punishable as provided in s.  
837 775.082 or s. 775.083. A person who commits a second or  
838 subsequent violation commits a misdemeanor of the first degree,  
839 punishable as provided in s. 775.082 or s. 775.083.

840       (c) A person who violates paragraph (a) and records video  
841 of the private property, state wildlife management lands, or

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842 sport shooting and training range, including any person or  
843 object on the premises of or within the private property, state  
844 wildlife management lands, or sport shooting and training range,  
845 commits a misdemeanor of the first degree, punishable as  
846 provided in s. 775.082 or s. 775.083. A person who commits a  
847 second or subsequent violation commits a felony of the third  
848 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
849 775.084.

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

852 1. The property owner of the private property or sport  
853 shooting and training range, or a person acting under the prior  
854 written consent of the property owner.

855 2. A person or entity acting in compliance with the  
856 provisions of s. 934.50.

857 Section 6. Section 366.20, Florida Statutes, is created to  
858 read:

859 366.20 Sale and management of lands owned by electric  
860 utilities.—

861 (1) Lands acquired by an electric utility as defined in s.  
862 361.11(2) which have been classified as agricultural lands  
863 pursuant to s. 193.461 at any time in the 5 years preceding the  
864 acquisition of the land by the electric utility must be offered  
865 for fee simple acquisition by the Department of Agriculture and  
866 Consumer Services before offering for sale or transferring the  
867 land to a private individual or entity.

868 (2) Lands owned by an electric utility as defined in s.  
869 361.11(2) which were classified as agricultural lands pursuant  
870 to s. 193.461 at any time in the 5 years preceding the date of

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871 acquisition of the land by the electric utility must be offered  
872 for fee simple acquisition by the Department of Agriculture and  
873 Consumer Services before offering for sale or transferring the  
874 land to a private individual or entity.

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

876 Section 7. Present subsections (3) and (4) of section  
877 366.94, Florida Statutes, are redesignated as subsections (4)  
878 and (5), respectively, a new subsection (3) is added to that  
879 section, and subsection (2) of that section is amended, to read:

880 366.94 Electric vehicle charging.-

881 (2) (a) As used in this section, the term "electric vehicle  
882 charging station" means the area in the immediate vicinity of  
883 electric vehicle supply equipment and includes the electric  
884 vehicle supply equipment, supporting equipment, and associated  
885 parking spaces. The regulation of electric vehicle charging  
886 stations is preempted to the state.

887 (b) (a) A local governmental entity may not enact or enforce  
888 an ordinance or regulation related to electric vehicle charging  
889 stations.

890 (3) (a) (b) The Department of Agriculture and Consumer  
891 Services shall adopt rules to implement this subsection and to  
892 provide requirements for electric vehicle charging stations to  
893 allow for consistency for consumers and the industry.

894 (b) The department may adopt rules to protect the public  
895 health, safety, and welfare and establish standards for the  
896 placement, design, installation, maintenance, and operation of  
897 electric vehicle charging stations.

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

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

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

907 (e) The department shall have the authority to inspect  
908 electric vehicle charging stations, conduct investigations, and  
909 enforce this subsection and any rules adopted thereto. The  
910 department may impose one or more of the following penalties  
911 against a person who violates this subsection or any rule  
912 adopted under this subsection:

913 1. Issuance of a warning letter.

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

916 (f) If the department determines that an electric vehicle  
917 charging station or any associated equipment presents a threat  
918 to the public health, safety, or welfare, the department may  
919 issue an immediate final order prohibiting the use of the  
920 electric vehicle charging station or any portion thereof.

921 (g) In addition to the remedies provided in this  
922 subsection, and notwithstanding the existence of any adequate  
923 remedy at law, the department may bring an action to enjoin a  
924 violation of this subsection or rules adopted under this  
925 subsection in the circuit court of the county in which the  
926 violation occurs or is about to occur. Upon demonstration of  
927 competent and substantial evidence by the department to the  
928 court of the violation or threatened violation, the court shall



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929 immediately issue the temporary or permanent injunction sought  
930 by the department. The injunction must be issued without bond.

931 Section 8. Present subsections (10) and (11) of section  
932 388.011, Florida Statutes, are redesignated as subsections (11)  
933 and (12), respectively, a new subsection (10) is added to that  
934 section, and subsections (2) and (5) of that section are  
935 amended, to read:

936 388.011 Definitions.—As used in this chapter:

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

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

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

947 Section 9. Section 388.021, Florida Statutes, is amended to  
948 read:

949 388.021 Creation of mosquito control special districts.—

950 (1) The abatement or suppression of arthropods, whether  
951 disease-bearing or merely pestiferous, within any or all  
952 counties of this state is advisable and necessary for the  
953 maintenance and betterment of the comfort, health, and welfare  
954 of the people thereof and is found and declared to be for public  
955 purposes. Areas where arthropods incubate, hatch, or occur in  
956 significant numbers so as to constitute a public health,  
957 welfare, or nuisance problem may be controlled or abated as

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958 provided in this chapter or the rules promulgated hereunder.  
959 Therefore, any municipality ~~city~~, town, or county, or any  
960 portion or portions thereof, whether such portion or portions  
961 include incorporated territory or portions of two or more  
962 counties in the state, may be created into a special taxing  
963 district for the control of arthropods under the provisions of  
964 this chapter.

965 (2) It is the legislative intent that ~~those~~ mosquito  
966 control districts established prior to July 1, 1980, pursuant to  
967 the petition process contained in former s. 388.031, may  
968 continue to operate as outlined in this chapter. However, on and  
969 after that date, no mosquito control districts may be created  
970 except pursuant to s. 125.01.

971 Section 10. Section 388.181, Florida Statutes, is amended  
972 to read:

973 388.181 Power to do all things necessary.—The respective  
974 programs ~~districts~~ of the state are hereby fully authorized to  
975 do and perform all things necessary to carry out the intent and  
976 purposes of this law.

977 Section 11. Subsections (1), (2), (4), and (5) of section  
978 388.201, Florida Statutes, are amended to read:

979 388.201 Program ~~District~~ budgets; hearing.—

980 (1) The fiscal year of programs ~~districts~~ operating under  
981 ~~the provisions of~~ this chapter shall be the 12-month period  
982 extending from October 1 of one year through September 30 of the  
983 following year. The governing board of the programs ~~district~~  
984 shall before July 15 of each year complete the preparation of a  
985 tentative detailed work plan budget covering its proposed  
986 operations and requirements for arthropod control measures

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987 during the ensuing fiscal year and, for the purpose of  
988 determining eligibility for state aid, shall submit copies as  
989 may be required to the department for review and approval. The  
990 tentative detailed work plan budget must ~~shall~~ set forth,  
991 classified by account number, title and program items, and by  
992 fund from which to be paid, the proposed expenditures of the  
993 program ~~district~~ for construction, for acquisition of land, and  
994 other purposes, for the operation and maintenance of the  
995 program's ~~district's~~ works, the conduct of the program ~~district~~  
996 generally, to which may be added an amount to be held as a  
997 reserve.

998 (2) The tentative detailed work plan budget must ~~shall~~ also  
999 show the estimated amount which will appear at the beginning of  
1000 the fiscal year as obligated upon commitments made but  
1001 uncompleted, ~~There shall be shown~~ the estimated unobligated or  
1002 net balance which will be on hand at the beginning of the fiscal  
1003 year, and the estimated amount to be raised by county,  
1004 municipality, or district taxes and from any and all other  
1005 sources for meeting the program's ~~the district's~~ requirements.

1006 (4) The governing board shall:

1007 (a) ~~Shall~~ Consider objections filed against adoption of the  
1008 tentative detailed work plan budget and in its discretion may  
1009 amend, modify, or change such budget; and

1010 (b) ~~Shall~~ By September 30, adopt and execute on a form  
1011 furnished by the department a certified budget for the programs  
1012 ~~district~~ which shall be the operating and fiscal guide for the  
1013 program ~~district~~. Certified copies of this budget must ~~shall~~ be  
1014 submitted by September 30 to the department for approval.

1015 (5) County commissioners' mosquito and arthropod control

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1016 budgets or the budgets of or similar governing body of said  
1017 county, city, or town's must ~~shall~~ be made and adopted as  
1018 prescribed by subsections (1) and (2); summary figures must  
1019 ~~shall~~ be incorporated into the county budgets as prescribed by  
1020 the Department of Financial Services.

1021 Section 12. Section 388.241, Florida Statutes, is amended  
1022 to read:

1023 388.241 Board of county commissioners vested with powers  
1024 and duties of board of commissioners in certain counties.—In  
1025 those counties or cities where there has been no formation of a  
1026 separate or special board of commissioners, all the rights,  
1027 powers, and duties of a board of commissioners as conferred in  
1028 this chapter shall be vested in the board of county  
1029 commissioners or similar governing body of said county or city.

1030 Section 13. Section 388.261, Florida Statutes, is amended  
1031 to read:

1032 388.261 State aid to counties, municipalities, and  
1033 districts for arthropod control; distribution priorities and  
1034 limitations.—

1035 (1) A county, municipality, or district may, without  
1036 contributing matching funds, receive state funds, supplies,  
1037 services, or equipment in an amount of no more than \$75,000  
1038 ~~\$50,000~~ per year for up to 3 years for any new program for the  
1039 control of mosquitoes and other arthropods which serves an area  
1040 not previously served by the county, municipality, or district.  
1041 These funds may be expended for any and all types of control  
1042 measures approved by the department.

1043 (2) Every county, municipality, or district budgeting local  
1044 funds to be used exclusively for the control of mosquitoes and

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1045 other arthropods, under a plan submitted by the county,  
1046 municipality, or district and approved by the department, is  
1047 eligible to receive state funds and supplies, services, and  
1048 equipment on a dollar-for-dollar matching basis to the amount of  
1049 local funds budgeted. If state funds appropriated by the  
1050 Legislature are insufficient to grant each county, municipality,  
1051 or district state funds on a dollar-for-dollar matching basis to  
1052 the amount budgeted in local funds, the department must ~~shall~~  
1053 distribute the funds as prescribed by rule. Such rules must  
1054 ~~shall~~ provide for up to 80 percent of the funds to be  
1055 distributed to programs with local funds for mosquito control  
1056 budgets of less than \$1 million, if the county, municipality, or  
1057 district meets the eligibility requirements. The funds must  
1058 ~~shall~~ be distributed as equally as possible within the category  
1059 of counties pursuant to this section. The remaining funds must  
1060 ~~shall~~ be distributed as prescribed by rule among the remaining  
1061 counties to support mosquito control and to support research,  
1062 education, and outreach.

1063 (3) Every county shall be limited to receive a total of  
1064 \$120,000 of state funds, exclusive of state funds brought  
1065 forward, during any one year.

1066 (4) Up to 20 percent of the annual funds appropriated to  
1067 local governments for arthropod control may be used for  
1068 arthropod control research or demonstration projects as approved  
1069 by the department.

1070 (5) If more than one program ~~local mosquito control agency~~  
1071 exists in a county or municipality, the funds must ~~shall~~ be  
1072 prorated between the programs ~~agencies~~ based on the population  
1073 served by each program ~~agency~~.

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1074 (6) The Commissioner of Agriculture may exempt counties,  
1075 municipalities, or districts from the requirements in subsection  
1076 (1), subsection (2), or subsection (3) when the department  
1077 determines state funds, supplies, services, or equipment are  
1078 necessary for the immediate control of mosquitoes and other  
1079 arthropods that pose a threat to human or animal health.

1080 (7) The department may use state funds appropriated for a  
1081 county, municipality, or district under subsection (1) or  
1082 subsection (2) to provide state mosquito or other arthropod  
1083 control equipment, supplies, or services when requested by a  
1084 county, municipality, or district eligible to receive state  
1085 funds under s. 388.271.

1086 (8) The department is authorized to use up to 5 percent of  
1087 the funds appropriated annually by the Legislature under this  
1088 section to provide technical assistance to the counties,  
1089 municipalities, or districts, or to purchase equipment,  
1090 supplies, or services necessary to administer the provisions of  
1091 this chapter.

1092 Section 14. Subsections (1) and (2) of section 388.271,  
1093 Florida Statutes, are amended to read:

1094 388.271 Prerequisites to participation.-

1095 (1) When state funds are involved, it is the duty of the  
1096 department to guide, review, approve, and coordinate the  
1097 activities of all county and municipal governments and special  
1098 districts receiving state funds in furtherance of the goal of  
1099 integrated arthropod control. Each program ~~county~~ eligible to  
1100 participate may, and each district must, begin participation on  
1101 October 1 of any year by filing with the department not later  
1102 than July 15 a tentative integrated arthropod management plan

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1103 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for  
1104 the control of arthropods. Following approval of the plan and  
1105 budget by the department, a copy ~~two copies~~ of the program's  
1106 ~~county's or district's~~ certified budget based on the approved  
1107 integrated arthropod management ~~work plan~~ and detailed ~~work plan~~  
1108 budget must ~~shall~~ be submitted to the department by September 30  
1109 following. State funds, supplies, and services must ~~shall~~ be  
1110 made available to such program ~~county or district~~ by and through  
1111 the department ~~immediately~~ upon release of funds by the  
1112 Executive Office of the Governor.

1113 (2) All purchases of supplies, materials, and equipment by  
1114 programs ~~counties or districts~~ ~~shall~~ be made in accordance  
1115 with the laws governing purchases by boards of county  
1116 commissioners or similar governing bodies, except that programs  
1117 ~~districts~~ with special laws relative to competitive bidding  
1118 shall make purchases in accordance therewith.

1119 Section 15. Subsections (1) and (3) of section 388.281,  
1120 Florida Statutes, are amended to read:

1121 388.281 Use of state matching funds.—

1122 (1) All funds, supplies, and services released to programs  
1123 ~~counties and districts~~ hereunder must ~~shall~~ be used in  
1124 accordance with the integrated arthropod management ~~detailed~~  
1125 ~~work~~ plan and certified budget approved by both the department  
1126 and the board of county commissioners or an appropriate  
1127 representative ~~county or district~~. The integrated arthropod  
1128 management plan and budget may be amended at any time upon prior  
1129 approval of the department.

1130 (3) In any program ~~county or district~~ where the arthropod  
1131 problem has been eliminated, or reduced to such an extent that

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1132 it does not constitute a health, comfort, or economic problem as  
1133 determined by the department, the maximum amount of state funds  
1134 available under this chapter shall be reduced to the amount  
1135 necessary to meet actual need.

1136 Section 16. Subsections (1) and (2) of section 388.291,  
1137 Florida Statutes, are amended to read:

1138 388.291 Source reduction measures; supervision by  
1139 department.—

1140 (1) Any program ~~county or district~~ may perform source  
1141 reduction measures in conformity with good engineering practices  
1142 in any area, provided that the department cooperating with the  
1143 county, municipality, or district has approved the operating or  
1144 construction plan as outlined in the integrated arthropod  
1145 management plan and that it has been determined by criteria  
1146 contained in rule that the area or areas to be controlled would  
1147 produce arthropods in significant numbers to constitute a health  
1148 or nuisance problem.

1149 (2) The program ~~county or district~~ shall manage the  
1150 detailed business affairs and supervise the ~~said~~ work, and the  
1151 department shall advise the programs ~~districts~~ as to the best  
1152 and most effective measures to be used in bringing about better  
1153 temporary control and the permanent elimination of breeding  
1154 conditions. The department may at its discretion discontinue any  
1155 state aid provided hereunder in the event it finds the jointly  
1156 agreed upon program is not being followed or is not efficiently  
1157 and effectively administered.

1158 Section 17. Section 388.301, Florida Statutes, is amended  
1159 to read:

1160 388.301 Payment of state funds; supplies and services.—



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1161 State funds shall be payable ~~quarterly~~, in accordance with the  
1162 rules of the department, upon requisition by the department to  
1163 the Chief Financial Officer. The department is authorized to  
1164 furnish insecticides, chemicals, materials, equipment, vehicles,  
1165 and personnel in lieu of state funds where mass purchasing may  
1166 save funds for the state, or where it would be more practical  
1167 and economical to use equipment, supplies, and services between  
1168 two or more programs ~~counties or districts~~.

1169 Section 18. Section 388.311, Florida Statutes, is amended  
1170 to read:

1171 388.311 Carry over of state funds and local funds.—State  
1172 and local funds budgeted for the control of mosquitoes and other  
1173 arthropods shall be carried over at the end of the program's  
1174 ~~county or district's~~ fiscal year, and rebudgeted for such  
1175 control measures the following fiscal year.

1176 Section 19. Section 388.321, Florida Statutes, is amended  
1177 to read:

1178 388.321 Equipment to become property of a program ~~the~~  
1179 ~~county or district~~.—All equipment purchased under this chapter  
1180 with state funds made available directly to a program ~~the county~~  
1181 ~~or district~~ shall become the property of the program ~~county or~~  
1182 ~~district~~ unless otherwise provided, and may be traded in on  
1183 other equipment, or sold, when no longer needed by the program  
1184 ~~county or district~~.

1185 Section 20. Section 388.322, Florida Statutes, is amended  
1186 to read:

1187 388.322 Record and inventory of certain property.—A record  
1188 and inventory of certain property purchased with state funds for  
1189 arthropod control use owned by the program ~~must~~ ~~district shall~~

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1190 be maintained in accordance with s. 274.02.

1191 Section 21. Section 388.323, Florida Statutes, is amended  
1192 to read:

1193 388.323 Disposal of surplus property.—Surplus property  
1194 shall be disposed of according to the provisions set forth in s.  
1195 274.05 with the following exceptions:

1196 (1) Serviceable equipment purchased using state funds for  
1197 arthropod control use no longer needed by a program must ~~county~~  
1198 ~~or district~~ shall first be offered to any ~~or all~~ other programs  
1199 ~~counties or districts~~ engaged in arthropod control at a price  
1200 established by the board of commissioners owning the equipment.

1201 (2) The alternative procedure for disposal of surplus  
1202 property, as prescribed in s. 274.06, must ~~shall~~ be followed if  
1203 it is determined that no other program ~~county or district~~  
1204 engaged in arthropod control has need for the equipment.

1205 (3) All proceeds from the sale of any real or tangible  
1206 personal property owned by the program and purchased using state  
1207 funds ~~county or district~~ shall be deposited in the program's  
1208 ~~county's or district's~~ state fund account unless otherwise  
1209 specifically designated by the department.

1210 Section 22. Section 388.341, Florida Statutes, is amended  
1211 to read:

1212 388.341 Reports of expenditures and accomplishments.—Each  
1213 program receiving state aid ~~county and district participating~~  
1214 ~~under the provisions of~~ this chapter shall within 30 days after  
1215 the end of each month submit to the department a monthly report  
1216 for the preceding month of expenditures from all funds for  
1217 arthropod control, and each program participating under this  
1218 chapter shall provide such reports of activities and

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1219 accomplishments as may be required by the department.

1220 Section 23. Section 388.351, Florida Statutes, is amended  
1221 to read:

1222 388.351 Transfer of equipment, personnel, and supplies  
1223 during an emergency.—The department, upon notifying a program  
1224 ~~county or district~~ and obtaining its approval, is authorized to  
1225 transfer equipment, materials, and personnel from one program  
1226 ~~district~~ to another in the event of an emergency brought about  
1227 by an arthropod-borne epidemic or other disaster requiring  
1228 emergency control.

1229 Section 24. Subsection (7) of section 388.361, Florida  
1230 Statutes, is amended to read:

1231 388.361 Department authority and rules; administration.—

1232 (7) The department shall have the authority to collect,  
1233 detect, suppress, and control mosquitoes and other arthropods  
1234 that are determined by the State Health Officer to pose a threat  
1235 to public health, or determined by the Commissioner of  
1236 Agriculture to pose a threat to animal health, wherever they may  
1237 occur on public or private land in this state, and to do all  
1238 things necessary in the exercise of such authority. Prior to the  
1239 start of treatments for the control of mosquitoes or other  
1240 arthropods, the department shall consult with the mosquito  
1241 control programs ~~districts~~ in the proposed treatment areas, the  
1242 Department of Health, the Department of Environmental  
1243 Protection, and the Fish and Wildlife Conservation Commission  
1244 regarding the proposed locations, dates, and methods to be used.

1245 Section 25. Subsections (2) and (3) of section 388.3711,  
1246 Florida Statutes, are amended to read:

1247 388.3711 Enforcement.—

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1248 (2) The department may issue a written warning, impose a  
1249 fine; deny, suspend, or revoke any license or certification, or  
1250 the disbursal of state aid; or deny participation, in accordance  
1251 with the provisions of chapter 120, upon any one or more of the  
1252 following grounds as may be applicable:

1253 (a) Violation of any rule of the department or provision of  
1254 this chapter.

1255 (b) Violation of FIFRA or any relevant EPA rule or  
1256 regulation pertaining to the use of arthropod control pesticides  
1257 by the licensee.

1258 (c) Failure to give the department, or any authorized  
1259 representative thereof, true information upon request regarding  
1260 methods and materials used, work performed, or other information  
1261 essential to the administration of this chapter.

1262 (3) The department may, if it finds a violation is of such  
1263 nature or circumstances that imposition of a fine, or denial,  
1264 revocation, or suspension of a certification or license or  
1265 disbursal of state aid would be detrimental to the public or be  
1266 unnecessarily harsh under the circumstances, in its discretion,  
1267 place the offending party on probation for a period of not more  
1268 than 2 years. If the department determines that the terms of  
1269 such probation have been violated, it may reinstitute license or  
1270 certification or state aid denial, suspension, or revocation  
1271 proceedings.

1272 Section 26. Section 388.381, Florida Statutes, is amended  
1273 to read:

1274 388.381 Cooperation by programs ~~counties and district.~~—Any  
1275 program conducting county or district carrying on an arthropod  
1276 control ~~program~~ may cooperate with another county, district, or

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1277 municipality in carrying out work ~~a program~~ for the control of  
1278 mosquitoes and other arthropods, by agreement as to the program  
1279 and reimbursement thereof, when approved by the department.

1280 Section 27. Section 388.391, Florida Statutes, is amended  
1281 to read:

1282 388.391 Control measures in municipalities and portions of  
1283 counties located outside boundaries of programs ~~districts~~.—Any  
1284 program ~~district~~ whose operation is limited to a portion of the  
1285 county in which it is located may perform any control measures  
1286 authorized by this chapter in any municipality located in the  
1287 same county or in any portions of the same county, where there  
1288 is no established program ~~district~~, when requested to do so by  
1289 the municipality or county, pursuant to s. 388.381.

1290 Section 28. Section 388.401, Florida Statutes, is amended  
1291 to read:

1292 388.401 Penalty for damage to property or operations.—  
1293 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of  
1294 any program ~~county or district~~ created under this or other  
1295 chapters, or any works constructed, maintained, or controlled by  
1296 such program ~~county or district~~, or who obstructs ~~shall obstruct~~  
1297 or causes ~~cause~~ to be obstructed any of the operations of such  
1298 program ~~county or district~~, or who ~~shall~~ knowingly or willfully  
1299 violates ~~violate~~ any provisions of this chapter or any rule or  
1300 regulation promulgated by any board of commissioners of any  
1301 program, ~~commits~~ ~~county or district~~ ~~shall be guilty of a~~  
1302 misdemeanor of the second degree, punishable as provided in s.  
1303 775.082 or s. 775.083.

1304 Section 29. Paragraph (a) of subsection (2) of section  
1305 388.46, Florida Statutes, is amended to read:

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1306 388.46 Florida Coordinating Council on Mosquito Control;  
 1307 establishment; membership; organization; responsibilities.—  
 1308 (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—  
 1309 (a) *Membership*.—The Florida Coordinating Council on  
 1310 Mosquito Control shall be composed ~~comprised~~ of the following  
 1311 representatives or their authorized designees:  
 1312 1. The Secretary of Environmental Protection.  
 1313 2. The State Surgeon General.  
 1314 3. The executive director of the Fish and Wildlife  
 1315 Conservation Commission.  
 1316 4. The state epidemiologist.  
 1317 5. The Commissioner of Agriculture.  
 1318 6. The Board of Trustees of the Internal Improvement Trust  
 1319 Fund.  
 1320 7. Representatives from:  
 1321 a. The University of Florida, Institute of Food and  
 1322 Agricultural Sciences, Florida Medical Entomological Research  
 1323 Laboratory.  
 1324 b. The United States Environmental Protection Agency.  
 1325 c. The United States Department of Agriculture, Center of  
 1326 Medical, Agricultural, and Veterinary Entomology ~~Insects~~  
 1327 ~~Affecting Man Laboratory~~.  
 1328 d. The United States Fish and Wildlife Service.  
 1329 8. Four ~~Two~~ mosquito control directors to be nominated by  
 1330 the Florida Mosquito Control Association, two representatives of  
 1331 Florida environmental groups, and two private citizens who are  
 1332 property owners whose lands are regularly subject to mosquito  
 1333 control operations, to be appointed to 4-year terms by the  
 1334 Commissioner of Agriculture and serve until his or her successor

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1335 is appointed.

1336 Section 30. Paragraph (d) of subsection (7) of section  
1337 403.067, Florida Statutes, is amended to read:

1338 403.067 Establishment and implementation of total maximum  
1339 daily loads.—

1340 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND  
1341 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

1342 (d) *Enforcement and verification of basin management action*  
1343 *plans and management strategies.*—

1344 1. Basin management action plans are enforceable pursuant  
1345 to this section and ss. 403.121, 403.141, and 403.161.

1346 Management strategies, including best management practices and  
1347 water quality monitoring, are enforceable under this chapter.

1348 2. No later than January 1, 2017:

1349 a. The department, in consultation with the water  
1350 management districts and the Department of Agriculture and  
1351 Consumer Services, shall initiate rulemaking to adopt procedures  
1352 to verify implementation of water quality monitoring required in  
1353 lieu of implementation of best management practices or other  
1354 measures pursuant to sub-subparagraph (b)2.g.;

1355 b. The department, in consultation with the water  
1356 management districts and the Department of Agriculture and  
1357 Consumer Services, shall initiate rulemaking to adopt procedures  
1358 to verify implementation of nonagricultural interim measures,  
1359 best management practices, or other measures adopted by rule  
1360 pursuant to subparagraph (c)1.; and

1361 c. The Department of Agriculture and Consumer Services, in  
1362 consultation with the water management districts and the  
1363 department, shall initiate rulemaking to adopt procedures to

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1364 verify implementation of agricultural interim measures, best  
1365 management practices, or other measures adopted by rule pursuant  
1366 to subparagraph (c)2.

1367  
1368 The rules required under this subparagraph shall include  
1369 enforcement procedures applicable to the landowner, discharger,  
1370 or other responsible person required to implement applicable  
1371 management strategies, including best management practices or  
1372 water quality monitoring as a result of noncompliance.

1373       3. At least every 2 years, the Department of Agriculture  
1374 and Consumer Services shall perform onsite inspections of each  
1375 agricultural producer that enrolls in a best management  
1376 practice, except those enrolled by rule in subparagraph 4., to  
1377 ensure that such practice is being properly implemented. Such  
1378 verification must include a collection and review of the best  
1379 management practice documentation from the previous 2 years  
1380 required by rules adopted pursuant to subparagraph (c)2.,  
1381 including, but not limited to, nitrogen and phosphorus  
1382 ~~fertilizer~~ application records, which must be collected and  
1383 retained pursuant to subparagraphs (c)3., 4., and 6. The  
1384 Department of Agriculture and Consumer Services shall initially  
1385 prioritize the inspection of agricultural producers located in  
1386 the basin management action plans for Lake Okeechobee, the  
1387 Indian River Lagoon, the Caloosahatchee River and Estuary, and  
1388 Silver Springs.

1389       4. The Department of Agriculture and Consumer Services is  
1390 authorized to adopt rules establishing an enrollment in best  
1391 management practices by rule process that agricultural pollutant  
1392 sources and agricultural producers may use in lieu of the best



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1393 management practices adopted in paragraph (c) and identify best  
1394 management practices for landowners of parcels which meet the  
1395 following requirements:

1396 a. A parcel not more than 25 acres in size;

1397 b. A parcel designated as agricultural land use by the  
1398 county in which it is located or the parcel is granted  
1399 agricultural tax classification by the county property appraiser  
1400 of the county in which it is located;

1401 c. A parcel with water use not exceeding 100,000 gallons  
1402 per day on average unless the entire use is met using recycled  
1403 water from wet detention treatment ponds or reuse water;

1404 d. A parcel where the agricultural activity on the parcel  
1405 is not a vegetable crop, an agronomic crop, a nursery, or a  
1406 dairy operation;

1407 e. A parcel not abutting an impaired water body identified  
1408 in subsection (4); and

1409 f. A parcel not part of a larger operation that is enrolled  
1410 in the Department of Agriculture and Consumer Services best  
1411 management practices or conducting water quality monitoring  
1412 prescribed by the department or a water management district.

1413  
1414 Such requirements must specify design or performance criteria  
1415 that, if applied, would result in compliance with appropriate  
1416 water quality standards. The Department of Agriculture and  
1417 Consumer Services is authorized to adopt additional eligibility  
1418 criteria for landowners or producers to use enrollment by rule  
1419 and to revoke enrollment by rule.

1420 5. The Department of Agriculture and Consumer Services  
1421 shall annually perform onsite inspections of 20 percent for all

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1422 enrollments that meet the qualifications pursuant to  
1423 subparagraph 4. by rule within basin management action plan  
1424 areas, to ensure that practices are being properly implemented.  
1425 Such inspections must include a collection and review of the  
1426 identified best management practice documentation from the  
1427 previous 2 years required by rules adopted pursuant to  
1428 subparagraph (c)2. All agricultural producers enrolled by rule  
1429 in a best management practice must annually submit nutrient  
1430 records, including nitrogen and phosphorus application records  
1431 for the previous calendar year, to the Department of Agriculture  
1432 and Consumer Services as required by rules adopted pursuant to  
1433 subparagraph (c)2. The Department of Agriculture and Consumer  
1434 Services shall collect and retain these nutrient records  
1435 pursuant to subparagraphs (c)3., 4., and 6.

1436 Section 31. Subsection (19) is added to section 403.852,  
1437 Florida Statutes, to read:

1438 403.852 Definitions; ss. 403.850-403.864.—As used in ss.  
1439 403.850-403.864:

1440 (19) "Water quality additive" means any chemical or  
1441 additive which is used in a public water system for the purpose  
1442 of removing contaminants or increasing water quality. The term  
1443 does not include additives used for health-related purposes.

1444 Section 32. Subsection (8) is added to section 403.859,  
1445 Florida Statutes, to read:

1446 403.859 Prohibited acts.—The following acts and the causing  
1447 thereof are prohibited and are violations of this act:

1448 (8) The use of any additive in a public water system which  
1449 does not meet the definition of a water quality additive as  
1450 defined in s. 403.852(19), or the use of any additive included

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1451 primarily for health-related purposes.

1452 Section 33. Subsection (10) of section 482.111, Florida  
1453 Statutes, is amended to read:

1454 482.111 Pest control operator's certificate.—

1455 (10) In order to renew a certificate, the certificateholder  
1456 must complete 2 hours of approved continuing education on  
1457 legislation, safety, pesticide labeling, and integrated pest  
1458 management and 2 hours of approved continuing education in each  
1459 category of her or his certificate or must pass an examination  
1460 that the department shall provide in person and remotely through  
1461 a third-party vendor. The third-party vendor may collect and  
1462 retain a convenience fee ~~given by the department.~~ The department  
1463 may not renew a certificate if the continuing education or  
1464 examination requirement is not met.

1465 (a) Courses or programs, to be considered for credit, must  
1466 include one or more of the following topics:

1467 1. The law and rules of this state pertaining to pest  
1468 control.

1469 2. Precautions necessary to safeguard life, health, and  
1470 property in the conducting of pest control and the application  
1471 of pesticides.

1472 3. Pests, their habits, recognition of the damage they  
1473 cause, and identification of them by accepted common name.

1474 4. Current accepted industry practices in the conducting of  
1475 fumigation, termites and other wood-destroying organisms pest  
1476 control, lawn and ornamental pest control, and household pest  
1477 control.

1478 5. How to read labels, a review of current state and  
1479 federal laws on labeling, and a review of changes in or

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1480 additions to labels used in pest control.

1481 6. Integrated pest management.

1482 (b) The certificateholder must submit with her or his  
1483 application for renewal a statement certifying that she or he  
1484 has completed the required number of hours of continuing  
1485 education. The statement must be on a form prescribed by the  
1486 department and must identify at least the date, location,  
1487 provider, and subject of the training and must provide such  
1488 other information as required by the department.

1489 (c) The department shall charge the same fee for  
1490 examination as provided in s. 482.141(2).

1491 Section 34. Subsection (1) of section 482.141, Florida  
1492 Statutes, is amended to read:

1493 482.141 Examinations.—

1494 (1) Each individual seeking certification must  
1495 satisfactorily pass an examination which must be written but  
1496 ~~which~~ may include practical demonstration. The department shall  
1497 provide in-person and remote testing through a third-party  
1498 vendor. A third-party vendor may collect and retain a  
1499 convenience fee hold at least two examinations each year. An  
1500 applicant may seek certification in one or more categories.

1501 Section 35. Paragraph (b) of subsection (1) of section  
1502 482.155, Florida Statutes, is amended to read:

1503 482.155 Limited certification for governmental pesticide  
1504 applicators or private applicators.—

1505 (1)

1506 (b) A person seeking limited certification under this  
1507 subsection must pass an examination that the department shall  
1508 provide in person and remotely through a third-party vendor. The

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1509 third-party vendor may collect and retain a convenience fee  
1510 ~~given or approved by the department.~~ Each application for  
1511 examination must be accompanied by an examination fee set by the  
1512 department, in an amount of not more than \$150 or less than \$50;  
1513 and a recertification fee of \$25 every 4 years. Until rules  
1514 setting these fees are adopted by the department, the  
1515 examination fee is \$50. Application for recertification must be  
1516 accompanied by proof of having completed 4 classroom hours of  
1517 acceptable continuing education. The limited certificate expires  
1518 4 years after the date of issuance. If the certificateholder  
1519 fails to renew his or her certificate and provide proof of  
1520 completion of the required continuing education units within 60  
1521 days after the expiration date, the certificateholder may be  
1522 recertified only after reexamination. The department shall make  
1523 available ~~provide~~ the appropriate reference material and ~~make~~  
1524 ~~the examination readily accessible and available to all~~  
1525 ~~applicants at least quarterly or as necessary in each county.~~

1526 Section 36. Subsection (2) of section 482.156, Florida  
1527 Statutes, is amended to read:

1528 482.156 Limited certification for commercial landscape  
1529 maintenance personnel.—

1530 (2) (a) A person seeking limited certification under this  
1531 section must pass an examination that the department shall  
1532 provide in person and remotely through a third-party vendor. The  
1533 third-party vendor may collect and retain a convenience fee  
1534 ~~given by the department.~~ Each application for examination must  
1535 be accompanied by an examination fee set by rule of the  
1536 department, in an amount of not more than \$150 or less than \$50.  
1537 Before the department issues a limited certification under this

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1538 section, each person applying for the certification must furnish  
1539 proof of having a certificate of insurance which states that the  
1540 employer meets the requirements for minimum financial  
1541 responsibility for bodily injury and property damage required by  
1542 s. 482.071(4).

1543 (b) The department shall make available ~~provide~~ the  
1544 appropriate reference materials for the examination and provide  
1545 in-person and remote testing through a third-party vendor. A  
1546 third-party vendor may collect and retain a convenience fee ~~make~~  
1547 ~~the examination readily accessible and available to applicants~~  
1548 ~~at least quarterly or as necessary in each county.~~

1549 Section 37. Subsection (2) of section 482.157, Florida  
1550 Statutes, is amended to read:

1551 482.157 Limited certification for commercial wildlife  
1552 management personnel.—

1553 (2) The department shall issue a limited certificate to an  
1554 applicant who:

1555 (a) Submits an application and examination fee of at least  
1556 \$150, but not more than \$300, as prescribed by the department by  
1557 rule;

1558 (b) Passes an examination that the department shall provide  
1559 in person and remotely through a third-party vendor. The third-  
1560 party vendor may collect and retain a convenience fee  
1561 ~~administered by the department.~~ The department shall make  
1562 available ~~provide~~ the appropriate study materials for the  
1563 examination ~~and make the examination readily available to~~  
1564 ~~applicants in each county as necessary, but not less frequently~~  
1565 ~~than quarterly; and~~

1566 (c) Provides proof, including a certificate of insurance,

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1567 that the applicant has met the minimum bodily injury and  
1568 property damage insurance requirements in s. 482.071(4).

1569 Section 38. Paragraph (m) is added to subsection (1) of  
1570 section 482.161, Florida Statutes, to read:

1571 482.161 Disciplinary grounds and actions; reinstatement.—

1572 (1) The department may issue a written warning to or impose  
1573 a fine against, or deny the application for licensure or  
1574 licensure renewal of, a licensee, certified operator, limited  
1575 certificateholder, identification cardholder, or special  
1576 identification cardholder or any other person, or may suspend,  
1577 revoke, or deny the issuance or renewal of any license,  
1578 certificate, limited certificate, identification card, or  
1579 special identification card that is within the scope of this  
1580 chapter, in accordance with chapter 120, upon any of the  
1581 following grounds:

1582 (m) Upon the issuance of a final order imposing civil  
1583 penalties under subsection 14(a) of the Federal Insecticide,  
1584 Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction  
1585 under subsection 14(b), of FIFRA.

1586 Section 39. Subsection (2) of section 487.044, Florida  
1587 Statutes, is amended to read:

1588 487.044 Certification; examination.—

1589 (2) The department shall require each applicant for a  
1590 certified applicator's license to demonstrate competence by a  
1591 written or oral examination in which the applicant must  
1592 demonstrate adequate knowledge concerning the proper use and  
1593 application of restricted-use pesticides in each classification  
1594 for which application for license is made. The department shall  
1595 provide in-person and remote testing through a third-party

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1596 vendor. A third-party vendor may collect and retain a  
1597 convenience fee. The examination may be prepared, administered,  
1598 and evaluated by the department. Each applicant for a certified  
1599 applicator's license must ~~shall~~ demonstrate minimum competence  
1600 as to:

1601 (a) The proper use of the equipment.

1602 (b) The environmental hazards that may be involved in  
1603 applying restricted-use pesticides.

1604 (c) Calculating the concentration of restricted-use  
1605 pesticides to be used in particular circumstances.

1606 (d) Identification of common pests to be controlled and the  
1607 damages caused by such pests.

1608 (e) Protective clothing and respiratory equipment required  
1609 during the handling and application of restricted-use  
1610 pesticides.

1611 (f) General precautions to be followed in the disposal of  
1612 containers, as well as the cleaning and decontamination of the  
1613 equipment which the applicant proposes to use.

1614 (g) Applicable state and federal pesticide laws, rules, and  
1615 regulations.

1616 (h) General safety precautions.

1617 Section 40. Subsection (6) is added to section 487.175,  
1618 Florida Statutes, to read:

1619 487.175 Penalties; administrative fine; injunction.—

1620 (6) Licensure may be suspended, revoked, or denied by the  
1621 department, upon the issuance of a final order to a licensee  
1622 imposing civil penalties under subsection 14(a) of the Federal  
1623 Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a  
1624 criminal conviction under subsection 14(b) of FIFRA.



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1625 Section 41. Present subsections (13) through (28) of  
1626 section 496.404, Florida Statutes, are redesignated as  
1627 subsections (15) through (30), respectively, and new subsections  
1628 (13) and (14) are added to that section, to read:

1629 496.404 Definitions.—As used in ss. 496.401-496.424, the  
1630 term:

1631 (13) "Foreign country of concern" means the People's  
1632 Republic of China, the Russian Federation, the Islamic Republic  
1633 of Iran, the Venezuelan regime of Nicolás Maduro, or the Syrian  
1634 Arab Republic, including any agency of or any other entity under  
1635 significant control of such foreign country of concern.

1636 (14) "Foreign source of concern" means any of the  
1637 following:

1638 (a) The government or any official of the government of a  
1639 foreign country of concern;

1640 (b) A political party or member of a political party or any  
1641 subdivision of a political party in a foreign country of  
1642 concern;

1643 (c) A partnership, an association, a corporation, an  
1644 organization, or other combination of persons organized under  
1645 the laws of or having its principal place of business in a  
1646 foreign country of concern, or a subsidiary of such entity;

1647 (d) Any person who is domiciled in a foreign country of  
1648 concern and is not a citizen or lawful permanent citizen of the  
1649 United States;

1650 (e) An agent, including a subsidiary or an affiliate of a  
1651 foreign legal entity, acting on behalf of a foreign source of  
1652 concern; or

1653 (f) An entity in which a person, entity, or collection of

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1654 persons or entities described in paragraphs (a)-(e) has a  
1655 controlling interest. As used in this paragraph, the term  
1656 "controlling interest" means the possession of the power to  
1657 direct or cause the direction of the management or policies of  
1658 an entity, whether through ownership of securities, by contract,  
1659 or otherwise. A person or an entity that directly or indirectly  
1660 has the right to vote 25 percent or more of the voting interest  
1661 of the company or is entitled to 25 percent or more of its  
1662 profits is presumed to possess a controlling interest.

1663 Section 42. Present paragraphs (d) through (g) of  
1664 subsection (2) of section 496.405, Florida Statutes, are  
1665 redesignated as paragraphs (f) through (i), respectively, new  
1666 paragraphs (d) and (e) are added to that subsection, subsection  
1667 (11) is added to that section, and subsection (1) and paragraph  
1668 (b) of subsection (7) of that section are amended, to read:

1669 496.405 Registration statements by charitable organizations  
1670 and sponsors.—

1671 (1) A charitable organization or sponsor, unless exempted  
1672 pursuant to s. 496.406, which intends to solicit contributions  
1673 in or from this state by any means or have funds solicited on  
1674 its behalf by any other person, charitable organization,  
1675 sponsor, commercial co-venturer, or professional solicitor, or  
1676 that participates in a charitable sales promotion or sponsor  
1677 sales promotion, must, before engaging in any of these  
1678 activities, file an initial registration statement, which  
1679 includes an attestation statement, and a renewal statement  
1680 annually thereafter, with the department.

1681 (a) Except as provided in paragraph (b), any changes in the  
1682 information submitted on the initial registration statement or

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1683 the last renewal statement must be updated annually on a renewal  
1684 statement provided by the department on or before the date that  
1685 marks 1 year after the date the department approved the initial  
1686 registration statement as provided in this section. The  
1687 department shall annually provide a renewal statement to each  
1688 registrant by mail or by electronic mail at least 30 days before  
1689 the renewal date.

1690 (b) Any changes to the information submitted to the  
1691 department pursuant to paragraph (2) (f) ~~(2) (d)~~ on the initial  
1692 registration statement, which includes an attestation statement,  
1693 or the last renewal statement must be reported to the department  
1694 on a form prescribed by the department within 10 days after the  
1695 change occurs.

1696 (c) A charitable organization or sponsor that is required  
1697 to file an initial registration statement or annual renewal  
1698 statement may not, before approval of its statement by the  
1699 department in accordance with subsection (7), solicit  
1700 contributions or have contributions solicited on its behalf by  
1701 any other person, charitable organization, sponsor, commercial  
1702 co-venturer, or professional solicitor or participate in a  
1703 charitable sales promotion or sponsor sales promotion.

1704 (d) The registration of a charitable organization or  
1705 sponsor may not continue in effect and shall expire without  
1706 further action of the department under either of the following  
1707 circumstances:

1708 1. After the date the charitable organization or sponsor  
1709 should have filed, but failed to file, its renewal statement in  
1710 accordance with this section.

1711 2. For failure to provide a financial statement within any

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1712 extension period provided under s. 496.407.

1713 (2) The initial registration statement must be submitted on  
1714 a form prescribed by the department, signed by an authorized  
1715 official of the charitable organization or sponsor who shall  
1716 certify that the registration statement is true and correct, and  
1717 include the following information or material:

1718 (d) An attestation statement, which must be submitted on a  
1719 form prescribed by the department and signed by an authorized  
1720 official of the charitable organization, who shall certify and  
1721 attest that the charitable organization, if engaged in  
1722 activities that would require registration pursuant to chapter  
1723 106 is registered with the Department of State, pursuant to  
1724 chapter 106.

1725 (e) An attestation statement on a form prescribed by the  
1726 department, signed by an authorized official of the charitable  
1727 organization, who shall certify and attest that the charitable  
1728 organization, if prohibited by applicable federal or state law,  
1729 is not engaged in activities that would require registration  
1730 with the Department of State pursuant to chapter 106.

1731 (7)

1732 (b) If a charitable organization or sponsor discloses  
1733 information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~  
1734 in the initial registration statement or annual renewal  
1735 statement, the time limits set forth in paragraph (a) are  
1736 waived, and the department shall process such initial  
1737 registration statement or annual renewal statement in accordance  
1738 with the time limits set forth in chapter 120. The registration  
1739 of a charitable organization or sponsor shall be automatically  
1740 suspended for failure to disclose any information specified in

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1741 subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the  
1742 required information is submitted to the department.

1743 (11) The department may investigate and refer a charitable  
1744 organization or sponsor to the Florida Elections Commission for  
1745 investigation of violations pursuant to chapters 104 and 106.

1746 Section 43. Subsection (20) is added to section 496.415,  
1747 Florida Statutes, to read:

1748 496.415 Prohibited acts.—It is unlawful for any person in  
1749 connection with the planning, conduct, or execution of any  
1750 solicitation or charitable or sponsor sales promotion to:

1751 (20) Solicit or accept contributions or anything of value  
1752 from a foreign source of concern.

1753 Section 44. Section 496.417, Florida Statutes, is amended  
1754 to read:

1755 496.417 Criminal penalties.—Except as otherwise provided in  
1756 ss. 496.401-496.424, and in addition to any administrative or  
1757 civil penalties, any person who willfully and knowingly violates  
1758 ss. 496.401-496.424 commits a felony of the third degree,  
1759 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1760 For a second or subsequent conviction, such violation  
1761 constitutes a felony of the second degree, punishable as  
1762 provided in s. 775.082, s. 775.083, or s. 775.084. The  
1763 department may also investigate and refer a charitable  
1764 organization or sponsor to the Florida Elections Commission for  
1765 investigation of violations pursuant to chapters 104 and 106.

1766 Section 45. Subsection (11) is added to section 496.419,  
1767 Florida Statutes, to read:

1768 496.419 Powers of the department.—

1769 (11) A charitable organization or sponsor whose

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1770 registration is denied or revoked for submitting a false  
1771 attestation required pursuant to s. 496.405(2)(d) or (2)(e) is  
1772 subject to the penalties specified in subsection (5) at the  
1773 discretion of the department.

1774 Section 46. Section 496.431, Florida Statutes, is created  
1775 to read:

1776 496.431 Honest Service Registry.-

1777 (1) The department shall create the Honest Services  
1778 Registry to provide the residents of this state with the  
1779 information necessary to make an informed choice when deciding  
1780 which charitable organizations to support.

1781 (2) To be included on the Honest Services Registry, a  
1782 charitable organization must, at a minimum, submit to the  
1783 department an attestation statement on a form prescribed by the  
1784 department, verified as provided in s. 92.525, attesting to all  
1785 of the following:

1786 (a) That the organization does not solicit or accept,  
1787 directly or indirectly, contributions, funding, support, or  
1788 services from a foreign source of concern.

1789 (b) That the organization's messaging and content are not  
1790 directly or indirectly produced or influenced by a foreign  
1791 source of concern.

1792 (3) The department shall publish the Honest Services  
1793 Registry on the department's website.

1794 (4) The department shall adopt rules to implement this  
1795 section.

1796 Section 47. Paragraph (j) of subsection (1) of section  
1797 500.03, Florida Statutes, is amended to read:

1798 500.03 Definitions; construction; applicability.-

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1799 (1) For the purpose of this chapter, the term:

1800 (j) "Cottage food product" means food that is not time or  
1801 temperature controlled for safety or a potentially hazardous  
1802 food as defined by department rule which is sold by a cottage  
1803 food operation in accordance with s. 500.80.

1804 Section 48. Paragraphs (a) and (b) of subsection (1) of  
1805 section 500.12, Florida Statutes, are amended to read:

1806 500.12 Food permits; building permits.-

1807 (1)(a) A food permit from the department is required of any  
1808 person or business that ~~who~~ operates a food establishment,  
1809 except:

1810 1. Persons or businesses operating minor food outlets that  
1811 sell food that is commercially prepackaged, not potentially  
1812 hazardous, not age restricted, and not time or temperature  
1813 controlled for safety, if the shelf space for those items does  
1814 not exceed 12 total linear feet and no other food is sold by the  
1815 person or business minor food outlet.

1816 2. Persons subject to continuous, onsite federal or state  
1817 inspection.

1818 3. Persons selling only legumes in the shell, either  
1819 parched, roasted, or boiled.

1820 4. Persons selling sugar cane or sorghum syrup that has  
1821 been boiled and bottled on a premise located within this state.  
1822 Such bottles must contain a label listing the producer's name  
1823 and street address, all added ingredients, the net weight or  
1824 volume of the product, and a statement that reads, "This product  
1825 has not been produced in a facility permitted by the Florida  
1826 Department of Agriculture and Consumer Services."

1827 (b) Each food establishment regulated under this chapter

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1828 must apply for and receive a food permit before operation  
1829 begins. An application for a food permit from the department  
1830 must be accompanied by a fee in an amount determined by  
1831 department rule. The department shall adopt by rule a schedule  
1832 of fees to be paid by each food establishment as a condition of  
1833 issuance or renewal of a food permit. Such fees may not exceed  
1834 \$650 and must be used solely for the recovery of costs for the  
1835 services provided, except that the fee accompanying an  
1836 application for a food permit for operating a bottled water  
1837 plant may not exceed \$1,000 and the fee accompanying an  
1838 application for a food permit for operating a packaged ice plant  
1839 may not exceed \$250. The fee for operating a bottled water plant  
1840 or a packaged ice plant must be set by rule of the department.  
1841 Food permits are not transferable from one person or physical  
1842 location to another. Food permits must be renewed in accordance  
1843 with subparagraphs 1.-3. If an application for renewal of a food  
1844 permit is not received by the department on or before its due  
1845 date, a late fee not exceeding \$100 must be paid in addition to  
1846 the food permit fee before the department may issue the food  
1847 permit. The moneys collected must be deposited in the General  
1848 Inspection Trust Fund.

1849       1. A food permit issued to a new food establishment ~~on or~~  
1850 ~~after September 1, 2023,~~ is valid for 1 calendar year after the  
1851 date of issuance and must be renewed annually on or before that  
1852 date thereafter.

1853       2. ~~Effective January 1, 2024,~~ A food permit issued before  
1854 September 1, 2023, expires on the month and day the initial  
1855 permit was issued to the food establishment and must be renewed  
1856 annually on or before that date thereafter. The department may



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1857 charge a prorated permit fee for purposes of this subparagraph.

1858 3. The department may establish a single permit renewal  
1859 date for multiple food establishments owned by the same entity  
1860 ~~The owner of 100 or more permitted food establishment locations~~  
1861 ~~may elect to set the expiration of food permits for such~~  
1862 ~~establishments as December 31 of each calendar year.~~

1863 Section 49. Section 500.166, Florida Statutes, is amended  
1864 to read:

1865 500.166 Records of interstate shipment.—For the purpose of  
1866 enforcing this chapter, carriers engaged in interstate commerce  
1867 and persons receiving food in interstate commerce shall retain  
1868 all records for 3 years from the date of the record showing the  
1869 movement in interstate commerce of any food, and the quantity,  
1870 shipper and consignee thereof and, upon the request by an  
1871 officer or employee duly designated by the department, permit  
1872 the officer or employee to have access to and to copy all  
1873 records showing the movement in interstate commerce of any food,  
1874 and the quantity, shipper, and consignee thereof.

1875 Section 50. Subsection (1) of section 500.172, Florida  
1876 Statutes, is amended to read:

1877 500.172 Embargoing, detaining, destroying of food, food  
1878 processing equipment, or areas that are in violation.—

1879 (1) When the department, or its duly authorized agent who  
1880 has received appropriate education and training regarding the  
1881 legal requirements of this chapter, finds or has probable cause  
1882 to believe that any food, food processing equipment, food  
1883 processing area, or food storage area is in violation of this  
1884 chapter or any rule adopted under this chapter so as to be  
1885 dangerous, unwholesome, mislabeled, fraudulent, or insanitary

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1886 within the meaning of this chapter, an agent of the department  
1887 may issue and enforce a stop-sale, stop-use, removal, or hold  
1888 order, which order gives notice that such article, processing  
1889 equipment, processing area, or storage area is or is suspected  
1890 of being in violation and has been detained or embargoed and  
1891 which order warns all persons not to remove, use, or dispose of  
1892 such article, processing equipment, processing area, or storage  
1893 area by sale or otherwise until permission for removal, use, or  
1894 disposal is given by the department or the court. The department  
1895 is authorized to enter into a written agreement with the owner  
1896 of such food, food processing equipment, food processing area,  
1897 or food storage area, or otherwise facilitate the destruction of  
1898 any article found or suspected by the department to be in  
1899 violation of this section. A person may not remove, use, or  
1900 dispose of such detained or embargoed article, processing  
1901 equipment, processing area, or storage area by sale or otherwise  
1902 without such permission from or in accordance with a written  
1903 agreement with the department.

1904 Section 51. Section 500.75, Florida Statutes, is created to  
1905 read:

1906 500.75 Mushrooms spores and mycelium; offenses.-It is  
1907 unlawful to transport, import, sell, offer for sale, furnish, or  
1908 give away spores or mycelium capable of producing mushrooms or  
1909 other material which will contain a controlled substance,  
1910 including psilocybin or psilocyn, during its lifecycle. A person  
1911 who transports, imports into this state, sells, offers for sale,  
1912 furnishes, gives away, or offers to transport, import into this  
1913 state, sell, furnish, or give away any spores or mycelium  
1914 capable of producing mushrooms or other material which will

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1915 contain a controlled substance commits a misdemeanor of the  
1916 first degree, punishable as provided in s. 775.082 or s.  
1917 775.083.

1918 Section 52. Section 500.93, Florida Statutes, is created to  
1919 read:

1920 500.93 Mislabeleding of plant-based products as milk, meat,  
1921 or poultry.-

1922 (1) As used in this section, the term:

1923 (a) "Egg" and "egg product" have the same meanings as in 21  
1924 U.S.C. s. 1033 and the Egg Products Inspection Act.

1925 (b) "FDA" means the United States Food and Drug  
1926 Administration.

1927 (c) "Meat" has the same meaning as in 9 C.F.R. s. 301.2 and  
1928 the Federal Meat Inspection Act.

1929 (d) "Milk" has the same meaning as in 21 C.F.R. s. 131.110  
1930 and the Grade "A" pasteurized milk ordinance.

1931 (e) "Poultry" and "poultry product" have the same meanings  
1932 as in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

1933 (2) (a) In accordance with the established standard of  
1934 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade  
1935 "A" pasteurized milk ordinance, the department shall adopt rules  
1936 to enforce the FDA's standard of identity for milk, as adopted  
1937 in state law, to prohibit the sale of plant-based products  
1938 mislabeled as milk in this state.

1939 (b) This subsection is effective upon the enactment into  
1940 law of a mandatory labeling requirement to prohibit the sale of  
1941 plant-based products mislabeled as milk that is consistent with  
1942 this section by any 11 of the group of 14 states composed of  
1943 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,

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1944 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,  
1945 Texas, Virginia, and West Virginia.

1946 (3) (a) In accordance with the established standard of  
1947 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal  
1948 Meat Inspection Act, and both poultry and poultry products  
1949 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection  
1950 Act, the department shall adopt rules to enforce the FDA's  
1951 standard of identity for meat, poultry, and poultry products as  
1952 adopted in this section, to prohibit the sale of plant-based  
1953 products mislabeled as meat, poultry, or poultry products in  
1954 this state.

1955 (b) This subsection is effective upon the enactment into  
1956 law of a mandatory labeling requirement to prohibit the sale of  
1957 plant-based products mislabeled as meat, poultry, or poultry  
1958 products which is consistent with this section by any 11 of the  
1959 group of 14 states composed of Alabama, Arkansas, Florida,  
1960 Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,  
1961 South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1962 (4) (a) In accordance with the established standard of  
1963 identity for eggs and egg products defined in 21 U.S.C. s. 1033  
1964 and the Egg Products Inspection Act, the department shall adopt  
1965 rules to enforce the FDA's standard of identity for eggs and egg  
1966 products, as adopted in state law, to prohibit the sale of  
1967 plant-based products mislabeled as egg or egg products in this  
1968 state.

1969 (b) This subsection is effective upon the enactment into  
1970 law of a mandatory labeling requirement to prohibit the sale of  
1971 plant-based products mislabeled as egg or egg products that is  
1972 consistent with this section by any 11 of the group of 14 states

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1973 composed of Alabama, Arkansas, Florida, Georgia, Kentucky,  
1974 Louisiana, Maryland, Mississippi, Oklahoma, South Carolina,  
1975 Tennessee, Texas, Virginia, and West Virginia.

1976 (5) The Department of Agriculture and Consumer Services  
1977 shall notify the Division of Law Revision upon the enactment  
1978 into law by any 11 of the group of 14 states composed of  
1979 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,  
1980 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,  
1981 Texas, Virginia, and West Virginia of the mandatory labeling  
1982 requirements pursuant to subsections (2) and (3).

1983 (6) The department shall adopt rules to implement this  
1984 section.

1985 (7) This section may not be construed to limit the  
1986 department's authority to enforce its laws and regulations.

1987 Section 53. Section 501.135, Florida Statutes, is repealed.

1988 Section 54. Subsection (1) of section 501.912, Florida  
1989 Statutes, is amended to read:

1990 501.912 Definitions.—As used in ss. 501.91-501.923:

1991 (1) "Antifreeze" means any substance or preparation,  
1992 including, but not limited to, coolant, antifreeze-coolant,  
1993 antifreeze and summer coolant, or summer coolant, that is sold,  
1994 distributed, or intended for use:

1995 (a) As the cooling liquid, or to be added to the cooling  
1996 liquid, in the cooling system of ~~internal combustion engines of~~  
1997 motor vehicles to prevent freezing of the cooling liquid or to  
1998 lower its freezing point; or

1999 (b) To raise the boiling point of water, aid in vehicle  
2000 component cooling, or for the prevention of engine overheating,  
2001 whether or not the liquid is used as a year-round cooling system

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2002 fluid.

2003 Section 55. Section 525.19, Florida Statutes, is created to  
2004 read:

2005 525.19 Petroleum registration.—

2006 (1) The department shall create an annual petroleum  
2007 registration program for petroleum owners or operators and shall  
2008 adopt rules detailing the requirements for such registration  
2009 that include, at minimum:

2010 (a) Name of the petroleum owner or operator;

2011 (b) Address of the petroleum owner or operator;

2012 (c) Phone number of the petroleum owner or operator;

2013 (d) E-mail address of the petroleum owner or operator;

2014 (e) Requirements for the transfer switch;

2015 (f) Fuel and petroleum infrastructure; and

2016 (g) Fuel and petroleum inventory and delivery information.

2017 (2) The registration program must be free for all  
2018 registrants.

2019 (3) The department has the authority to require registrants  
2020 to provide updates related to the status of infrastructure,  
2021 inventory, and delivery information during a state of emergency  
2022 as declared by an executive order issued by the Governor.

2023 Section 56. Section 526.147, Florida Statutes, is created  
2024 to read:

2025 526.147 Florida Retail Fuel Transfer Switch Modernization  
2026 Grant Program.—

2027 (1)(a) There is created, subject to appropriation, the  
2028 Florida Retail Fuel Transfer Switch Modernization Grant Program  
2029 within the Department of Agriculture and Consumer Services.

2030 (b) The grant program shall provide grant funds, not to

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2031 exceed \$10,000 per retail fuel facility, to be used for  
2032 installation and equipment costs related to installing or  
2033 modernizing transfer switch infrastructure at retail fuel  
2034 facilities to allow for the continuity of fueling operations  
2035 under generated power.

2036 (c) The department shall award funds based upon the  
2037 following criteria:

2038 1. Up to \$10,000, of costs for transfer switch purchase and  
2039 installation for retail fuel locations in fiscally constrained  
2040 counties as designated under s. 218.67(1).

2041 2. Up to \$5,000, of costs for transfer switch purchase and  
2042 installation for all other retail fuel locations.

2043 (d) Retail fuel facilities which are awarded grant funds  
2044 must comply with s. 526.143 and must install a transfer switch  
2045 capable of operating all fuel pumps, dispensing equipment, life  
2046 safety systems, and payment acceptance equipment using an  
2047 alternative generated power source.

2048 (e) Before being awarded funding from the department,  
2049 retail fuel facilities must provide documentation on transfer  
2050 switch installation and required generator sizing to the  
2051 department.

2052 (f) Marinas and fueling facilities with fewer than 4  
2053 fueling positions are excluded from being awarded funding  
2054 through this program.

2055 (g) Fueling facilities subject to s. 526.143(2) are  
2056 excluded from being awarded funding through this program.

2057 (2) The department, in consultation with the Division of  
2058 Emergency Management, shall adopt rules to implement and  
2059 administer this section, including establishing grant

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2060 application processes for the Florida Retail Fuel Transfer  
2061 Switch Modernization Grant Program. The rules must include  
2062 application deadlines and establish the supporting documentation  
2063 necessary to be provided to the department.

2064 Section 57. Section 531.48, Florida Statutes, is amended to  
2065 read:

2066 531.48 Declarations of unit price on random packages.—In  
2067 addition to the declarations required by s. 531.47, any package  
2068 being one of a lot containing random weights of the same  
2069 commodity must ~~and bearing the total selling price of the~~  
2070 ~~package shall~~ bear on the outside of the package a plain and  
2071 conspicuous declaration of the price per single unit of weight  
2072 and the total retail price of the package, as defined by  
2073 department rule.

2074 Section 58. Section 531.49, Florida Statutes, is amended to  
2075 read:

2076 531.49 Advertising packages for sale.—~~Whenever~~ A packaged  
2077 commodity ~~is advertised in any manner with the retail price~~  
2078 ~~stated, there shall be~~ closely and conspicuously associated with  
2079 the retail price must have a declaration of quantity as is  
2080 required by law or rule to appear on the package.

2081 Section 59. Present subsections (44), (45), and (46) of  
2082 section 570.07, Florida Statutes, are redesignated as  
2083 subsections (47), (48), and (49), respectively, and new  
2084 subsections (44), (45), and (46) are added to that section, to  
2085 read:

2086 570.07 Department of Agriculture and Consumer Services;  
2087 functions, powers, and duties.—The department shall have and  
2088 exercise the following functions, powers, and duties:



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2089       (44) (a) To foster and encourage the employment and  
2090 retention of qualified veterinary pathologists. The department  
2091 may reimburse the educational expenses of qualified veterinary  
2092 pathologists who enter into an agreement with the department to  
2093 retain employment for a specified period of time.

2094       (b) The department shall adopt rules to administer this  
2095 subsection.

2096       (45) Subject to appropriation, to extend state and national  
2097 Future Farmers of America opportunities to any public school  
2098 student enrolled in agricultural education, at little or no cost  
2099 to the student or school district, and to support statewide  
2100 Future Farmers of America programming that helps such students  
2101 develop their potential for premier leadership, personal growth,  
2102 and career success.

2103       (46) (a) Notwithstanding ss. 287.042 and 287.057, to use  
2104 contracts procured by another agency.

2105       (b) As used in this subsection, the term "agency" has the  
2106 same meaning as provided in s. 287.012.

2107       Section 60. Subsection (2) of section 570.544, Florida  
2108 Statutes, is amended to read:

2109       570.544 Division of Consumer Services; director; powers;  
2110 processing of complaints; records.—

2111       (2) The director shall supervise, direct, and coordinate  
2112 the activities of the division and shall, under the direction of  
2113 the department, enforce the provisions of ss. 366.94 and ~~ss.~~  
2114 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526,  
2115 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

2116       Section 61. Section 570.546, Florida Statutes, is created  
2117 to read:

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- 2118       570.546 Licensing.-
- 2119       (1) The department is authorized to:
- 2120       (a) Create a process for the bulk renewal of licenses which  
2121 will allow licensees the ability, upon request, to submit all  
2122 license applications of the same type, notwithstanding any  
2123 provisions of law applicable to each application process.
- 2124       (b) Create a process that will allow licensees, upon  
2125 request, to align the expiration dates of licenses within a  
2126 statutory program.
- 2127       (c) Change the expiration dates for current licensees for  
2128 the purpose of reducing large numbers of license expirations  
2129 that occur during the same month.
- 2130       (2) The department shall prorate any licensing fee for  
2131 which the term of the license was reduced for the purposes of  
2132 alignment.
- 2133       (3) The department shall adopt rules to implement this  
2134 section.
- 2135       Section 62. Section 570.694, Florida Statutes, is created  
2136 to read:
- 2137       570.694 Florida Aquaculture Foundation.-
- 2138       (1) The Florida Aquaculture Foundation is established as a  
2139 direct-support organization within the Department of Agriculture  
2140 and Consumer Services. The purpose of the foundation is to:
- 2141       (a) Conduct programs and activities related to the  
2142 assistance, promotion, and furtherance of aquaculture and  
2143 aquaculture producers in this state.
- 2144       (b) Identify and pursue methods to provide statewide  
2145 resources and materials for these programs.
- 2146       (2) The foundation shall be governed by s. 570.691.

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2147       (3) The department is authorized to appoint an advisory  
2148 committee adjunct to the foundation pursuant to s. 570.232.

2149       Section 63. Section 570.822, Florida Statutes, is amended  
2150 to read:

2151       570.822 Agriculture and Aquaculture Producers Emergency  
2152 ~~Natural Disaster~~ Recovery Loan Program.—

2153       (1) DEFINITIONS.—As used in this section, the term:

2154       (a) “Bona fide farm operation” means a farm operation  
2155 engaged in a good faith commercial agricultural use of land on  
2156 land classified as agricultural pursuant to s. 193.461 or on  
2157 sovereign submerged land that is leased to the applicant by the  
2158 department pursuant to s. 597.010 and that produces agricultural  
2159 products within the definition of agriculture under s. 570.02.

2160       (b) “Declared emergency natural disaster” means an  
2161 emergency ~~a natural disaster~~ for which a state of emergency is  
2162 declared pursuant to s. 252.36 or s. 570.07(21).

2163       (c) “Department” means the Department of Agriculture and  
2164 Consumer Services.

2165       (d) “Essential physical property” means fences; equipment;  
2166 structural production facilities, such as shade houses and  
2167 greenhouses; or other agriculture or aquaculture facilities or  
2168 infrastructure.

2169       (e) “Program” means the Agriculture and Aquaculture  
2170 Producers Emergency ~~Natural Disaster~~ Recovery Loan Program.

2171       (2) USE OF LOAN FUNDS; LOAN TERMS.—

2172       (a) The program is established within the department to  
2173 make loans to agriculture and aquaculture producers that have  
2174 experienced damage or destruction from a declared emergency  
2175 ~~natural disaster~~. Loan funds may be used to restore, repair, or

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2176 replace essential physical property or remove vegetative debris  
2177 from essential physical property, or restock aquaculture. A  
2178 structure or building constructed using loan proceeds must  
2179 comply with storm-hardening standards for nonresidential farm  
2180 buildings as defined in s. 604.50(2). The department shall adopt  
2181 such standards by rule.

2182 (b) The department may make a low-interest or interest-free  
2183 loan to an eligible applicant. The maximum amount that an  
2184 applicant may receive during the application period for a loan  
2185 is \$500,000. An applicant may not receive more than one loan per  
2186 application period and no more than two loans per year or no  
2187 more than five loans in any 3-year period. A loan term is 10  
2188 years.

2189 (3) ELIGIBLE APPLICANTS.—To be eligible for the program, an  
2190 applicant must:

2191 (a) Own or lease a bona fide farm operation that is located  
2192 in a county named in a declared emergency ~~natural disaster~~ and  
2193 that was damaged or destroyed as a result of such declared  
2194 emergency ~~natural disaster~~.

2195 (b) Maintain complete and acceptable farm records, pursuant  
2196 to criteria published by the department, and present them as  
2197 proof of production levels and bona fide farm operations.

2198 (4) LOAN APPLICATION AND AGREEMENT.—

2199 (a) Requests for loans must be made by application to the  
2200 department. Upon a determination that funding for loans is  
2201 available, the department shall publicly notice an application  
2202 period for the declared emergency ~~natural disaster~~, beginning  
2203 within 60 days after the date of the declared emergency ~~natural~~  
2204 ~~disaster~~ and running up to 1 year after the date of the declared

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2205 emergency ~~natural disaster~~ or until all available loan funds are  
2206 exhausted, whichever occurs first. The application may be  
2207 renewed upon a determination from the department and pursuant to  
2208 an active declared emergency.

2209 (b) An applicant must demonstrate the need for financial  
2210 assistance and an ability to repay or meet a standard credit  
2211 rating determined by the department.

2212 (c) Loans must be made pursuant to written agreements  
2213 specifying the terms and conditions agreed to by the approved  
2214 applicant and the department. The loan agreement must specify  
2215 that the loan is due upon sale if the property or other  
2216 collateral for the loan is sold.

2217 (d) An approved applicant must agree to stay in production  
2218 for the duration of the loan. A loan is not assumable.

2219 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured  
2220 by a lien, subordinate only to any mortgage held by a financial  
2221 institution as defined in s. 655.005, on property or other  
2222 collateral as set forth in the loan agreement. The specific type  
2223 of collateral required may vary depending upon the loan purpose,  
2224 repayment ability, and the particular circumstances of the  
2225 applicant. The department shall record the lien in public  
2226 records in the county where the property is located and, in the  
2227 case of personal property, perfect the security interest by  
2228 filing appropriate Uniform Commercial Code forms with the  
2229 Florida Secured Transaction Registry as required pursuant to  
2230 chapter 679.

2231 (6) LOAN REPAYMENT.—

2232 (a) A loan is due and payable in accordance with the terms  
2233 of the loan agreement.

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2234 (b) The department shall defer payments for the first 3  
2235 years of the loan. After 3 years, the department shall reduce  
2236 the principal balance annually through the end of the loan term  
2237 such that the original principal balance is reduced by 30  
2238 percent. If the principal balance is repaid before the end of  
2239 the 10th year, the applicant may not be required to pay more  
2240 than 70 percent of the original principal balance. The approved  
2241 applicant must continue to be actively engaged in production in  
2242 order to receive the original principal balance reductions and  
2243 must continue to meet the loan agreement terms to the  
2244 satisfaction of the department.

2245 (c) An approved applicant may make payments on the loan at  
2246 any time without penalty. Early repayment is encouraged as other  
2247 funding sources or revenues become available to the approved  
2248 applicant.

2249 (d) All repayments of principal and interest, if  
2250 applicable, received by the department in a fiscal year must be  
2251 returned to the loan fund and made available for loans to other  
2252 applicants in the next application period.

2253 (e) The department may periodically review an approved  
2254 applicant to determine whether he or she continues to be in  
2255 compliance with the terms of the loan agreement. If the  
2256 department finds that an applicant is no longer in production or  
2257 has otherwise violated the loan agreement, the department may  
2258 seek repayment of the full original principal balance  
2259 outstanding, including any interest or costs, as applicable, and  
2260 excluding any applied or anticipated original principal balance  
2261 reductions.

2262 (f) The department may defer or waive loan payments if at

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2263 any time during the repayment period of a loan, the approved  
2264 applicant experiences a significant hardship such as crop loss  
2265 from a weather-related event or from impacts from a natural  
2266 disaster or declared emergency.

2267 (7) ADMINISTRATION.—

2268 (a) The department shall create and maintain a separate  
2269 account in the General Inspection Trust Fund as a fund for the  
2270 program. All repayments must be returned to the loan fund and  
2271 made available as provided in this section. Notwithstanding s.  
2272 216.301, funds appropriated for the loan program are not subject  
2273 to reversion. The department shall manage the fund, establishing  
2274 loan practices that must include, but are not limited to,  
2275 procedures for establishing loan interest rates, uses of  
2276 funding, application procedures, and application review  
2277 procedures. The department is authorized to contract with a  
2278 third-party administrator to administer the program and manage  
2279 the loan fund. A contract for a third-party administrator that  
2280 includes management of the loan fund must, at a minimum, require  
2281 maintenance of the loan fund to ensure that the program may  
2282 operate in a revolving manner.

2283 (b) The department shall coordinate with other state  
2284 agencies and other entities to ensure to the greatest extent  
2285 possible that agriculture and aquaculture producers in this  
2286 state have access to the maximum financial assistance available  
2287 following a declared emergency ~~natural disaster~~. The  
2288 coordination must endeavor to ensure that there is no  
2289 duplication of financial assistance between the loan program and  
2290 other funding sources, such as any federal or other state  
2291 programs, including public assistance requests to the Federal

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2292 Emergency Management Agency or financial assistance from the  
2293 United States Department of Agriculture, which could render the  
2294 approved applicant ineligible for other financial assistance.

2295 (8) PUBLIC RECORDS EXEMPTION.—

2296 (a) The following information held by the department  
2297 pursuant to its administration of the program is exempt from s.  
2298 119.07(1) and s. 24(a), Art. I of the State Constitution:

2299 1. Tax returns.

2300 2. Credit history information, credit reports, and credit  
2301 scores.

2302 (b) This subsection does not prohibit the disclosure of  
2303 information held by the department pursuant to its  
2304 administration of the program in an aggregated and anonymized  
2305 format.

2306 (c) This subsection is subject to the Open Government  
2307 Sunset Review Act in accordance with s. 119.15 and shall stand  
2308 repealed on October 2, 2029, unless reviewed and saved from  
2309 repeal through reenactment by the Legislature.

2310 (9) RULES.—The department shall adopt rules to implement  
2311 this section.

2312 (10) REPORTS.—By December 1, 2024, and each December 1  
2313 thereafter, the department shall provide a report on program  
2314 activities during the previous fiscal year to the President of  
2315 the Senate and the Speaker of the House of Representatives. The  
2316 report must include information on noticed application periods,  
2317 the number and value of loans awarded under the program for each  
2318 application period, the number and value of loans outstanding,  
2319 the number and value of any loan repayments received, and an  
2320 anticipated repayment schedule for all loans.



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2321 (11) SUNSET.—This section expires July 1, 2043, unless  
2322 reviewed and saved from repeal through reenactment by the  
2323 Legislature.

2324 Section 64. Section 570.823, Florida Statutes, is created  
2325 to read:

2326 570.823 Silviculture emergency recovery program.—

2327 (1) DEFINITIONS.—As used in this section, the term:

2328 (a) "Bona fide farm operation" means a farm operation  
2329 engaged in a good faith commercial agricultural use of land on  
2330 land classified as agricultural pursuant to s. 193.461 that  
2331 produces agricultural products within the definition of  
2332 agriculture under s. 570.02.

2333 (b) "Declared emergency" means an emergency for which a  
2334 state of emergency is declared pursuant to s. 252.36 or s.  
2335 570.07(21).

2336 (c) "Department" means the Department of Agriculture and  
2337 Consumer Services.

2338 (d) "Program" means the silviculture emergency recovery  
2339 program.

2340 (2) USE OF GRANT FUNDS; GRANT TERMS.—

2341 (a) The silviculture emergency recovery program is  
2342 established within the department to administer a grant program  
2343 to assist timber landowners whose timber land was damaged as a  
2344 result of a declared emergency. Grants provided to eligible  
2345 timber landowners must be used for:

2346 1. Timber stand restoration, including downed tree removal  
2347 on land which will retain the existing trees on site which are  
2348 lightly or completely undamaged;

2349 2. Site preparation, and tree replanting; or

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2350 3. Road and trail clearing on private timber lands to  
2351 provide emergency access and facilitate salvage operations.

2352 (b) Only timber land located on lands classified as  
2353 agricultural lands under s. 193.461 are eligible for the  
2354 program.

2355 (c) The department shall coordinate with state agencies and  
2356 other entities to ensure to the greatest extent possible that  
2357 timber landowners have access to the maximum financial  
2358 assistance available following a specified declared emergency.

2359 The coordination must endeavor to ensure that there is no  
2360 duplication of financial assistance between these funds and  
2361 other funding sources, such as any federal or other state  
2362 programs, including public assistance requests to the Federal  
2363 Emergency Management Agency or financial assistance from the  
2364 United States Department of Agriculture, which would render the  
2365 approved applicant ineligible for other financial assistance.

2366 (d) The department is authorized to adopt rules to  
2367 implement this section, including emergency rules.  
2368 Notwithstanding any other provision of law, emergency rules  
2369 adopted pursuant to this subsection are effective for 6 months  
2370 after adoption and may be renewed during the pendency of  
2371 procedures to adopt permanent rules addressing the subject of  
2372 the emergency rules.

2373 Section 65. Subsections (2) and (5) of section 581.1843,  
2374 Florida Statutes, are amended to read:

2375 581.1843 Citrus nursery stock propagation and production  
2376 and the establishment of regulated areas around citrus  
2377 nurseries.—

2378 (2) Effective January 1, 2007, it is unlawful for any

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2379 person to propagate for sale or movement any citrus nursery  
2380 stock that was not propagated or grown on a site and within a  
2381 protective structure approved by the department ~~and that is not~~  
2382 ~~at least 1 mile away from commercial citrus groves. A citrus~~  
2383 ~~nursery registered with the department prior to April 1, 2006,~~  
2384 ~~shall not be required to comply with the 1-mile setback from~~  
2385 ~~commercial citrus groves while continuously operating at the~~  
2386 ~~same location for which it was registered. However, the nursery~~  
2387 shall be required to propagate citrus within a protective  
2388 structure approved by the department. Effective January 1, 2008,  
2389 it is ~~shall be~~ unlawful to distribute any citrus nursery stock  
2390 that was not produced in a protective structure approved by the  
2391 department.

2392 ~~(5) The department shall establish regulated areas around~~  
2393 ~~the perimeter of commercial citrus nurseries that were~~  
2394 ~~established on sites after April 1, 2006, not to exceed a radius~~  
2395 ~~of 1 mile. The planting of citrus in an established regulated~~  
2396 ~~area is prohibited. The planting of citrus within a 1-mile~~  
2397 ~~radius of commercial citrus nurseries that were established on~~  
2398 ~~sites prior to April 1, 2006, must be approved by the~~  
2399 ~~department. Citrus plants planted within a regulated area prior~~  
2400 ~~to the establishment of the regulated area may remain in the~~  
2401 ~~regulated area unless the department determines the citrus~~  
2402 ~~plants to be infected or infested with citrus canker or citrus~~  
2403 ~~greening. The department shall require the removal of infected~~  
2404 ~~or infested citrus, nonapproved planted citrus, and citrus that~~  
2405 ~~has sprouted by natural means in regulated areas. The property~~  
2406 ~~owner shall be responsible for the removal of citrus planted~~  
2407 ~~without proper approval. Notice of the removal of citrus trees,~~

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2408 ~~by immediate final order of the department, shall be provided to~~  
 2409 ~~the owner of the property on which the trees are located. An~~  
 2410 ~~immediate final order issued by the department under this~~  
 2411 ~~section shall notify the property owner that the citrus trees,~~  
 2412 ~~which are the subject of the immediate final order, must be~~  
 2413 ~~removed and destroyed unless the property owner, no later than~~  
 2414 ~~10 days after delivery of the immediate final order, requests~~  
 2415 ~~and obtains a stay of the immediate final order from the~~  
 2416 ~~district court of appeal with jurisdiction to review such~~  
 2417 ~~requests. The property owner shall not be required to seek a~~  
 2418 ~~stay from the department of the immediate final order prior to~~  
 2419 ~~seeking a stay from the district court of appeal.~~

2420       Section 66. Sections 593.101, 593.102, 593.103, 593.104,  
 2421 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,  
 2422 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116,  
 2423 and 593.117, Florida Statutes, are repealed.

2424       Section 67. Subsection (11) of section 595.404, Florida  
 2425 Statutes, is amended to read:

2426       595.404 School food and other nutrition programs; powers  
 2427 and duties of the department.—The department has the following  
 2428 powers and duties:

2429       (11) To adopt and implement an appeal process by rule, as  
 2430 required by federal regulations, for applicants and participants  
 2431 under the programs implemented pursuant to this chapter,  
 2432 notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss.~~  
 2433 ~~120.569 and 120.57-120.595.~~

2434       Section 68. Section 599.002, Florida Statutes, is amended  
 2435 to read:

2436       599.002 Florida Wine ~~Viticulture~~ Advisory Council.—

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2437 (1) There is created within the Department of Agriculture  
2438 and Consumer Services the Florida Wine Viticulture Advisory  
2439 Council, to be composed ~~consist~~ of eight members as follows: the  
2440 president of the Florida Wine and Grape Growers Association  
2441 ~~Florida Grape Growers' Association~~ or a designee thereof; a  
2442 representative from the Institute of Food and Agricultural  
2443 Sciences; a representative from the viticultural science program  
2444 at Florida Agricultural and Mechanical University; and five  
2445 additional commercial members, to be appointed for a 2-year term  
2446 each by the Commissioner of Agriculture, including a wine  
2447 producer, a fresh fruit producer, a nonwine product (juice,  
2448 jelly, pie fillings, etc.) producer, and a viticultural nursery  
2449 operator.

2450 (2) The meetings, powers and duties, procedures, and  
2451 recordkeeping of the Florida Wine Viticulture Advisory Council  
2452 shall be pursuant to s. 570.232.

2453 (3) The primary responsibilities of the Florida Wine  
2454 Viticulture Advisory Council are to submit to the Commissioner  
2455 of Agriculture, annually, the industry's recommendations for  
2456 wine and viticultural research, promotion, and education and, as  
2457 necessary, the industry's recommendations for revisions to the  
2458 State Wine Viticulture Plan.

2459 Section 69. Section 599.003, Florida Statutes, is amended  
2460 to read:

2461 599.003 State Wine Viticulture Plan.—

2462 (1) The Commissioner of Agriculture, in consultation with  
2463 the Florida Wine Viticulture Advisory Council, shall develop and  
2464 coordinate the implementation of the State Wine Viticulture  
2465 Plan, which shall identify problems and constraints of the wine

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2466 and viticulture industry, propose possible solutions to those  
2467 problems, and develop planning mechanisms for the orderly growth  
2468 of the industry, including:

2469 (a) Criteria for wine and viticultural research, service,  
2470 and management priorities.

2471 (b) Additional proposed legislation that may be required.

2472 (c) Plans and goals to improve research and service  
2473 capabilities at Florida Agricultural and Mechanical University  
2474 and the University of Florida in their efforts to address  
2475 current and future needs of the industry.

2476 (d) The potential for viticulture products in terms of  
2477 market and needs for development.

2478 (e) Evaluation of wine policy alternatives, including, but  
2479 not limited to, continued improvement in wine quality, blending  
2480 considerations, promotion and advertising, labeling and vineyard  
2481 designations, and development of production and marketing  
2482 strategies.

2483 (f) Evaluation of production and fresh fruit policy  
2484 alternatives, including, but not limited to, setting minimum  
2485 grades and standards, promotion and advertising, development of  
2486 production and marketing strategies, and setting minimum  
2487 standards on types and quality of nursery plants.

2488 (g) Evaluation of policy alternatives for nonwine processed  
2489 products, including, but not limited to, setting minimum quality  
2490 standards and development of production and marketing  
2491 strategies.

2492 (h) Research and service priorities for further development  
2493 of the wine and viticulture industry.

2494 (i) The identification of state agencies and public and

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2495 private institutions concerned with research, education,  
2496 extension, services, planning, promotion, and marketing  
2497 functions related to wine and viticultural development and the  
2498 delineation of contributions and responsibilities.

2499 (j) Business planning, investment potential, financial  
2500 risks, and economics of production and utilization.

2501 (2) A revision and update of the State Wine ~~Viticulture~~  
2502 Plan must ~~shall~~ be submitted biennially to the President of the  
2503 Senate, the Speaker of the House of Representatives, and the  
2504 chairs of appropriate committees of the Senate and House of  
2505 Representatives, and a progress report and budget request must  
2506 ~~shall~~ be submitted annually.

2507 Section 70. Paragraph (a) of subsection (2) and subsection  
2508 (3) of section 599.004, Florida Statutes, are amended, and  
2509 paragraph (d) is added to subsection (2) of that section, to  
2510 read:

2511 599.004 Florida Farm Winery Program; registration; logo;  
2512 fees.—

2513 (2)(a) The department, in coordination with the Florida  
2514 Wine ~~Viticulture~~ Advisory Council, shall develop and designate  
2515 by rule a Florida Farm Winery logo, emblem, and directional sign  
2516 to guide the public to certified Florida Farm Wineries ~~Winery~~  
2517 ~~tourist attractions~~. The logo and emblem of certified Florida  
2518 Farm Winery signs must ~~shall~~ be uniform.

2519 (d) Wineries that fail to recertify annually or pay the  
2520 licensing fee required in paragraph (c) are subject to having  
2521 the signs referenced in paragraph (b) removed and will be  
2522 responsible for all costs incurred by the Department of  
2523 Transportation in connection with the removal.

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2524 (3) All fees collected, except as otherwise provided by  
 2525 this section, shall be deposited into the Florida Wine  
 2526 ~~Viticulture~~ Trust Fund and used to develop consumer information  
 2527 on the native characteristics and proper use of wines.

2528 Section 71. Section 599.012, Florida Statutes, is amended  
 2529 to read:

2530 599.012 Wine ~~Viticulture~~ Trust Fund; creation.—

2531 (1) There is established the Viticulture Trust Fund within  
 2532 the Department of Agriculture and Consumer Services. The  
 2533 department shall use the moneys deposited in the trust fund  
 2534 pursuant to subsection (2) to do all the following:

2535 (a) Develop and coordinate the implementation of the State  
 2536 Viticulture Plan.

2537 (b) Promote viticulture products manufactured from products  
 2538 grown in the state.

2539 (c) Provide grants for viticultural research.

2540 (2) Fifty percent of the revenues collected from the excise  
 2541 taxes imposed under s. 564.06 on wine produced by manufacturers  
 2542 in this state from products grown in the state will be deposited  
 2543 in the Viticulture Trust Fund in accordance with that section.

2544 Section 72. Subsection (1) of section 616.12, Florida  
 2545 Statutes, is amended to read:

2546 616.12 Licenses upon certain shows; distribution of fees;  
 2547 exemptions.—

2548 (1) Each person who operates any traveling show,  
 2549 exhibition, amusement enterprise, carnival, vaudeville, exhibit,  
 2550 ~~minstrel~~, rodeo, theatrical, game or test of skill, riding  
 2551 device, dramatic repertoire, other show or amusement, or  
 2552 concession, including a concession operating in a tent,



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2553 enclosure, or other temporary structure, within the grounds of,  
2554 and in connection with, any annual public fair held by a fair  
2555 association shall pay the license taxes provided by law.

2556 However, if the association satisfies the requirements of this  
2557 chapter, including securing the required fair permit from the  
2558 department, the license taxes and local business tax authorized  
2559 in chapter 205 are waived and the department shall issue a tax  
2560 exemption certificate. The department shall adopt the proper  
2561 forms and rules to administer this section, including the  
2562 necessary tax exemption certificate, showing that the fair  
2563 association has met all requirements and that the traveling  
2564 show, exhibition, amusement enterprise, carnival, vaudeville,  
2565 exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill,  
2566 riding device, dramatic repertoire, other show or amusement, or  
2567 concession is exempt.

2568 Section 73. Section 687.16, Florida Statutes, is created to  
2569 read:

2570 687.16 Florida Farmer Financial Protection Act.-

2571 (1) SHORT TITLE.-This section may be cited as the "Florida  
2572 Farmer Financial Protection Act."

2573 (2) DEFINITIONS.-

2574 (a) "Agriculture producer" means a person or company  
2575 authorized to do business in this state and engaged in the  
2576 production of goods derived from plants or animals, including,  
2577 but not limited to, the growing of crops, silviculture, animal  
2578 husbandry, or the production of livestock or dairy products.

2579 (b) "Agritourism activity" has the same meaning as provided  
2580 in s. 570.86.

2581 (c) "Commissioner" means the Commissioner of Agriculture.

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2582       (d) "Company" means a for-profit organization, association,  
2583 corporation, partnership, joint venture, sole proprietorship,  
2584 limited partnership, limited liability partnership, or limited  
2585 liability company, including a wholly owned subsidiary,  
2586 majority-owned subsidiary, parent company, or affiliate of those  
2587 entities or business associations authorized to do business in  
2588 this state.

2589       (e) "Denies or restricts" means refusing to provide  
2590 services, terminating existing services, or restricting or  
2591 burdening the scope or nature of services offered or provided.

2592       (f) "Discriminate in the provision of financial services"  
2593 means to deny or restrict services and thereby decline to  
2594 provide financial services.

2595       (g) "ESG factor" means any factor or consideration that is  
2596 collateral to or not reasonably likely to affect or impact  
2597 financial risk and includes the promotion, furtherance, or  
2598 achievement of environmental, social, or political goals,  
2599 objectives, or outcomes, which may include the agriculture  
2600 producer's greenhouse gas emissions, use of fossil-fuel derived  
2601 fertilizer, or use of fossil-fuel powered machinery.

2602       (h) "Farm" means the land, buildings, support facilities,  
2603 machinery, and other appurtenances used in the production of  
2604 farm or aquaculture products.

2605       (i) "Financial institution" means a company authorized to  
2606 do business in this state which has total assets of more than  
2607 \$100 million and offers financial services. A financial  
2608 institution includes any affiliate or subsidiary company, even  
2609 if that affiliate or subsidiary company is also a financial  
2610 institution.

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2611 (j) "Financial service" means any product or service that  
2612 is of a financial nature and is offered by a financial  
2613 institution.

2614 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

2615 (a) A financial institution may not discriminate in the  
2616 provision of financial services to an agriculture producer  
2617 based, in whole or in part, upon an ESG factor.

2618 (b) If a financial institution has made any ESG commitment  
2619 related to agriculture, there is an inference that the  
2620 institution's denial or restriction of a financial service to an  
2621 agriculture producer violates paragraph (a).

2622 (c) A financial institution may overcome the inference in  
2623 paragraph (b) by demonstrating that its denial or restriction of  
2624 a financial service was based solely on documented risk  
2625 analysis, and not on any ESG factor.

2626 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney  
2627 General, in consultation with the Office of Financial  
2628 Regulation, is authorized to enforce subsection (3). Any  
2629 violation of subsection (3) constitutes an unfair trade practice  
2630 under part II of chapter 501 and the Attorney General is  
2631 authorized to investigate and seek remedies as provided in  
2632 general law. Actions for damages may be sought by an aggrieved  
2633 party.

2634 Section 74. Paragraph (a) of subsection (3) of section  
2635 741.0305, Florida Statutes, is amended to read:

2636 741.0305 Marriage fee reduction for completion of  
2637 premarital preparation course.—

2638 (3) (a) All individuals electing to participate in a  
2639 premarital preparation course shall choose from the following

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2640 list of qualified instructors:

- 2641 1. A psychologist licensed under chapter 490.
- 2642 2. A clinical social worker licensed under chapter 491.
- 2643 3. A marriage and family therapist licensed under chapter
- 2644 491.
- 2645 4. A mental health counselor licensed under chapter 491.
- 2646 5. An official representative of a religious institution
- 2647 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the
- 2648 representative has relevant training.
- 2649 6. Any other provider designated by a judicial circuit,
- 2650 including, but not limited to, school counselors who are
- 2651 certified to offer such courses. Each judicial circuit may
- 2652 establish a roster of area course providers, including those who
- 2653 offer the course on a sliding fee scale or for free.

2654 Section 75. Paragraph (h) of subsection (2), subsection

2655 (3), paragraph (c) of subsection (6), and subsection (10) of

2656 section 790.06, Florida Statutes, are amended to read:

2657 790.06 License to carry concealed weapon or concealed

2658 firearm.—

2659 (2) The Department of Agriculture and Consumer Services

2660 shall issue a license if the applicant:

2661 (h) Demonstrates competence with a firearm by any one of

2662 the following:

- 2663 1. Completion of any hunter education or hunter safety
- 2664 course approved by the Fish and Wildlife Conservation Commission
- 2665 or a similar agency of another state;
- 2666 2. Completion of any National Rifle Association firearms
- 2667 safety or training course;
- 2668 3. Completion of any firearms safety or training course or

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2669 class available to the general public offered by a law  
2670 enforcement agency, junior college, college, or private or  
2671 public institution or organization or firearms training school,  
2672 using instructors certified by the National Rifle Association,  
2673 Criminal Justice Standards and Training Commission, or the  
2674 Department of Agriculture and Consumer Services;

2675 4. Completion of any law enforcement firearms safety or  
2676 training course or class offered for security guards,  
2677 investigators, special deputies, or any division or subdivision  
2678 of a law enforcement agency or security enforcement;

2679 5. Presents evidence of equivalent experience with a  
2680 firearm through participation in organized shooting competition  
2681 or United States military service;

2682 6. Is licensed or has been licensed to carry a concealed  
2683 weapon or concealed firearm in this state or a county or  
2684 municipality of this state, unless such license has been revoked  
2685 for cause; or

2686 7. Completion of any firearms training or safety course or  
2687 class conducted by a state-certified or National Rifle  
2688 Association certified firearms instructor;

2689  
2690 A photocopy of a certificate of completion of any of the courses  
2691 or classes; an affidavit from the instructor, school, club,  
2692 organization, or group that conducted or taught such course or  
2693 class attesting to the completion of the course or class by the  
2694 applicant; or a copy of any document that shows completion of  
2695 the course or class or evidences participation in firearms  
2696 competition shall constitute evidence of qualification under  
2697 this paragraph. A person who conducts a course pursuant to

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2698 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as  
2699 an instructor, attests to the completion of such courses, must  
2700 maintain records certifying that he or she observed the student  
2701 safely handle and discharge the firearm in his or her physical  
2702 presence and that the discharge of the firearm included live  
2703 fire using a firearm and ammunition as defined in s. 790.001;

2704 (3) (a) The Department of Agriculture and Consumer Services  
2705 shall deny a license if the applicant has been found guilty of,  
2706 had adjudication of guilt withheld for, or had imposition of  
2707 sentence suspended for one or more crimes of violence  
2708 constituting a misdemeanor, unless 3 years have elapsed since  
2709 probation or any other conditions set by the court have been  
2710 fulfilled or the record has been sealed or expunged. The  
2711 Department of Agriculture and Consumer Services shall revoke a  
2712 license if the licensee has been found guilty of, had  
2713 adjudication of guilt withheld for, or had imposition of  
2714 sentence suspended for one or more crimes of violence within the  
2715 preceding 3 years. The department shall, upon notification by a  
2716 law enforcement agency, a court, clerk's office, or the Florida  
2717 Department of Law Enforcement ~~and subsequent written~~  
2718 ~~verification~~, temporarily suspend a license or the processing of  
2719 an application for a license if the licensee or applicant is  
2720 arrested or formally charged with a crime that would disqualify  
2721 such person from having a license under this section, until  
2722 final disposition of the case. The department shall suspend a  
2723 license or the processing of an application for a license if the  
2724 licensee or applicant is issued an injunction that restrains the  
2725 licensee or applicant from committing acts of domestic violence  
2726 or acts of repeat violence. The department shall notify the

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2727 licensee or applicant suspended under this section of his or her  
2728 right to a hearing pursuant to chapter 120. A hearing conducted  
2729 regarding the temporary suspension must be for the limited  
2730 purpose of determining whether the licensee has been arrested or  
2731 charged with a disqualifying crime or issued an injunction or  
2732 court order. If the criminal case or injunction results in a  
2733 nondisqualifying disposition, the department must issue an order  
2734 lifting the suspension upon the applicant or licensee's  
2735 submission to the department of a certified copy of the final  
2736 resolution. If the criminal case results in a disqualifying  
2737 disposition, the suspension remains in effect and the department  
2738 must proceed with denial or revocation proceedings pursuant to  
2739 chapter 120.

2740 (b) This subsection may not be construed to limit,  
2741 restrict, or inhibit the constitutional right to bear arms and  
2742 carry a concealed weapon in this state. The Legislature finds it  
2743 a matter of public policy and public safety that it is necessary  
2744 to ensure that potentially disqualifying information about an  
2745 applicant or licensee is investigated and processed in a timely  
2746 manner by the department pursuant to this section. The  
2747 Legislature intends to clarify that suspensions pursuant to this  
2748 section are temporary, and the department has the duty to make  
2749 an eligibility determination and issue a license in the time  
2750 frame prescribed in this subsection.

2751 (6)

2752 (c) The Department of Agriculture and Consumer Services  
2753 shall, within 90 days after the date of receipt of the items  
2754 listed in subsection (5):

2755 1. Issue the license; or

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2756           2. Deny the application based solely on the ground that the  
2757 applicant fails to qualify under the criteria listed in  
2758 subsection (2) or subsection (3). If the Department of  
2759 Agriculture and Consumer Services denies the application, it  
2760 shall notify the applicant in writing, stating the ground for  
2761 denial and informing the applicant of any right to a hearing  
2762 pursuant to chapter 120.

2763           3. In the event the result of the criminal history  
2764 screening identifies ~~department receives~~ criminal history  
2765 information related to a crime that may disqualify the applicant  
2766 but does not contain with no final disposition of the crime or  
2767 lacks sufficient information to make an eligibility  
2768 determination on a crime which may disqualify the applicant, the  
2769 time limitation prescribed by this paragraph may be extended for  
2770 up to an additional 90 days from the receipt of the information  
2771 suspended until receipt of the final disposition or proof of  
2772 restoration of civil and firearm rights. The department may make  
2773 a request for information to the jurisdiction where the criminal  
2774 history information originated but must issue a license if it  
2775 does not obtain a disposition or sufficient information to make  
2776 an eligibility determination during the additional 90 days if  
2777 the applicant is otherwise eligible. The department may take any  
2778 action authorized in this section if it receives disqualifying  
2779 criminal history information during the additional 90-day review  
2780 or after issuance of a license.

2781           (10) A license issued under this section must ~~shall~~ be  
2782 temporarily suspended as provided for in subparagraph (6)(c)3.,  
2783 or revoked pursuant to chapter 120 if the license was issued in  
2784 error or if the licensee:



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2785 (a) Is found to be ineligible under the criteria set forth  
2786 in subsection (2);

2787 (b) Develops or sustains a physical infirmity which  
2788 prevents the safe handling of a weapon or firearm;

2789 (c) Is convicted of a felony which would make the licensee  
2790 ineligible to possess a firearm pursuant to s. 790.23;

2791 (d) Is found guilty of a crime under chapter 893, or  
2792 similar laws of any other state, relating to controlled  
2793 substances;

2794 (e) Is committed as a substance abuser under chapter 397,  
2795 or is deemed a habitual offender under s. 856.011(3), or similar  
2796 laws of any other state;

2797 (f) Is convicted of a second violation of s. 316.193, or a  
2798 similar law of another state, within 3 years after a first  
2799 conviction of such section or similar law of another state, even  
2800 though the first violation may have occurred before the date on  
2801 which the application was submitted;

2802 (g) Is adjudicated an incapacitated person under s.  
2803 744.331, or similar laws of any other state; or

2804 (h) Is committed to a mental institution under chapter 394,  
2805 or similar laws of any other state.

2806

2807 Notwithstanding s. 120.60(5), service of a notice of the  
2808 suspension or revocation of a concealed weapon or concealed  
2809 firearm license must be given by either certified mail, return  
2810 receipt requested, to the licensee at his or her last known  
2811 mailing address furnished to the Department of Agriculture and  
2812 Consumer Services, or by personal service. If a notice given by  
2813 certified mail is returned as undeliverable, a second attempt

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2814 must be made to provide notice to the licensee at that address,  
2815 by either first-class mail in an envelope, postage prepaid,  
2816 addressed to the licensee at his or her last known mailing  
2817 address furnished to the department, or, if the licensee has  
2818 provided an e-mail address to the department, by e-mail. Such  
2819 mailing by the department constitutes notice, and any failure by  
2820 the licensee to receive such notice does not stay the effective  
2821 date or term of the suspension or revocation. A request for  
2822 hearing must be filed with the department within 21 days after  
2823 notice is received by personal delivery, or within 26 days after  
2824 the date the department deposits the notice in the United States  
2825 mail (21 days plus 5 days for mailing). The department shall  
2826 document its attempts to provide notice, and such documentation  
2827 is admissible in the courts of this state and constitutes  
2828 sufficient proof that notice was given.

2829 Section 76. Subsection (2) of section 812.0151, Florida  
2830 Statutes, is amended to read:

2831 812.0151 Retail fuel theft.—

2832 (2)(a) A person commits a felony of the third degree,  
2833 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
2834 if he or she willfully, knowingly, and without authorization:

2835 1. Breaches a retail fuel dispenser or accesses any  
2836 internal portion of a retail fuel dispenser; ~~or~~

2837 2. Possesses any device constructed for the purpose of  
2838 fraudulently altering, manipulating, or interrupting the normal  
2839 functioning of a retail fuel dispenser; or

2840 3. Possesses any form of a payment instrument that can be  
2841 used, alone or in conjunction with another access device, to  
2842 authorize a fuel transaction or obtain fuel, including, but not

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2843 limited to, a plastic payment card with a magnetic stripe or a  
2844 chip encoded with account information or both, with the intent  
2845 to defraud the fuel retailer, the authorized payment instrument  
2846 financial account holder, or the banking institution that issued  
2847 the payment instrument financial account.

2848 (b) A person commits a felony of the second degree,  
2849 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
2850 if he or she willfully, knowingly, and without authorization:

2851 1. Physically tampers with, manipulates, removes, replaces,  
2852 or interrupts any mechanical or electronic component located on  
2853 ~~within~~ the internal or external portion of a retail fuel  
2854 dispenser; or

2855 2. Uses any form of electronic communication to  
2856 fraudulently alter, manipulate, or interrupt the normal  
2857 functioning of a retail fuel dispenser.

2858 (c) A person commits a felony of the third degree,  
2859 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
2860 if he or she:

2861 1. Obtains fuel as a result of violating paragraph (a) or  
2862 paragraph (b); ~~or~~

2863 2. Modifies a vehicle's factory installed fuel tank or  
2864 possesses any item used to hold fuel which was not fitted to a  
2865 vehicle or conveyance at the time of manufacture with the intent  
2866 to use such fuel tank or item to hold or transport fuel obtained  
2867 as a result of violating paragraph (a) or paragraph (b); or

2868 3. Uses any form of a payment instrument that can be used,  
2869 alone or in conjunction with another access device, to authorize  
2870 a fuel transaction or obtain fuel, including, but not limited  
2871 to, a plastic payment card with a magnetic stripe or a chip

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2872 encoded with account information or both, with the intent to  
2873 defraud the fuel retailer, the authorized payment instrument  
2874 financial account holder, or the banking institution that issued  
2875 the payment instrument financial account.

2876 Section 77. Section 812.136, Florida Statutes, is created  
2877 to read:

2878 812.136 Mail theft.-

2879 (1) As used in this section, unless the context otherwise  
2880 requires:

2881 (a) "Mail" means any letter, postal card, parcel, envelope,  
2882 package, bag, or any other sealed article addressed to another,  
2883 along with its contents.

2884 (b) "Mail depository" means a mail box, letter box, mail  
2885 route, or mail receptacle of a postal service, an office of a  
2886 postal service, or mail carrier of a postal service, or a  
2887 vehicle of a postal service.

2888 (c) "Postal service" means the United States Postal Service  
2889 or its contractors, or any commercial courier that delivers  
2890 mail.

2891 (2) Any of the following acts constitutes mail theft:

2892 (a) Removing mail from a mail depository or taking mail  
2893 from a mail carrier of a postal service with an intent to steal.

2894 (b) Obtaining custody of mail by fraud or deception with an  
2895 intent to steal.

2896 (c) Selling, receiving, possessing, transferring, buying,  
2897 or concealing mail obtained by acts described in paragraph (a)  
2898 or paragraph (b) of this subsection, while knowing or having  
2899 reason to know the mail was obtained illegally.

2900 (3) Any of the following constitutes theft of or

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2901 unauthorized reproduction of a mail depository key or lock:

2902 (a) Stealing or obtaining by false pretense any key or lock  
2903 adopted by a postal service for a mail depository or other  
2904 authorized receptacle for the deposit or delivery of mail.

2905 (b) Knowingly and unlawfully making, forging, or  
2906 counterfeiting any such key or possessing any such key or lock  
2907 adopted by a postal service with the intent to unlawfully or  
2908 improperly use, sell, or otherwise dispose of the key or lock,  
2909 or to cause the key or lock to be unlawfully or improperly used,  
2910 sold, or otherwise disposed.

2911 (4) The first violation of this section constitutes a  
2912 misdemeanor of the first degree, punishable by a term of  
2913 imprisonment not exceeding 1 year pursuant to s. 775.082(4) (a)  
2914 or a fine not to exceed \$1,000 pursuant to s. 775.083(1) (d), or  
2915 both. A second or subsequent violation of this section  
2916 constitutes a felony of the third degree, punishable by a term  
2917 of imprisonment not exceeding 5 years pursuant to s.  
2918 775.82(3) (e) or a fine not to exceed \$5,000 pursuant to s.  
2919 775.083(1) (c), or both.

2920 Section 78. Paragraph (i) of subsection (4) of section  
2921 934.50, Florida Statutes, is amended to read:

2922 934.50 Searches and seizure using a drone.—

2923 (4) EXCEPTIONS.—This section does not prohibit the use of a  
2924 drone:

2925 ~~(i) By a person or an entity engaged in a business or~~  
2926 ~~profession licensed by the state, or by an agent, employee, or~~  
2927 ~~contractor thereof, if the drone is used only to perform~~  
2928 ~~reasonable tasks within the scope of practice or activities~~  
2929 ~~permitted under such person's or entity's license. However, this~~

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2930 ~~exception does not apply to a profession in which the licensee's~~  
2931 ~~authorized scope of practice includes obtaining information~~  
2932 ~~about the identity, habits, conduct, movements, whereabouts,~~  
2933 ~~affiliations, associations, transactions, reputation, or~~  
2934 ~~character of any society, person, or group of persons.~~

2935 Section 79. Section 1013.373, Florida Statutes, is created  
2936 to read:

2937 1013.373 Educational facilities used for agricultural  
2938 education.—

2939 (1) Notwithstanding any other provision of law, a local  
2940 government may not adopt any ordinance, regulation, rule, or  
2941 policy to prohibit, restrict, regulate, or otherwise limit any  
2942 activities of public educational facilities and auxiliary  
2943 facilities constructed by a board for agricultural education,  
2944 for Future Farmers of America or 4-H activities, or the storage  
2945 of any animal or equipment therein.

2946 (2) Lands used for agricultural education or for Future  
2947 Farmers of America or 4-H activities are considered agricultural  
2948 lands pursuant to s. 193.461 and subject to s. 823.14.

2949 Section 80. For the purpose of incorporating the amendment  
2950 made by this act to section 110.205, Florida Statutes, in a  
2951 reference thereto, paragraph (a) of subsection (5) of section  
2952 295.07, Florida Statutes, is reenacted to read:

2953 295.07 Preference in appointment and retention.—

2954 (5) The following positions are exempt from this section:

2955 (a) Those positions that are exempt from the state Career  
2956 Service System under s. 110.205(2); however, all positions under  
2957 the University Support Personnel System of the State University  
2958 System as well as all Career Service System positions under the

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2959 Florida College System and the School for the Deaf and the  
2960 Blind, or the equivalent of such positions at state  
2961 universities, Florida College System institutions, or the School  
2962 for the Deaf and the Blind, are not exempt.

2963 Section 81. For the purpose of incorporating the amendment  
2964 made by this act to section 193.461, Florida Statutes, in a  
2965 reference thereto, paragraph (r) of subsection (1) of section  
2966 125.01, Florida Statutes, is reenacted to read:

2967 125.01 Powers and duties.—

2968 (1) The legislative and governing body of a county shall  
2969 have the power to carry on county government. To the extent not  
2970 inconsistent with general or special law, this power includes,  
2971 but is not restricted to, the power to:

2972 (r) Levy and collect taxes, both for county purposes and  
2973 for the providing of municipal services within any municipal  
2974 service taxing unit, and special assessments; borrow and expend  
2975 money; and issue bonds, revenue certificates, and other  
2976 obligations of indebtedness, which power shall be exercised in  
2977 such manner, and subject to such limitations, as may be provided  
2978 by general law. There shall be no referendum required for the  
2979 levy by a county of ad valorem taxes, both for county purposes  
2980 and for the providing of municipal services within any municipal  
2981 service taxing unit.

2982 1. Notwithstanding any other provision of law, a county may  
2983 not levy special assessments on lands classified as agricultural  
2984 lands under s. 193.461 unless the revenue from such assessments  
2985 has been pledged for debt service and is necessary to meet  
2986 obligations of bonds or certificates issued by the county which  
2987 remain outstanding on July 1, 2023, including refundings thereof

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2988 for debt service savings where the maturity of the debt is not  
2989 extended. For bonds or certificates issued after July 1, 2023,  
2990 special assessments securing such bonds may not be levied on  
2991 lands classified as agricultural under s. 193.461.

2992 2. The provisions of subparagraph 1. do not apply to  
2993 residential structures and their curtilage.

2994 Section 82. For the purpose of incorporating the amendment  
2995 made by this act to section 193.461, Florida Statutes, in  
2996 references thereto, paragraphs (a) through (d) of subsection (3)  
2997 of section 163.3162, Florida Statutes, are reenacted to read:

2998 163.3162 Agricultural lands and practices.—

2999 (3) DUPLICATION OF REGULATION.—Except as otherwise provided  
3000 in this section and s. 487.051(2), and notwithstanding any other  
3001 law, including any provision of chapter 125 or this chapter:

3002 (a) A governmental entity may not exercise any of its  
3003 powers to adopt or enforce any ordinance, resolution,  
3004 regulation, rule, or policy to prohibit, restrict, regulate, or  
3005 otherwise limit an activity of a bona fide farm operation on  
3006 land classified as agricultural land pursuant to s. 193.461, if  
3007 such activity is regulated through implemented best management  
3008 practices, interim measures, or regulations adopted as rules  
3009 under chapter 120 by the Department of Environmental Protection,  
3010 the Department of Agriculture and Consumer Services, or a water  
3011 management district as part of a statewide or regional program;  
3012 or if such activity is expressly regulated by the United States  
3013 Department of Agriculture, the United States Army Corps of  
3014 Engineers, or the United States Environmental Protection Agency.

3015 (b) A governmental entity may not charge a fee on a  
3016 specific agricultural activity of a bona fide farm operation on



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3017 land classified as agricultural land pursuant to s. 193.461, if  
3018 such agricultural activity is regulated through implemented best  
3019 management practices, interim measures, or regulations adopted  
3020 as rules under chapter 120 by the Department of Environmental  
3021 Protection, the Department of Agriculture and Consumer Services,  
3022 or a water management district as part of a statewide or  
3023 regional program; or if such agricultural activity is expressly  
3024 regulated by the United States Department of Agriculture, the  
3025 United States Army Corps of Engineers, or the United States  
3026 Environmental Protection Agency.

3027 (c) A governmental entity may not charge an assessment or  
3028 fee for stormwater management on a bona fide farm operation on  
3029 land classified as agricultural land pursuant to s. 193.461, if  
3030 the farm operation has a National Pollutant Discharge  
3031 Elimination System permit, environmental resource permit, or  
3032 works-of-the-district permit or implements best management  
3033 practices adopted as rules under chapter 120 by the Department  
3034 of Environmental Protection, the Department of Agriculture and  
3035 Consumer Services, or a water management district as part of a  
3036 statewide or regional program.

3037 (d) For each governmental entity that, before March 1,  
3038 2009, adopted a stormwater utility ordinance or resolution,  
3039 adopted an ordinance or resolution establishing a municipal  
3040 services benefit unit, or adopted a resolution stating the  
3041 governmental entity's intent to use the uniform method of  
3042 collection pursuant to s. 197.3632 for such stormwater  
3043 ordinances, the governmental entity may continue to charge an  
3044 assessment or fee for stormwater management on a bona fide farm  
3045 operation on land classified as agricultural pursuant to s.

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3046 193.461, if the ordinance or resolution provides credits against  
3047 the assessment or fee on a bona fide farm operation for the  
3048 water quality or flood control benefit of:

3049 1. The implementation of best management practices adopted  
3050 as rules under chapter 120 by the Department of Environmental  
3051 Protection, the Department of Agriculture and Consumer Services,  
3052 or a water management district as part of a statewide or  
3053 regional program;

3054 2. The stormwater quality and quantity measures required as  
3055 part of a National Pollutant Discharge Elimination System  
3056 permit, environmental resource permit, or works-of-the-district  
3057 permit; or

3058 3. The implementation of best management practices or  
3059 alternative measures which the landowner demonstrates to the  
3060 governmental entity to be of equivalent or greater stormwater  
3061 benefit than those provided by implementation of best management  
3062 practices adopted as rules under chapter 120 by the Department  
3063 of Environmental Protection, the Department of Agriculture and  
3064 Consumer Services, or a water management district as part of a  
3065 statewide or regional program, or stormwater quality and  
3066 quantity measures required as part of a National Pollutant  
3067 Discharge Elimination System permit, environmental resource  
3068 permit, or works-of-the-district permit.

3069 Section 83. For the purpose of incorporating the amendment  
3070 made by this act to section 193.461, Florida Statutes, in a  
3071 reference thereto, paragraph (c) of subsection (3) of section  
3072 163.3163, Florida Statutes, is reenacted to read:

3073 163.3163 Applications for development permits; disclosure  
3074 and acknowledgment of contiguous sustainable agricultural land.—

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3075 (3) As used in this section, the term:

3076 (c) "Sustainable agricultural land" means land classified  
3077 as agricultural land pursuant to s. 193.461 which is used for a  
3078 farm operation that uses current technology, based on science or  
3079 research and demonstrated measurable increases in productivity,  
3080 to meet future food, feed, fiber, and energy needs, while  
3081 considering the environmental impacts and the social and  
3082 economic benefits to the rural communities.

3083 Section 84. For the purpose of incorporating the amendment  
3084 made by this act to section 193.461, Florida Statutes, in a  
3085 reference thereto, subsection (4) of section 163.3164, Florida  
3086 Statutes, is reenacted to read:

3087 163.3164 Community Planning Act; definitions.—As used in  
3088 this act:

3089 (4) "Agricultural enclave" means an unincorporated,  
3090 undeveloped parcel that:

3091 (a) Is owned by a single person or entity;

3092 (b) Has been in continuous use for bona fide agricultural  
3093 purposes, as defined by s. 193.461, for a period of 5 years  
3094 prior to the date of any comprehensive plan amendment  
3095 application;

3096 (c) Is surrounded on at least 75 percent of its perimeter  
3097 by:

3098 1. Property that has existing industrial, commercial, or  
3099 residential development; or

3100 2. Property that the local government has designated, in  
3101 the local government's comprehensive plan, zoning map, and  
3102 future land use map, as land that is to be developed for  
3103 industrial, commercial, or residential purposes, and at least 75

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3104 percent of such property is existing industrial, commercial, or  
3105 residential development;

3106 (d) Has public services, including water, wastewater,  
3107 transportation, schools, and recreation facilities, available or  
3108 such public services are scheduled in the capital improvement  
3109 element to be provided by the local government or can be  
3110 provided by an alternative provider of local government  
3111 infrastructure in order to ensure consistency with applicable  
3112 concurrency provisions of s. 163.3180; and

3113 (e) Does not exceed 1,280 acres; however, if the property  
3114 is surrounded by existing or authorized residential development  
3115 that will result in a density at buildout of at least 1,000  
3116 residents per square mile, then the area shall be determined to  
3117 be urban and the parcel may not exceed 4,480 acres.

3118 Section 85. For the purpose of incorporating the amendment  
3119 made by this act to section 193.461, Florida Statutes, in a  
3120 reference thereto, subsection (5) of section 163.3194, Florida  
3121 Statutes, is reenacted to read:

3122 163.3194 Legal status of comprehensive plan.—

3123 (5) The tax-exempt status of lands classified as  
3124 agricultural under s. 193.461 shall not be affected by any  
3125 comprehensive plan adopted under this act as long as the land  
3126 meets the criteria set forth in s. 193.461.

3127 Section 86. For the purpose of incorporating the amendment  
3128 made by this act to section 193.461, Florida Statutes, in a  
3129 reference thereto, subsection (4) of section 170.01, Florida  
3130 Statutes, is reenacted to read:

3131 170.01 Authority for providing improvements and levying and  
3132 collecting special assessments against property benefited.—

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3133 (4) Notwithstanding any other provision of law, a  
3134 municipality may not levy special assessments for the provision  
3135 of fire protection services on lands classified as agricultural  
3136 lands under s. 193.461 unless the land contains a residential  
3137 dwelling or nonresidential farm building, with the exception of  
3138 an agricultural pole barn, provided the nonresidential farm  
3139 building exceeds a just value of \$10,000. Such special  
3140 assessments must be based solely on the special benefit accruing  
3141 to that portion of the land consisting of the residential  
3142 dwelling and curtilage, and qualifying nonresidential farm  
3143 buildings. As used in this subsection, the term "agricultural  
3144 pole barn" means a nonresidential farm building in which 70  
3145 percent or more of the perimeter walls are permanently open and  
3146 allow free ingress and egress.

3147 Section 87. For the purpose of incorporating the amendment  
3148 made by this act to section 193.461, Florida Statutes, in a  
3149 reference thereto, subsection (2) of section 193.052, Florida  
3150 Statutes, is reenacted to read:

3151 193.052 Preparation and serving of returns.—

3152 (2) No return shall be required for real property the  
3153 ownership of which is reflected in instruments recorded in the  
3154 public records of the county in which the property is located,  
3155 unless otherwise required in this title. In order for land to be  
3156 considered for agricultural classification under s. 193.461 or  
3157 high-water recharge classification under s. 193.625, an  
3158 application for classification must be filed on or before March  
3159 1 of each year with the property appraiser of the county in  
3160 which the land is located, except as provided in s.  
3161 193.461(3)(a). The application must state that the lands on

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3162 January 1 of that year were used primarily for bona fide  
3163 commercial agricultural or high-water recharge purposes.

3164 Section 88. For the purpose of incorporating the amendment  
3165 made by this act to section 193.461, Florida Statutes, in a  
3166 reference thereto, section 193.4615, Florida Statutes, is  
3167 reenacted to read:

3168 193.4615 Assessment of obsolete agricultural equipment.—For  
3169 purposes of ad valorem property taxation, agricultural equipment  
3170 that is located on property classified as agricultural under s.  
3171 193.461 and that is no longer usable for its intended purpose  
3172 shall be deemed to have a market value no greater than its value  
3173 for salvage.

3174 Section 89. For the purpose of incorporating the amendment  
3175 made by this act to section 193.461, Florida Statutes, in  
3176 references thereto, paragraph (a) of subsection (5) and  
3177 paragraph (a) of subsection (19) of section 212.08, Florida  
3178 Statutes, are reenacted to read:

3179 212.08 Sales, rental, use, consumption, distribution, and  
3180 storage tax; specified exemptions.—The sale at retail, the  
3181 rental, the use, the consumption, the distribution, and the  
3182 storage to be used or consumed in this state of the following  
3183 are hereby specifically exempt from the tax imposed by this  
3184 chapter.

3185 (5) EXEMPTIONS; ACCOUNT OF USE.—

3186 (a) *Items in agricultural use and certain nets.*—There are  
3187 exempt from the tax imposed by this chapter nets designed and  
3188 used exclusively by commercial fisheries; disinfectants,  
3189 fertilizers, insecticides, pesticides, herbicides, fungicides,  
3190 and weed killers used for application on crops or groves,

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3191 including commercial nurseries and home vegetable gardens, used  
3192 in dairy barns or on poultry farms for the purpose of protecting  
3193 poultry or livestock, or used directly on poultry or livestock;  
3194 animal health products that are administered to, applied to, or  
3195 consumed by livestock or poultry to alleviate pain or cure or  
3196 prevent sickness, disease, or suffering, including, but not  
3197 limited to, antiseptics, absorbent cotton, gauze for bandages,  
3198 lotions, vaccines, vitamins, and worm remedies; aquaculture  
3199 health products that are used by aquaculture producers, as  
3200 defined in s. 597.0015, to prevent or treat fungi, bacteria, and  
3201 parasitic diseases; portable containers or movable receptacles  
3202 in which portable containers are placed, used for processing  
3203 farm products; field and garden seeds, including flower seeds;  
3204 nursery stock, seedlings, cuttings, or other propagative  
3205 material purchased for growing stock; seeds, seedlings,  
3206 cuttings, and plants used to produce food for human consumption;  
3207 cloth, plastic, and other similar materials used for shade,  
3208 mulch, or protection from frost or insects on a farm; hog wire  
3209 and barbed wire fencing, including gates and materials used to  
3210 construct or repair such fencing, used in agricultural  
3211 production on lands classified as agricultural lands under s.  
3212 193.461; materials used to construct or repair permanent or  
3213 temporary fencing used to contain, confine, or process cattle,  
3214 including gates and energized fencing systems, used in  
3215 agricultural operations on lands classified as agricultural  
3216 lands under s. 193.461; stakes used by a farmer to support  
3217 plants during agricultural production; generators used on  
3218 poultry farms; and liquefied petroleum gas or other fuel used to  
3219 heat a structure in which started pullets or broilers are

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3220 raised; however, such exemption is not allowed unless the  
3221 purchaser or lessee signs a certificate stating that the item to  
3222 be exempted is for the exclusive use designated herein. Also  
3223 exempt are cellophane wrappers, glue for tin and glass  
3224 (apiarists), mailing cases for honey, shipping cases, window  
3225 cartons, and baling wire and twine used for baling hay, when  
3226 used by a farmer to contain, produce, or process an agricultural  
3227 commodity.

3228 (19) FLORIDA FARM TEAM CARD.—

3229 (a) Notwithstanding any other law, a farmer whose property  
3230 has been classified as agricultural pursuant to s. 193.461 or  
3231 who has implemented agricultural best management practices  
3232 adopted by the Department of Agriculture and Consumer Services  
3233 pursuant to s. 403.067(7)(c)2. may apply to the department for a  
3234 Florida farm tax exempt agricultural materials (TEAM) card to  
3235 claim the applicable sales tax exemptions provided in this  
3236 section. A farmer may present the Florida farm TEAM card to a  
3237 selling dealer in lieu of a certificate or affidavit otherwise  
3238 required by this chapter.

3239 Section 90. For the purpose of incorporating the amendment  
3240 made by this act to section 193.461, Florida Statutes, in a  
3241 reference thereto, subsection (2) of section 373.406, Florida  
3242 Statutes, is reenacted to read:

3243 373.406 Exemptions.—The following exemptions shall apply:

3244 (2) Notwithstanding s. 403.927, nothing herein, or in any  
3245 rule, regulation, or order adopted pursuant hereto, shall be  
3246 construed to affect the right of any person engaged in the  
3247 occupation of agriculture, silviculture, floriculture, or  
3248 horticulture to alter the topography of any tract of land,



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3249 including, but not limited to, activities that may impede or  
3250 divert the flow of surface waters or adversely impact wetlands,  
3251 for purposes consistent with the normal and customary practice  
3252 of such occupation in the area. However, such alteration or  
3253 activity may not be for the sole or predominant purpose of  
3254 impeding or diverting the flow of surface waters or adversely  
3255 impacting wetlands. This exemption applies to lands classified  
3256 as agricultural pursuant to s. 193.461 and to activities  
3257 requiring an environmental resource permit pursuant to this  
3258 part. This exemption does not apply to any activities previously  
3259 authorized by an environmental resource permit or a management  
3260 and storage of surface water permit issued pursuant to this part  
3261 or a dredge and fill permit issued pursuant to chapter 403. This  
3262 exemption has retroactive application to July 1, 1984.

3263 Section 91. For the purpose of incorporating the amendment  
3264 made by this act to section 193.461, Florida Statutes, in a  
3265 reference thereto, paragraph (a) of subsection (11) of section  
3266 403.182, Florida Statutes, is reenacted to read:

3267 403.182 Local pollution control programs.—

3268 (11) (a) Notwithstanding this section or any existing local  
3269 pollution control programs, the Secretary of Environmental  
3270 Protection has exclusive jurisdiction in setting standards or  
3271 procedures for evaluating environmental conditions and assessing  
3272 potential liability for the presence of contaminants on land  
3273 that is classified as agricultural land pursuant to s. 193.461  
3274 and being converted to a nonagricultural use. The exclusive  
3275 jurisdiction includes defining what constitutes all appropriate  
3276 inquiry consistent with 40 C.F.R. part 312 and guidance  
3277 thereunder.

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3278 Section 92. For the purpose of incorporating the amendment  
3279 made by this act to section 193.461, Florida Statutes, in a  
3280 reference thereto, subsection (4) of section 403.9337, Florida  
3281 Statutes, is reenacted to read:

3282 403.9337 Model Ordinance for Florida-Friendly Fertilizer  
3283 Use on Urban Landscapes.—

3284 (4) This section does not apply to the use of fertilizer on  
3285 farm operations as defined in s. 823.14 or on lands classified  
3286 as agricultural lands pursuant to s. 193.461.

3287 Section 93. For the purpose of incorporating the amendment  
3288 made by this act to section 193.461, Florida Statutes, in a  
3289 reference thereto, paragraph (d) of subsection (2) of section  
3290 472.029, Florida Statutes, is reenacted to read:

3291 472.029 Authorization to enter lands of third parties;  
3292 conditions.—

3293 (2) LIABILITY AND DUTY OF CARE ON AGRICULTURAL LAND.—

3294 (d) This subsection applies only to land classified as  
3295 agricultural pursuant to s. 193.461.

3296 Section 94. For the purpose of incorporating the amendment  
3297 made by this act to section 193.461, Florida Statutes, in a  
3298 reference thereto, subsection (5) of section 474.2021, Florida  
3299 Statutes, is reenacted to read:

3300 474.2021 Veterinary telehealth.—

3301 (5) A veterinarian personally acquainted with the caring  
3302 and keeping of an animal or group of animals on food-producing  
3303 animal operations on land classified as agricultural pursuant to  
3304 s. 193.461 who has recently seen the animal or group of animals  
3305 or has made medically appropriate and timely visits to the  
3306 premises where the animal or group of animals is kept may

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3307 practice veterinary telehealth for animals on such operations.

3308 Section 95. For the purpose of incorporating the amendment  
3309 made by this act to section 193.461, Florida Statutes, in a  
3310 reference thereto, paragraph (d) of subsection (4) of section  
3311 474.2165, Florida Statutes, is reenacted to read:

3312 474.2165 Ownership and control of veterinary medical  
3313 patient records; report or copies of records to be furnished.—

3314 (4) Except as otherwise provided in this section, such  
3315 records may not be furnished to, and the medical condition of a  
3316 patient may not be discussed with, any person other than the  
3317 client or the client's legal representative or other  
3318 veterinarians involved in the care or treatment of the patient,  
3319 except upon written authorization of the client. However, such  
3320 records may be furnished without written authorization under the  
3321 following circumstances:

3322 (d) In any criminal action or situation where a  
3323 veterinarian suspects a criminal violation. If a criminal  
3324 violation is suspected, a veterinarian may, without notice to or  
3325 authorization from the client, report the violation to a law  
3326 enforcement officer, an animal control officer who is certified  
3327 pursuant to s. 828.27(4)(a), or an agent appointed under s.  
3328 828.03. However, if a suspected violation occurs at a commercial  
3329 food-producing animal operation on land classified as  
3330 agricultural under s. 193.461, the veterinarian must provide  
3331 notice to the client or the client's legal representative before  
3332 reporting the suspected violation to an officer or agent under  
3333 this paragraph. The report may not include written medical  
3334 records except upon the issuance of an order from a court of  
3335 competent jurisdiction.

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3336 Section 96. For the purpose of incorporating the amendment  
3337 made by this act to section 193.461, Florida Statutes, in a  
3338 reference thereto, subsection (6) of section 487.081, Florida  
3339 Statutes, is reenacted to read:

3340 487.081 Exemptions.—

3341 (6) The Department of Environmental Protection is not  
3342 authorized to institute proceedings against any property owner  
3343 or leaseholder of property under the provisions of s. 376.307(5)  
3344 to recover any costs or damages associated with pesticide  
3345 contamination of soil or water, or the evaluation, assessment,  
3346 or remediation of pesticide contamination of soil or water,  
3347 including sampling, analysis, and restoration of soil or potable  
3348 water supplies, subject to the following conditions:

3349 (a) The pesticide contamination of soil or water is  
3350 determined to be the result of the use of pesticides by the  
3351 property owner or leaseholder, in accordance with state and  
3352 federal law, applicable registered labels, and rules on property  
3353 classified as agricultural land pursuant to s. 193.461;

3354 (b) The property owner or leaseholder maintains records of  
3355 such pesticide applications and such records are provided to the  
3356 department upon request;

3357 (c) In the event of pesticide contamination of soil or  
3358 water, the department, upon request, shall make such records  
3359 available to the Department of Environmental Protection;

3360 (d) This subsection does not limit regulatory authority  
3361 under a federally delegated or approved program; and

3362 (e) This subsection is remedial in nature and shall apply  
3363 retroactively.

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3365 The department, in consultation with the secretary of the  
3366 Department of Environmental Protection, may adopt rules  
3367 prescribing the format, content, and retention time for records  
3368 to be maintained under this subsection.

3369 Section 97. For the purpose of incorporating the amendment  
3370 made by this act to section 193.461, Florida Statutes, in a  
3371 reference thereto, subsection (1) of section 570.85, Florida  
3372 Statutes, is reenacted to read:

3373 570.85 Agritourism.—

3374 (1) It is the intent of the Legislature to promote  
3375 agritourism as a way to support bona fide agricultural  
3376 production by providing a stream of revenue and by educating the  
3377 general public about the agricultural industry. It is also the  
3378 intent of the Legislature to eliminate duplication of regulatory  
3379 authority over agritourism as expressed in this section. Except  
3380 as otherwise provided for in this section, and notwithstanding  
3381 any other law, a local government may not adopt or enforce a  
3382 local ordinance, regulation, rule, or policy that prohibits,  
3383 restricts, regulates, or otherwise limits an agritourism  
3384 activity on land classified as agricultural land under s.  
3385 193.461. This subsection does not limit the powers and duties of  
3386 a local government to address substantial offsite impacts of  
3387 agritourism activities or an emergency as provided in chapter  
3388 252.

3389 Section 98. For the purpose of incorporating the amendment  
3390 made by this act to section 193.461, Florida Statutes, in a  
3391 reference thereto, subsection (1) of section 570.87, Florida  
3392 Statutes, is reenacted to read:

3393 570.87 Agritourism participation impact on land

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3394 classification.—

3395 (1) In order to promote and perpetuate agriculture  
3396 throughout this state, farm operations are encouraged to engage  
3397 in agritourism. An agricultural classification pursuant to s.  
3398 193.461 may not be denied or revoked solely due to the conduct  
3399 of agritourism activity on a bona fide farm or the construction,  
3400 alteration, or maintenance of a nonresidential farm building,  
3401 structure, or facility on a bona fide farm which is used to  
3402 conduct agritourism activities. So long as the building,  
3403 structure, or facility is an integral part of the agricultural  
3404 operation, the land it occupies shall be considered agricultural  
3405 in nature. However, such buildings, structures, and facilities,  
3406 and other improvements on the land, must be assessed under s.  
3407 193.011 at their just value and added to the agriculturally  
3408 assessed value of the land.

3409 Section 99. For the purpose of incorporating the amendment  
3410 made by this act to section 193.461, Florida Statutes, in a  
3411 reference thereto, subsection (3) of section 570.94, Florida  
3412 Statutes, is reenacted to read:

3413 570.94 Best management practices for wildlife.—The  
3414 department and the Fish and Wildlife Conservation Commission  
3415 recognize that agriculture provides a valuable benefit to the  
3416 conservation and management of fish and wildlife in the state  
3417 and agree to enter into a memorandum of agreement to develop and  
3418 adopt by rule voluntary best management practices for the  
3419 state's agriculture industry which reflect the industry's  
3420 existing contribution to the conservation and management of  
3421 freshwater aquatic life and wild animal life in the state.

3422 (3) Notwithstanding any other provision of law, including

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3423 s. 163.3162, the implementation of the best management practices  
3424 pursuant to this section is voluntary and except as specifically  
3425 provided under this section and s. 9, Art. IV of the State  
3426 Constitution, an agency, department, district, or unit of local  
3427 government may not adopt or enforce any ordinance, resolution,  
3428 regulation, rule, or policy regarding the best management  
3429 practices on land classified as agricultural land pursuant to s.  
3430 193.461.

3431 Section 100. For the purpose of incorporating the amendment  
3432 made by this act to section 193.461, Florida Statutes, in a  
3433 reference thereto, paragraph (a) of subsection (1) of section  
3434 582.19, Florida Statutes, is reenacted to read:

3435 582.19 Qualifications and tenure of supervisors.—

3436 (1) The governing body of the district shall consist of  
3437 five supervisors, elected as provided in s. 582.18.

3438 (a) To qualify to serve on the governing body of a  
3439 district, a supervisor must be an eligible voter who resides in  
3440 the district and who:

3441 1. Is actively engaged in, or retired after 10 years of  
3442 being engaged in, agriculture as defined in s. 570.02;

3443 2. Is employed by an agricultural producer; or

3444 3. Owns, leases, or is actively employed on land classified  
3445 as agricultural under s. 193.461.

3446 Section 101. For the purpose of incorporating the amendment  
3447 made by this act to section 193.461, Florida Statutes, in a  
3448 reference thereto, section 586.055, Florida Statutes, is  
3449 reenacted to read:

3450 586.055 Location of apiaries.—An apiary may be located on  
3451 land classified as agricultural under s. 193.461 or on land that

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3452 is integral to a beekeeping operation.

3453 Section 102. For the purpose of incorporating the amendment  
3454 made by this act to section 193.461, Florida Statutes, in  
3455 references thereto, paragraphs (a) and (d) of subsection (2) of  
3456 section 604.50, Florida Statutes, are reenacted to read:

3457 604.50 Nonresidential farm buildings; farm fences; farm  
3458 signs.—

3459 (2) As used in this section, the term:

3460 (a) "Bona fide agricultural purposes" has the same meaning  
3461 as provided in s. 193.461(3)(b).

3462 (d) "Nonresidential farm building" means any temporary or  
3463 permanent building or support structure that is classified as a  
3464 nonresidential farm building on a farm under s. 553.73(10)(c) or  
3465 that is used primarily for agricultural purposes, is located on  
3466 land that is an integral part of a farm operation or is  
3467 classified as agricultural land under s. 193.461, and is not  
3468 intended to be used as a residential dwelling. The term may  
3469 include, but is not limited to, a barn, greenhouse, shade house,  
3470 farm office, storage building, or poultry house.

3471 Section 103. For the purpose of incorporating the amendment  
3472 made by this act to section 193.461, Florida Statutes, in a  
3473 reference thereto, paragraph (b) of subsection (3) of section  
3474 604.73, Florida Statutes, is reenacted to read:

3475 604.73 Urban agriculture pilot projects; local regulation  
3476 of urban agriculture.—

3477 (3) DEFINITIONS.—As used in this section, the term:

3478 (b) "Urban agriculture" means any new or existing  
3479 noncommercial agricultural uses on land that is:

3480 1. Within a dense urban land area, as described in s.



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3481 380.0651(3)(a);

3482 2. Not classified as agricultural pursuant to s. 193.461;

3483 3. Not zoned as agricultural as its principal use; and

3484 4. Designated by a municipality for inclusion in an urban  
3485 agricultural pilot project that has been approved by the  
3486 department.

3487

3488 The term does not include vegetable gardens, as defined in s.  
3489 604.71(4), for personal consumption on residential properties.

3490 Section 104. For the purpose of incorporating the amendment  
3491 made by this act to section 193.461, Florida Statutes, in a  
3492 reference thereto, subsection (1) of section 692.201, Florida  
3493 Statutes, is reenacted to read:

3494 692.201 Definitions.—As used in this part, the term:

3495 (1) "Agricultural land" means land classified as  
3496 agricultural under s. 193.461.

3497 Section 105. For the purpose of incorporating the amendment  
3498 made by this act to section 193.461, Florida Statutes, in  
3499 references thereto, paragraph (a) of subsection (5) and  
3500 paragraph (a) of subsection (6) of section 741.30, Florida  
3501 Statutes, are reenacted to read:

3502 741.30 Domestic violence; injunction; powers and duties of  
3503 court and clerk; petition; notice and hearing; temporary  
3504 injunction; issuance of injunction; statewide verification  
3505 system; enforcement; public records exemption.—

3506 (5)(a) If it appears to the court that an immediate and  
3507 present danger of domestic violence exists, the court may grant  
3508 a temporary injunction ex parte, pending a full hearing, and may  
3509 grant such relief as the court deems proper, including an

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3510 injunction:

3511 1. Restraining the respondent from committing any acts of  
3512 domestic violence.

3513 2. Awarding to the petitioner the temporary exclusive use  
3514 and possession of the dwelling that the parties share or  
3515 excluding the respondent from the residence of the petitioner.

3516 3. On the same basis as provided in s. 61.13, providing the  
3517 petitioner a temporary parenting plan, including a time-sharing  
3518 schedule, which may award the petitioner up to 100 percent of  
3519 the time-sharing. If temporary time-sharing is awarded to the  
3520 respondent, the exchange of the child must occur at a neutral  
3521 safe exchange location as provided in s. 125.01(8) or a location  
3522 authorized by a supervised visitation program as defined in s.  
3523 753.01 if the court determines it is in the best interests of  
3524 the child after consideration of all of the factors specified in  
3525 s. 61.13(3). The temporary parenting plan remains in effect  
3526 until the order expires or an order is entered by a court of  
3527 competent jurisdiction in a pending or subsequent civil action  
3528 or proceeding affecting the placement of, access to, parental  
3529 time with, adoption of, or parental rights and responsibilities  
3530 for the minor child.

3531 4. If the petitioner and respondent have an existing  
3532 parenting plan or time-sharing schedule under another court  
3533 order, designating that the exchange of the minor child or  
3534 children of the parties must occur at a neutral safe exchange  
3535 location as provided in s. 125.01(8) or a location authorized by  
3536 a supervised visitation program as defined in s. 753.01 if the  
3537 court determines it is in the best interests of the child after  
3538 consideration of all of the factors specified in s. 61.13(3).

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3539           5. Awarding to the petitioner the temporary exclusive care,  
3540 possession, or control of an animal that is owned, possessed,  
3541 harbored, kept, or held by the petitioner, the respondent, or a  
3542 minor child residing in the residence or household of the  
3543 petitioner or respondent. The court may order the respondent to  
3544 temporarily have no contact with the animal and prohibit the  
3545 respondent from taking, transferring, encumbering, concealing,  
3546 harming, or otherwise disposing of the animal. This subparagraph  
3547 does not apply to an animal owned primarily for a bona fide  
3548 agricultural purpose, as defined under s. 193.461, or to a  
3549 service animal, as defined under s. 413.08, if the respondent is  
3550 the service animal's handler.

3551           (6) (a) Upon notice and hearing, when it appears to the  
3552 court that the petitioner is either the victim of domestic  
3553 violence as defined by s. 741.28 or has reasonable cause to  
3554 believe he or she is in imminent danger of becoming a victim of  
3555 domestic violence, the court may grant such relief as the court  
3556 deems proper, including an injunction:

3557           1. Restraining the respondent from committing any acts of  
3558 domestic violence.

3559           2. Awarding to the petitioner the exclusive use and  
3560 possession of the dwelling that the parties share or excluding  
3561 the respondent from the residence of the petitioner.

3562           3. On the same basis as provided in chapter 61, providing  
3563 the petitioner with 100 percent of the time-sharing in a  
3564 temporary parenting plan that remains in effect until the order  
3565 expires or an order is entered by a court of competent  
3566 jurisdiction in a pending or subsequent civil action or  
3567 proceeding affecting the placement of, access to, parental time

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3568 with, adoption of, or parental rights and responsibilities for  
3569 the minor child.

3570 4. If the petitioner and respondent have an existing  
3571 parenting plan or time-sharing schedule under another court  
3572 order, designating that the exchange of the minor child or  
3573 children of the parties must occur at a neutral safe exchange  
3574 location as provided in s. 125.01(8) or a location authorized by  
3575 a supervised visitation program as defined in s. 753.01 if the  
3576 court determines it is in the best interests of the child after  
3577 consideration of all of the factors specified in s. 61.13(3).

3578 5. On the same basis as provided in chapter 61,  
3579 establishing temporary support for a minor child or children or  
3580 the petitioner. An order of temporary support remains in effect  
3581 until the order expires or an order is entered by a court of  
3582 competent jurisdiction in a pending or subsequent civil action  
3583 or proceeding affecting child support.

3584 6. Ordering the respondent to participate in treatment,  
3585 intervention, or counseling services to be paid for by the  
3586 respondent. When the court orders the respondent to participate  
3587 in a batterers' intervention program, the court, or any entity  
3588 designated by the court, must provide the respondent with a list  
3589 of batterers' intervention programs from which the respondent  
3590 must choose a program in which to participate.

3591 7. Referring a petitioner to a certified domestic violence  
3592 center. The court must provide the petitioner with a list of  
3593 certified domestic violence centers in the circuit which the  
3594 petitioner may contact.

3595 8. Awarding to the petitioner the exclusive care,  
3596 possession, or control of an animal that is owned, possessed,

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3597 harbored, kept, or held by the petitioner, the respondent, or a  
3598 minor child residing in the residence or household of the  
3599 petitioner or respondent. The court may order the respondent to  
3600 have no contact with the animal and prohibit the respondent from  
3601 taking, transferring, encumbering, concealing, harming, or  
3602 otherwise disposing of the animal. This subparagraph does not  
3603 apply to an animal owned primarily for a bona fide agricultural  
3604 purpose, as defined under s. 193.461, or to a service animal, as  
3605 defined under s. 413.08, if the respondent is the service  
3606 animal's handler.

3607 9. Ordering such other relief as the court deems necessary  
3608 for the protection of a victim of domestic violence, including  
3609 injunctions or directives to law enforcement agencies, as  
3610 provided in this section.

3611 Section 106. For the purpose of incorporating the amendment  
3612 made by this act to section 193.461, Florida Statutes, in a  
3613 reference thereto, paragraph (a) of subsection (5) of section  
3614 810.011, Florida Statutes, is reenacted to read:

3615 810.011 Definitions.—As used in this chapter:

3616 (5) (a) "Posted land" is land upon which any of the  
3617 following are placed:

3618 1. Signs placed not more than 500 feet apart along and at  
3619 each corner of the boundaries of the land or, for land owned by  
3620 a water control district that exists pursuant to chapter 298 or  
3621 was created by special act of the Legislature, signs placed at  
3622 or near the intersection of any district canal right-of-way and  
3623 a road right-of-way or, for land classified as agricultural  
3624 pursuant to s. 193.461, signs placed at each point of ingress  
3625 and at each corner of the boundaries of the agricultural land,

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3626 which prominently display in letters of not less than 2 inches  
3627 in height the words "no trespassing" and the name of the owner,  
3628 lessee, or occupant of the land. The signs must be placed along  
3629 the boundary line of posted land in a manner and in such  
3630 position as to be clearly noticeable from outside the boundary  
3631 line; or

3632 2.a. A conspicuous no trespassing notice is painted on  
3633 trees or posts on the property, provided that the notice is:

3634 (I) Painted in an international orange color and displaying  
3635 the stenciled words "No Trespassing" in letters no less than 2  
3636 inches high and 1 inch wide either vertically or horizontally;

3637 (II) Placed so that the bottom of the painted notice is not  
3638 less than 3 feet from the ground or more than 5 feet from the  
3639 ground; and

3640 (III) Placed at locations that are readily visible to any  
3641 person approaching the property and no more than 500 feet apart  
3642 on agricultural land.

3643 b. When a landowner uses the painted no trespassing posting  
3644 to identify a no trespassing area, those painted notices must be  
3645 accompanied by signs complying with subparagraph 1. and must be  
3646 placed conspicuously at all places where entry to the property  
3647 is normally expected or known to occur.

3648 Section 107. For the purpose of incorporating the amendment  
3649 made by this act to section 193.461, Florida Statutes, in a  
3650 reference thereto, subsection (6) of section 823.14, Florida  
3651 Statutes, is reenacted to read:

3652 823.14 Florida Right to Farm Act.—

3653 (6) LIMITATION ON DUPLICATION OF GOVERNMENT REGULATION.—It  
3654 is the intent of the Legislature to eliminate duplication of

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3655 regulatory authority over farm operations as expressed in this  
3656 subsection. Except as otherwise provided for in this section and  
3657 s. 487.051(2), and notwithstanding any other provision of law, a  
3658 local government may not adopt any ordinance, regulation, rule,  
3659 or policy to prohibit, restrict, regulate, or otherwise limit an  
3660 activity of a bona fide farm operation on land classified as  
3661 agricultural land pursuant to s. 193.461, where such activity is  
3662 regulated through implemented best management practices or  
3663 interim measures developed by the Department of Environmental  
3664 Protection, the Department of Agriculture and Consumer Services,  
3665 or water management districts and adopted under chapter 120 as  
3666 part of a statewide or regional program. When an activity of a  
3667 farm operation takes place within a wellfield protection area as  
3668 defined in any wellfield protection ordinance adopted by a local  
3669 government, and the adopted best management practice or interim  
3670 measure does not specifically address wellfield protection, a  
3671 local government may regulate that activity pursuant to such  
3672 ordinance. This subsection does not limit the powers and duties  
3673 provided for in s. 373.4592 or limit the powers and duties of  
3674 any local government to address an emergency as provided for in  
3675 chapter 252.

3676 Section 108. For the purpose of incorporating the amendment  
3677 made by this act to section 388.271, Florida Statutes, in a  
3678 reference thereto, paragraph (a) of subsection (1) of section  
3679 189.062, Florida Statutes, is reenacted to read:

3680 189.062 Special procedures for inactive districts.—

3681 (1) The department shall declare inactive any special  
3682 district in this state by documenting that:

3683 (a) The special district meets one of the following

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3684 criteria:

3685 1. The registered agent of the district, the chair of the  
3686 governing body of the district, or the governing body of the  
3687 appropriate local general-purpose government notifies the  
3688 department in writing that the district has taken no action for  
3689 2 or more years;

3690 2. The registered agent of the district, the chair of the  
3691 governing body of the district, or the governing body of the  
3692 appropriate local general-purpose government notifies the  
3693 department in writing that the district has not had a governing  
3694 body or a sufficient number of governing body members to  
3695 constitute a quorum for 2 or more years;

3696 3. The registered agent of the district, the chair of the  
3697 governing body of the district, or the governing body of the  
3698 appropriate local general-purpose government fails to respond to  
3699 an inquiry by the department within 21 days;

3700 4. The department determines, pursuant to s. 189.067, that  
3701 the district has failed to file any of the reports listed in s.  
3702 189.066;

3703 5. The district has not had a registered office and agent  
3704 on file with the department for 1 or more years;

3705 6. The governing body of a special district provides  
3706 documentation to the department that it has unanimously adopted  
3707 a resolution declaring the special district inactive. The  
3708 special district is responsible for payment of any expenses  
3709 associated with its dissolution;

3710 7. The district is an independent special district or a  
3711 community redevelopment district created under part III of  
3712 chapter 163 that has reported no revenue, no expenditures, and



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3713 no debt under s. 189.016(9) or s. 218.32 for at least 5  
3714 consecutive fiscal years beginning no earlier than October 1,  
3715 2018. This subparagraph does not apply to a community  
3716 development district established under chapter 190 or to any  
3717 independent special district operating pursuant to a special act  
3718 that provides that any amendment to chapter 190 to grant  
3719 additional powers constitutes a power of that district; or

3720 8. For a mosquito control district created pursuant to  
3721 chapter 388, the department has received notice from the  
3722 Department of Agriculture and Consumer Services that the  
3723 district has failed to file a tentative work plan and tentative  
3724 detailed work plan budget as required by s. 388.271.

3725 Section 109. For the purpose of incorporating the amendment  
3726 made by this act to section 388.271, Florida Statutes, in a  
3727 reference thereto, subsection (7) of section 388.261, Florida  
3728 Statutes, is reenacted to read:

3729 388.261 State aid to counties and districts for arthropod  
3730 control; distribution priorities and limitations.—

3731 (7) The department may use state funds appropriated for a  
3732 county or district under subsection (1) or subsection (2) to  
3733 provide state mosquito or other arthropod control equipment,  
3734 supplies, or services when requested by a county or district  
3735 eligible to receive state funds under s. 388.271.

3736 Section 110. For the purpose of incorporating the amendment  
3737 made by this act to section 482.161, Florida Statutes, in a  
3738 reference thereto, paragraph (b) of subsection (3) of section  
3739 482.072, Florida Statutes, is reenacted to read:

3740 482.072 Pest control customer contact centers.—

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3742 (b) Notwithstanding any other provision of this section:

3743 1. A customer contact center licensee is subject to  
3744 disciplinary action under s. 482.161 for a violation of this  
3745 section or a rule adopted under this section committed by a  
3746 person who solicits pest control services or provides customer  
3747 service in a customer contact center.

3748 2. A pest control business licensee may be subject to  
3749 disciplinary action under s. 482.161 for a violation of this  
3750 section or a rule adopted under this section committed by a  
3751 person who solicits pest control services or provides customer  
3752 service in a customer contact center operated by a licensee if  
3753 the licensee participates in the violation.

3754 Section 111. For the purpose of incorporating the amendment  
3755 made by this act to section 482.161, Florida Statutes, in a  
3756 reference thereto, section 482.163, Florida Statutes, is  
3757 reenacted to read:

3758 482.163 Responsibility for pest control activities of  
3759 employee.—Proper performance of pest control activities by a  
3760 pest control business employee is the responsibility not only of  
3761 the employee but also of the certified operator in charge, and  
3762 the certified operator in charge may be disciplined pursuant to  
3763 the provisions of s. 482.161 for the pest control activities of  
3764 an employee. A licensee may not automatically be considered  
3765 responsible for violations made by an employee. However, the  
3766 licensee may not knowingly encourage, aid, or abet violations of  
3767 this chapter.

3768 Section 112. For the purpose of incorporating the amendment  
3769 made by this act to section 487.044, Florida Statutes, in a  
3770 reference thereto, section 487.156, Florida Statutes, is

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3771 reenacted to read:

3772       487.156 Governmental agencies.—All governmental agencies  
3773 shall be subject to the provisions of this part and rules  
3774 adopted under this part. Public applicators using or supervising  
3775 the use of restricted-use pesticides shall be subject to  
3776 examination as provided in s. 487.044.

3777       Section 113. For the purpose of incorporating the amendment  
3778 made by this act to section 496.405, Florida Statutes, in a  
3779 reference thereto, subsection (2) of section 496.4055, Florida  
3780 Statutes, is reenacted to read:

3781       496.4055 Charitable organization or sponsor board duties.—

3782       (2) The board of directors, or an authorized committee  
3783 thereof, of a charitable organization or sponsor required to  
3784 register with the department under s. 496.405 shall adopt a  
3785 policy regarding conflict of interest transactions. The policy  
3786 shall require annual certification of compliance with the policy  
3787 by all directors, officers, and trustees of the charitable  
3788 organization. A copy of the annual certification shall be  
3789 submitted to the department with the annual registration  
3790 statement required by s. 496.405.

3791       Section 114. For the purpose of incorporating the amendment  
3792 made by this act to section 496.405, Florida Statutes, in  
3793 references thereto, subsections (2) and (4) of section 496.406,  
3794 Florida Statutes, are reenacted to read:

3795       496.406 Exemption from registration.—

3796       (2) Before soliciting contributions, a charitable  
3797 organization or sponsor claiming to be exempt from the  
3798 registration requirements of s. 496.405 under paragraph (1) (d)  
3799 must submit annually to the department, on forms prescribed by

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3800 the department:

3801 (a) The name, street address, and telephone number of the  
3802 charitable organization or sponsor, the name under which it  
3803 intends to solicit contributions, the purpose for which it is  
3804 organized, and the purpose or purposes for which the  
3805 contributions to be solicited will be used.

3806 (b) The tax exempt status of the organization.

3807 (c) The date on which the organization's fiscal year ends.

3808 (d) The names, street addresses, and telephone numbers of  
3809 the individuals or officers who have final responsibility for  
3810 the custody of the contributions and who will be responsible for  
3811 the final distribution of the contributions.

3812 (e) A financial statement of support, revenue, and expenses  
3813 and a statement of functional expenses that must include, but  
3814 not be limited to, expenses in the following categories:  
3815 program, management and general, and fundraising. In lieu of the  
3816 financial statement, a charitable organization or sponsor may  
3817 submit a copy of its Internal Revenue Service Form 990 and all  
3818 attached schedules or Internal Revenue Service Form 990-EZ and  
3819 Schedule O.

3820 (4) Exemption from the registration requirements of s.  
3821 496.405 does not limit the applicability of other provisions of  
3822 this section to a charitable organization or sponsor.

3823 Section 115. For the purpose of incorporating the amendment  
3824 made by this act to section 500.12, Florida Statutes, in a  
3825 reference thereto, paragraph (a) of subsection (1) of section  
3826 500.80, Florida Statutes, is reenacted to read:

3827 500.80 Cottage food operations.—

3828 (1) (a) A cottage food operation must comply with the

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3829 applicable requirements of this chapter but is exempt from the  
3830 permitting requirements of s. 500.12 if the cottage food  
3831 operation complies with this section and has annual gross sales  
3832 of cottage food products that do not exceed \$250,000.

3833 Section 116. For the purpose of incorporating the amendment  
3834 made by this act to section 500.172, Florida Statutes, in a  
3835 reference thereto, subsection (6) of section 500.121, Florida  
3836 Statutes, is reenacted to read:

3837 500.121 Disciplinary procedures.—

3838 (6) If the department determines that a food offered in a  
3839 food establishment is labeled with nutrient claims that are in  
3840 violation of this chapter, the department shall retest or  
3841 reexamine the product within 90 days after notification to the  
3842 manufacturer and to the firm at which the product was collected.  
3843 If the product is again found in violation, the department shall  
3844 test or examine the product for a third time within 60 days  
3845 after the second notification. The product manufacturer shall  
3846 reimburse the department for the cost of the third test or  
3847 examination. If the product is found in violation for a third  
3848 time, the department shall exercise its authority under s.  
3849 500.172 and issue a stop-sale or stop-use order. The department  
3850 may impose additional sanctions for violations of this  
3851 subsection.

3852 Section 117. For the purpose of incorporating the amendment  
3853 made by this act to section 790.06, Florida Statutes, in a  
3854 reference thereto, section 790.061, Florida Statutes, is  
3855 reenacted to read:

3856 790.061 Judges and justices; exceptions from licensure  
3857 provisions.—A county court judge, circuit court judge, district

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3858 court of appeal judge, justice of the supreme court, federal  
3859 district court judge, or federal court of appeals judge serving  
3860 in this state is not required to comply with the provisions of  
3861 s. 790.06 in order to receive a license to carry a concealed  
3862 weapon or firearm, except that any such justice or judge must  
3863 comply with the provisions of s. 790.06(2)(h). The Department of  
3864 Agriculture and Consumer Services shall issue a license to carry  
3865 a concealed weapon or firearm to any such justice or judge upon  
3866 demonstration of competence of the justice or judge pursuant to  
3867 s. 790.06(2)(h).

3868 Section 118. This act shall take effect July 1, 2025.