

**By** the Appropriations Committee on Agriculture, Environment, and General Government; the Committee on Agriculture; and Senator Truenow

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1                   A bill to be entitled  
2           An act relating to the Department of Agriculture and  
3           Consumer Services; amending s. 110.205, F.S.;  
4           providing that certain positions in the department are  
5           exempt from the Career Service System; amending s.  
6           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 Services 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; creating s. 570.831, F.S.; requiring the  
364 Cattle Enhancement Board, Inc., in coordination with  
365 the department, to establish a Florida beef marketing  
366 program, subject to appropriation; providing a purpose  
367 for such program; amending s. 581.1843, F.S.; deleting  
368 provisions that exclude certain citrus nurseries from  
369 certain requirements; deleting provisions relating to  
370 regulated areas around the perimeter of commercial  
371 citrus nurseries; repealing ss. 593.101, 593.102,  
372 593.103, 593.104, 593.105, 593.106, 593.107, 593.108,  
373 593.109, 593.11, 593.111, 593.112, 593.113, 593.114,  
374 593.1141, 593.1142, 593.115, 593.116, and 593.117,  
375 F.S., relating to the Florida Boll Weevil Eradication  
376 Law; definitions; powers and duties of Department of  
377 Agriculture and Consumer Services; the entry of

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

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

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

463 prohibiting a local government from adopting any  
464 measure to limit the activities of public educational



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465 facilities or auxiliary facilities constructed by  
466 certain organizations; requiring that lands used for  
467 agricultural education or for the Future Farmers of  
468 America or 4-H activities be considered agricultural  
469 lands; reenacting s. 295.07(5)(a), F.S., relating to  
470 preference in appointment and retention, to  
471 incorporate the amendment made to s. 110.205, F.S., in  
472 a reference thereto; reenacting ss. 189.062(1)(a) and  
473 388.261(7), F.S., relating to special procedures for  
474 inactive districts and state aid to counties and  
475 districts for arthropod control, respectively, to  
476 incorporate the amendment made to s. 388.271, F.S., in  
477 references thereto; reenacting ss. 482.072(3)(b) and  
478 482.163, F.S., relating to pest control customer  
479 contact centers and responsibility for pest control  
480 activities of employee, respectively, to incorporate  
481 the amendment made to s. 482.161, F.S., in references  
482 thereto; reenacting s. 487.156, F.S., relating to  
483 governmental agencies, to incorporate the amendment  
484 made to s. 487.044, F.S., in a reference thereto;  
485 reenacting ss. 496.4055(2) and 496.406(2) and (4),  
486 F.S., relating to charitable organization or sponsor  
487 board duties and exemption from registration,  
488 respectively, to incorporate the amendment made to s.  
489 496.405, F.S., in references thereto; reenacting s.  
490 500.80(1)(a), F.S., relating to cottage food  
491 operations, to incorporate the amendment made to s.  
492 500.12, F.S., in a reference thereto; reenacting s.  
493 500.121(6), F.S., relating to disciplinary procedures,

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

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

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

504 110.205 Career service; exemptions.—

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

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

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

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

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

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

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

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

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

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

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

543 Section 2. Present paragraphs (a) through (d) of subsection  
544 (2) of section 163.3162, Florida Statutes, are redesignated as  
545 paragraphs (b) through (e), respectively, new paragraph (a) and  
546 paragraphs (f) and (g) are added to that subsection, and  
547 subsections (5), (6), and (7) are added to that section, to  
548 read:

549 163.3162 Agricultural Lands and Practices.—

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

551 (a) "Department" means the Department of Agriculture and

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552 Consumer Services.

553 (f) "Housing site" means the totality of development  
554 supporting authorized housing, including buildings, mobile  
555 homes, barracks, dormitories used as living quarters, parking  
556 areas, common areas such as athletic fields or playgrounds,  
557 storage structures, and other related structures.

558 (g) "Legally verified agricultural worker" means a person  
559 who:

560 1. Is lawfully present in the United States;

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

563 3. Has been verified through the process provided in s.  
564 448.095(2) and is authorized to work at the time of employment;

565 4. Is seasonally or annually employed in bona fide  
566 agricultural production;

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

569 6. Is not an unauthorized alien as defined in s.  
570 448.095(1).

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

572 (a) A governmental entity may not adopt or enforce any  
573 legislation, regulation, or ordinance to inhibit the  
574 construction or installation of housing for legally verified  
575 agricultural workers on land classified as agricultural land  
576 pursuant to s. 193.461 which is operated as a bona fide farm  
577 except as provided in this subsection.

578 (b) Construction or installation of housing units for  
579 legally verified agricultural workers on parcels of land  
580 classified as agricultural land under s. 193.461 must satisfy

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581 all of the following criteria:

582 1. The dwelling units must meet federal, state, and local  
583 building standards, including standards of the Department of  
584 Health adopted pursuant to ss. 381.008-381.00897 and federal  
585 standards for H-2A visa housing. If written notice of intent is  
586 required to be submitted to the Department of Health pursuant to  
587 s. 381.0083, the appropriate governmental entity with  
588 jurisdiction over the agricultural lands may also require  
589 submittal of a copy of the written notice.

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

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

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

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

602 6. A housing site must be located at least 100 feet from a  
603 property line adjacent to property zoned for residential use. If  
604 the housing site is located less than 250 feet from any property  
605 line, screening must be provided between the housing site and  
606 any residentially developed adjacent parcels that are under  
607 different ownership. The screening may be designed in any of the  
608 following ways:

609 a. Evergreen plants that, at the time of planting, are at

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610 least 6 feet in height and provide an overall screening opacity  
611 of 75 percent;

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

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

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

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

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

626 (c) Any local ordinance adopted pursuant to this subsection  
627 must comply with all state and federal regulations for migrant  
628 farmworker housing, as applicable, including rules adopted by  
629 the Department of Health pursuant to ss. 381.008-381.00897 and  
630 federal regulations under the Migrant and Seasonal Agricultural  
631 Worker Protection Act or the H-2A visa program. A governmental  
632 entity may adopt local government land use regulations that are  
633 less restrictive than this subsection, but which still meet  
634 regulations established by the Department of Health pursuant to  
635 ss. 381.008-381.00897 and federal regulations under the Migrant  
636 and Seasonal Agricultural Worker Protection Act or the H-2A visa  
637 program. An ordinance adopted pursuant to this paragraph may not  
638 conflict with the definition and requirements of a legally

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639 verified agricultural worker.

640 (d) Beginning July 1, 2025, a property owner must maintain  
641 records of all approved permits, including successor permits,  
642 for migrant labor camps or residential migrant housing as  
643 required under s. 381.0081. A property owner must maintain such  
644 records for at least 3 years and make the records available for  
645 inspection within 14 days after receipt of a request for records  
646 by a governmental entity.

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

649 1. If, for any reason, a housing site is not being used for  
650 legally verified agricultural workers for longer than 365 days,  
651 any structure used as living quarters must be removed from the  
652 housing site within 180 days after receipt of written  
653 notification from the county unless the property owner can  
654 demonstrate that use of the site for housing legally verified  
655 agricultural workers will occur within 90 days after the written  
656 notification.

657 2. If the property on which the housing site is located  
658 ceases to be classified as agricultural land pursuant to s.  
659 193.461.

660 3. If the permit authorized by the Department of Health for  
661 the housing site is revoked, all structures must be removed from  
662 the housing site within 180 days after receipt of written  
663 notification from the county unless the permit is reinstated by  
664 the Department of Health.

665 4. If a housing site is found to be occupied by any person  
666 who does not meet the definition of a legally verified  
667 agricultural worker, or is otherwise unlawfully present in the

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668 United States. A property owner who violates this subparagraph  
669 is subject to a Class I fine pursuant to s. 570.971, not to  
670 exceed \$1,000, for the first violation, and a Class II fine, not  
671 to exceed \$5,000, for any subsequent violations. The fines shall  
672 be collected by the clerk of the court of the county in which  
673 the violation occurred.

674 (f) Notwithstanding this subsection, the construction or  
675 installation of housing for legally verified agricultural  
676 workers in the Florida Keys Area of Critical State Concern or  
677 the City of Key West Area of Critical State Concern is subject  
678 to the permit allocation systems of the Florida Keys Area of  
679 Critical State Concern or City of Key West Area of Critical  
680 State Concern, respectively.

681 (g) A housing site that was constructed and in use before  
682 July 1, 2024, may continue to be used, and the property owner  
683 may not be required by a governmental entity to make changes to  
684 meet the requirements of this subsection, unless the housing  
685 site will be enlarged, remodeled, renovated, or rehabilitated.  
686 The property owner of a housing site authorized under this  
687 paragraph must provide regular maintenance and repair, including  
688 compliance with health and safety regulations and maintenance  
689 standards, for such housing site to ensure the health, safety,  
690 and habitability of the housing site.

691 (6) DATA COLLECTION.—The department shall adopt rules  
692 providing for:

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



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

699  
700 Government entities shall provide this information quarterly to  
701 the department in a format and timeframe prescribed by rule.

702 (7) ENFORCEMENT.—

703 (a) In addition to the enforcement methods of employment  
704 verification outlined in s. 448.095, the department shall  
705 enforce the requirements of subsection (5). Enforcement includes  
706 completing routine inspections based on a random sample of data  
707 collected by government entities and submitted to the  
708 department, the investigation and review of complaints, and the  
709 enforcement of violations.

710 (b) The department shall submit the information collected  
711 to the State Board of Immigration Enforcement on a quarterly  
712 basis, except that the first quarter shall begin 60 days after  
713 the first quarterly data report under subsection (6) by a  
714 government entity is received and reviewed by the department.

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

717 201.25 Tax exemptions for certain loans.—There shall be  
718 exempt from all taxes imposed by this chapter:

719 (3) Any loan made by the Agriculture and Aquaculture  
720 Producers Emergency Natural Disaster Recovery Loan Program  
721 pursuant to s. 570.822.

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

724 253.0341 Surplus of state-owned lands.—

725 (19) Notwithstanding any other law or rule, the Department

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726 of Agriculture and Consumer Services may surplus lands acquired  
727 pursuant to s. 366.20 which are determined to be suitable for  
728 bona fide agricultural production, as defined in s. 193.461. The  
729 Department of Agriculture and Consumer Services shall consult  
730 with the Department of Environmental Protection in the process  
731 of making such determination. In the event that lands acquired  
732 pursuant to s. 366.20, which are determined to be suitable for  
733 bona fide agricultural production are surplusd, the Department  
734 of Agriculture and Consumer Services must retain a rural-lands-  
735 protection easements pursuant to s. 570.71(3), and all proceeds  
736 must be deposited into the Incidental Trust Fund within the  
737 Department of Agriculture and Consumer Services for less than  
738 fee simple land acquisition pursuant to ss. 570.71 and 570.715.  
739 By January 1, 2026, and each January 1 thereafter, the  
740 Department of Agriculture and Consumer Services shall provide a  
741 report of lands surplusd pursuant to this subsection to the  
742 board.

743 (a) Any lands designated as a state forest, state park, or  
744 wildlife management area are ineligible to be surplusd pursuant  
745 to this subsection.

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

747 Section 5. Present paragraphs (a) through (d) and (e) of  
748 subsection (2) and subsection (6) of section 330.41, Florida  
749 Statutes, are redesignated as paragraphs (b) through (e) and (j)  
750 of subsection (2) and subsection (8), respectively, new  
751 paragraphs (a) and (f) and paragraphs (g), (h), and (i) are  
752 added to subsection (2) and new subsection (6) and subsection  
753 (7) are added to that section, and paragraph (d) of subsection  
754 (4) of that section is amended, to read:

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755 330.41 Unmanned Aircraft Systems Act.—

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

757 (a) "Commercial property" means real property other than  
758 residential property. The term includes, but is not limited to,  
759 a property zoned multifamily residential which is comprised of  
760 five or more dwelling units, and real property used for  
761 commercial, industrial, or agricultural purposes.

762 (f) "Private property" means any residential or commercial  
763 property.

764 (g) "Property owner" means the owner or owners of record of  
765 real property. The term includes real property held in trust for  
766 the benefit of one or more individuals, in which case the  
767 individual or individuals may be considered as the property  
768 owner or owners, provided that the trustee provides written  
769 consent. The term does not include persons renting, using,  
770 living, or otherwise occupying real property.

771 (h) "Residential property" means real property zoned as  
772 residential or multifamily residential and composed of four or  
773 fewer dwelling units.

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

776 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

781 (6) PROTECTION OF AGRICULTURAL LANDS.—

782 (a) A person may not knowingly or willfully do any of the  
783 following on lands classified as agricultural lands pursuant to

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784 s. 193.461:

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

787 2. Allow a drone to come within a distance close enough to  
788 such lands to interfere with or cause a disturbance to  
789 agricultural production.

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

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

797 1. The owner of the agricultural lands, or a person acting  
798 under the prior written consent of the owner of the agricultural  
799 lands.

800 2. A person or entity acting in compliance with the  
801 provisions of s. 934.50.

802 (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING  
803 LANDS.—

804 (a) A person may not knowingly or willfully allow a drone  
805 to make contact with private property, state wildlife management  
806 lands, or a sport shooting and training range or any person or  
807 object on the premises of or within such property with the  
808 intent to harass.

809 (b) A person who violates paragraph (a) commits a  
810 misdemeanor of the second degree, punishable as provided in s.  
811 775.082 or s. 775.083. A person who commits a second or  
812 subsequent violation commits a misdemeanor of the first degree,

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813 punishable as provided in s. 775.082 or s. 775.083.

814 (c) A person who violates paragraph (a) and records video  
815 of the private property, state wildlife management lands, or  
816 sport shooting and training range, including any person or  
817 object on the premises of or within the private property, state  
818 wildlife management lands, or sport shooting and training range,  
819 commits a misdemeanor of the first degree, punishable as  
820 provided in s. 775.082 or s. 775.083. A person who commits a  
821 second or subsequent violation commits a felony of the third  
822 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
823 775.084.

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

826 1. The property owner of the private property or sport  
827 shooting and training range, or a person acting under the prior  
828 written consent of the property owner.

829 2. A person or entity acting in compliance with the  
830 provisions of s. 934.50.

831 Section 6. Section 366.20, Florida Statutes, is created to  
832 read:

833 366.20 Sale and management of lands owned by electric  
834 utilities.—

835 (1) Lands acquired by an electric utility as defined in s.  
836 361.11(2) which have been classified as agricultural lands  
837 pursuant to s. 193.461 at any time in the 5 years preceding the  
838 acquisition of the land by the electric utility must be offered  
839 for fee simple acquisition by the Department of Agriculture and  
840 Consumer Services before offering for sale or transferring the  
841 land to a private individual or entity.

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842       (2) Lands owned by an electric utility as defined in s.  
843 361.11(2) which were classified as agricultural lands pursuant  
844 to s. 193.461 at any time in the 5 years preceding the date of  
845 acquisition of the land by the electric utility must be offered  
846 for fee simple acquisition by the Department of Agriculture and  
847 Consumer Services before offering for sale or transferring the  
848 land to a private individual or entity.

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

850       Section 7. Present subsections (3) and (4) of section  
851 366.94, Florida Statutes, are redesignated as subsections (4)  
852 and (5), respectively, a new subsection (3) is added to that  
853 section, and subsection (2) of that section is amended, to read:

854       366.94 Electric vehicle charging.—

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

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

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

868       (b) The department may adopt rules to protect the public  
869 health, safety, and welfare and establish standards for the  
870 placement, design, installation, maintenance, and operation of

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871 electric vehicle charging stations.

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

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

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

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

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

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

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

905 Section 8. Present subsections (10) and (11) of section  
906 388.011, Florida Statutes, are redesignated as subsections (11)  
907 and (12), respectively, a new subsection (10) is added to that  
908 section, and subsections (2) and (5) of that section are  
909 amended, to read:

910 388.011 Definitions.—As used in this chapter:

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

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

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

921 Section 9. Section 388.021, Florida Statutes, is amended to  
922 read:

923 388.021 Creation of mosquito control special districts.—

924 (1) The abatement or suppression of arthropods, whether  
925 disease-bearing or merely pestiferous, within any or all  
926 counties of this state is advisable and necessary for the  
927 maintenance and betterment of the comfort, health, and welfare  
928 of the people thereof and is found and declared to be for public



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929 purposes. Areas where arthropods incubate, hatch, or occur in  
930 significant numbers so as to constitute a public health,  
931 welfare, or nuisance problem may be controlled or abated as  
932 provided in this chapter or the rules promulgated hereunder.  
933 Therefore, any municipality ~~city~~, town, or county, or any  
934 portion or portions thereof, whether such portion or portions  
935 include incorporated territory or portions of two or more  
936 counties in the state, may be created into a special taxing  
937 district for the control of arthropods under the provisions of  
938 this chapter.

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

945 Section 10. Section 388.181, Florida Statutes, is amended  
946 to read:

947 388.181 Power to do all things necessary.—The respective  
948 programs ~~districts~~ of the state are hereby fully authorized to  
949 do and perform all things necessary to carry out the intent and  
950 purposes of this law.

951 Section 11. Subsections (1), (2), (4), and (5) of section  
952 388.201, Florida Statutes, are amended to read:

953 388.201 Program ~~District~~ budgets; hearing.—

954 (1) The fiscal year of programs ~~districts~~ operating under  
955 ~~the provisions of~~ this chapter shall be the 12-month period  
956 extending from October 1 of one year through September 30 of the  
957 following year. The governing board of the programs ~~district~~

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958 shall before July 15 of each year complete the preparation of a  
959 tentative detailed work plan budget covering its proposed  
960 operations and requirements for arthropod control measures  
961 during the ensuing fiscal year and, for the purpose of  
962 determining eligibility for state aid, shall submit copies as  
963 may be required to the department for review and approval. The  
964 tentative detailed work plan budget must ~~shall~~ set forth,  
965 classified by account number, title and program items, and by  
966 fund from which to be paid, the proposed expenditures of the  
967 program ~~district~~ for construction, for acquisition of land, and  
968 other purposes, for the operation and maintenance of the  
969 program's ~~district's~~ works, the conduct of the program ~~district~~  
970 generally, to which may be added an amount to be held as a  
971 reserve.

972 (2) The tentative detailed work plan budget must ~~shall~~ also  
973 show the estimated amount which will appear at the beginning of  
974 the fiscal year as obligated upon commitments made but  
975 uncompleted, and ~~There shall be shown~~ the estimated unobligated or  
976 net balance which will be on hand at the beginning of the fiscal  
977 year, and the estimated amount to be raised by county,  
978 municipality, or district taxes and from any and all other  
979 sources for meeting the program's ~~the district's~~ requirements.

980 (4) The governing board shall:

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

984 (b) ~~Shall~~ By September 30, and adopt and execute on a form  
985 furnished by the department a certified budget for the programs  
986 ~~district~~ which shall be the operating and fiscal guide for the

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987 program district. Certified copies of this budget must ~~shall~~ be  
988 submitted by September 30 to the department for approval.

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

995 Section 12. Section 388.241, Florida Statutes, is amended  
996 to read:

997 388.241 Board of county commissioners vested with powers  
998 and duties of board of commissioners in certain counties.—In  
999 those counties or cities where there has been no formation of a  
1000 separate or special board of commissioners, all the rights,  
1001 powers, and duties of a board of commissioners as conferred in  
1002 this chapter shall be vested in the board of county  
1003 commissioners or similar governing body of said county or city.

1004 Section 13. Section 388.261, Florida Statutes, is amended  
1005 to read:

1006 388.261 State aid to counties, municipalities, and  
1007 districts for arthropod control; distribution priorities and  
1008 limitations.—

1009 (1) A county, municipality, or district may, without  
1010 contributing matching funds, receive state funds, supplies,  
1011 services, or equipment in an amount of no more than \$75,000  
1012 ~~\$50,000~~ per year for up to 3 years for any new program for the  
1013 control of mosquitoes and other arthropods which serves an area  
1014 not previously served by the county, municipality, or district.  
1015 These funds may be expended for any and all types of control

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1016 measures approved by the department.

1017 (2) Every county, municipality, or district budgeting local  
1018 funds to be used exclusively for the control of mosquitoes and  
1019 other arthropods, under a plan submitted by the county,  
1020 municipality, or district and approved by the department, is  
1021 eligible to receive state funds and supplies, services, and  
1022 equipment on a dollar-for-dollar matching basis to the amount of  
1023 local funds budgeted. If state funds appropriated by the  
1024 Legislature are insufficient to grant each county, municipality,  
1025 or district state funds on a dollar-for-dollar matching basis to  
1026 the amount budgeted in local funds, the department must ~~shall~~  
1027 distribute the funds as prescribed by rule. Such rules must  
1028 ~~shall~~ provide for up to 80 percent of the funds to be  
1029 distributed to programs with local funds for mosquito control  
1030 budgets of less than \$1 million, if the county, municipality, or  
1031 district meets the eligibility requirements. The funds must  
1032 ~~shall~~ be distributed as equally as possible within the category  
1033 of counties pursuant to this section. The remaining funds must  
1034 ~~shall~~ be distributed as prescribed by rule among the remaining  
1035 counties to support mosquito control and to support research,  
1036 education, and outreach.

1037 (3) Every county shall be limited to receive a total of  
1038 \$120,000 of state funds, exclusive of state funds brought  
1039 forward, during any one year.

1040 (4) Up to 20 percent of the annual funds appropriated to  
1041 local governments for arthropod control may be used for  
1042 arthropod control research or demonstration projects as approved  
1043 by the department.

1044 (5) If more than one program ~~local mosquito control agency~~

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1045 exists in a county or municipality, the funds must ~~shall~~ be  
1046 prorated between the programs ~~agencies~~ based on the population  
1047 served by each program ~~agency~~.

1048 (6) The Commissioner of Agriculture may exempt counties,  
1049 municipalities, or districts from the requirements in subsection  
1050 (1), subsection (2), or subsection (3) when the department  
1051 determines state funds, supplies, services, or equipment are  
1052 necessary for the immediate control of mosquitoes and other  
1053 arthropods that pose a threat to human or animal health.

1054 (7) The department may use state funds appropriated for a  
1055 county, municipality, or district under subsection (1) or  
1056 subsection (2) to provide state mosquito or other arthropod  
1057 control equipment, supplies, or services when requested by a  
1058 county, municipality, or district eligible to receive state  
1059 funds under s. 388.271.

1060 (8) The department is authorized to use up to 5 percent of  
1061 the funds appropriated annually by the Legislature under this  
1062 section to provide technical assistance to the counties,  
1063 municipalities, or districts, or to purchase equipment,  
1064 supplies, or services necessary to administer the provisions of  
1065 this chapter.

1066 Section 14. Subsections (1) and (2) of section 388.271,  
1067 Florida Statutes, are amended to read:

1068 388.271 Prerequisites to participation.—

1069 (1) When state funds are involved, it is the duty of the  
1070 department to guide, review, approve, and coordinate the  
1071 activities of all county and municipal governments and special  
1072 districts receiving state funds in furtherance of the goal of  
1073 integrated arthropod control. Each program ~~county~~ eligible to

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1074 participate may, and each district must, begin participation on  
1075 October 1 of any year by filing with the department not later  
1076 than July 15 a tentative integrated arthropod management plan  
1077 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for  
1078 the control of arthropods. Following approval of the plan and  
1079 budget by the department, a copy ~~two copies~~ of the program's  
1080 ~~county's or district's~~ certified budget based on the approved  
1081 integrated arthropod management ~~work plan~~ and detailed ~~work plan~~  
1082 budget must ~~shall~~ be submitted to the department by September 30  
1083 following. State funds, supplies, and services must ~~shall~~ be  
1084 made available to such program ~~county or district~~ by and through  
1085 the department ~~immediately~~ upon release of funds by the  
1086 Executive Office of the Governor.

1087 (2) All purchases of supplies, materials, and equipment by  
1088 programs ~~counties or districts~~ shall be made in accordance  
1089 with the laws governing purchases by boards of county  
1090 commissioners or similar governing bodies, except that programs  
1091 ~~districts~~ with special laws relative to competitive bidding  
1092 shall make purchases in accordance therewith.

1093 Section 15. Subsections (1) and (3) of section 388.281,  
1094 Florida Statutes, are amended to read:

1095 388.281 Use of state matching funds.—

1096 (1) All funds, supplies, and services released to programs  
1097 ~~counties and districts~~ hereunder must ~~shall~~ be used in  
1098 accordance with the integrated arthropod management ~~detailed~~  
1099 ~~work plan~~ and certified budget approved by both the department  
1100 and the board of county commissioners or an appropriate  
1101 representative ~~county or district~~. The integrated arthropod  
1102 management plan and budget may be amended at any time upon prior

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1103 approval of the department.

1104 (3) In any program ~~county or district~~ where the arthropod  
1105 problem has been eliminated, or reduced to such an extent that  
1106 it does not constitute a health, comfort, or economic problem as  
1107 determined by the department, the maximum amount of state funds  
1108 available under this chapter shall be reduced to the amount  
1109 necessary to meet actual need.

1110 Section 16. Subsections (1) and (2) of section 388.291,  
1111 Florida Statutes, are amended to read:

1112 388.291 Source reduction measures; supervision by  
1113 department.-

1114 (1) Any program ~~county or district~~ may perform source  
1115 reduction measures in conformity with good engineering practices  
1116 in any area, provided that the department cooperating with the  
1117 county, municipality, or district has approved the operating or  
1118 construction plan as outlined in the integrated arthropod  
1119 management plan and that it has been determined by criteria  
1120 contained in rule that the area or areas to be controlled would  
1121 produce arthropods in significant numbers to constitute a health  
1122 or nuisance problem.

1123 (2) The program ~~county or district~~ shall manage the  
1124 detailed business affairs and supervise the ~~said~~ work, and the  
1125 department shall advise the programs ~~districts~~ as to the best  
1126 and most effective measures to be used in bringing about better  
1127 temporary control and the permanent elimination of breeding  
1128 conditions. The department may at its discretion discontinue any  
1129 state aid provided hereunder in the event it finds the jointly  
1130 agreed upon program is not being followed or is not efficiently  
1131 and effectively administered.

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1132 Section 17. Section 388.301, Florida Statutes, is amended  
1133 to read:

1134 388.301 Payment of state funds; supplies and services.—  
1135 State funds shall be payable ~~quarterly~~, in accordance with the  
1136 rules of the department, upon requisition by the department to  
1137 the Chief Financial Officer. The department is authorized to  
1138 furnish insecticides, chemicals, materials, equipment, vehicles,  
1139 and personnel in lieu of state funds where mass purchasing may  
1140 save funds for the state, or where it would be more practical  
1141 and economical to use equipment, supplies, and services between  
1142 two or more programs ~~counties or districts~~.

1143 Section 18. Section 388.311, Florida Statutes, is amended  
1144 to read:

1145 388.311 Carry over of state funds and local funds.—State  
1146 and local funds budgeted for the control of mosquitoes and other  
1147 arthropods shall be carried over at the end of the program's  
1148 ~~county or district's~~ fiscal year, and rebudgeted for such  
1149 control measures the following fiscal year.

1150 Section 19. Section 388.321, Florida Statutes, is amended  
1151 to read:

1152 388.321 Equipment to become property of a program ~~the~~  
1153 ~~county or district~~.—All equipment purchased under this chapter  
1154 with state funds made available directly to a program ~~the county~~  
1155 ~~or district~~ shall become the property of the program ~~county or~~  
1156 ~~district~~ unless otherwise provided, and may be traded in on  
1157 other equipment, or sold, when no longer needed by the program  
1158 ~~county or district~~.

1159 Section 20. Section 388.322, Florida Statutes, is amended  
1160 to read:



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1161           388.322 Record and inventory of certain property.—A record  
1162 and inventory of certain property purchased with state funds for  
1163 arthropod control use owned by the program must ~~district shall~~  
1164 be maintained in accordance with s. 274.02.

1165           Section 21. Section 388.323, Florida Statutes, is amended  
1166 to read:

1167           388.323 Disposal of surplus property.—Surplus property  
1168 shall be disposed of according to the provisions set forth in s.  
1169 274.05 with the following exceptions:

1170           (1) Serviceable equipment purchased using state funds for  
1171 arthropod control use no longer needed by a program must ~~county~~  
1172 ~~or district shall~~ first be offered to any ~~or all~~ other programs  
1173 ~~counties or districts~~ engaged in arthropod control at a price  
1174 established by the board of commissioners owning the equipment.

1175           (2) The alternative procedure for disposal of surplus  
1176 property, as prescribed in s. 274.06, must ~~shall~~ be followed if  
1177 it is determined that no other program ~~county or district~~  
1178 engaged in arthropod control has need for the equipment.

1179           (3) All proceeds from the sale of any real or tangible  
1180 personal property owned by the program and purchased using state  
1181 funds ~~county or district~~ shall be deposited in the program's  
1182 ~~county's or district's~~ state fund account unless otherwise  
1183 specifically designated by the department.

1184           Section 22. Section 388.341, Florida Statutes, is amended  
1185 to read:

1186           388.341 Reports of expenditures and accomplishments.—Each  
1187 program receiving state aid ~~county and district participating~~  
1188 ~~under the provisions of~~ this chapter shall within 30 days after  
1189 the end of each month submit to the department a monthly report

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1190 for the preceding month of expenditures from all funds for  
1191 arthropod control, and each program participating under this  
1192 chapter shall provide such reports of activities and  
1193 accomplishments as may be required by the department.

1194 Section 23. Section 388.351, Florida Statutes, is amended  
1195 to read:

1196 388.351 Transfer of equipment, personnel, and supplies  
1197 during an emergency.—The department, upon notifying a program  
1198 ~~county or district~~ and obtaining its approval, is authorized to  
1199 transfer equipment, materials, and personnel from one program  
1200 ~~district~~ to another in the event of an emergency brought about  
1201 by an arthropod-borne epidemic or other disaster requiring  
1202 emergency control.

1203 Section 24. Subsection (7) of section 388.361, Florida  
1204 Statutes, is amended to read:

1205 388.361 Department authority and rules; administration.—

1206 (7) The department shall have the authority to collect,  
1207 detect, suppress, and control mosquitoes and other arthropods  
1208 that are determined by the State Health Officer to pose a threat  
1209 to public health, or determined by the Commissioner of  
1210 Agriculture to pose a threat to animal health, wherever they may  
1211 occur on public or private land in this state, and to do all  
1212 things necessary in the exercise of such authority. Prior to the  
1213 start of treatments for the control of mosquitoes or other  
1214 arthropods, the department shall consult with the mosquito  
1215 control programs ~~districts~~ in the proposed treatment areas, the  
1216 Department of Health, the Department of Environmental  
1217 Protection, and the Fish and Wildlife Conservation Commission  
1218 regarding the proposed locations, dates, and methods to be used.

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1219 Section 25. Subsections (2) and (3) of section 388.3711,  
1220 Florida Statutes, are amended to read:

1221 388.3711 Enforcement.—

1222 (2) The department may issue a written warning, impose a  
1223 fine; deny, suspend, or revoke any license or certification, or  
1224 the disbursal of state aid; or deny participation, in accordance  
1225 with the provisions of chapter 120, upon any one or more of the  
1226 following grounds as may be applicable:

1227 (a) Violation of any rule of the department or provision of  
1228 this chapter.

1229 (b) Violation of FIFRA or any relevant EPA rule or  
1230 regulation pertaining to the use of arthropod control pesticides  
1231 by the licensee.

1232 (c) Failure to give the department, or any authorized  
1233 representative thereof, true information upon request regarding  
1234 methods and materials used, work performed, or other information  
1235 essential to the administration of this chapter.

1236 (3) The department may, if it finds a violation is of such  
1237 nature or circumstances that imposition of a fine, or denial,  
1238 revocation, or suspension of a certification or license or  
1239 disbursal of state aid would be detrimental to the public or be  
1240 unnecessarily harsh under the circumstances, in its discretion,  
1241 place the offending party on probation for a period of not more  
1242 than 2 years. If the department determines that the terms of  
1243 such probation have been violated, it may reinstitute license or  
1244 certification or state aid denial, suspension, or revocation  
1245 proceedings.

1246 Section 26. Section 388.381, Florida Statutes, is amended  
1247 to read:

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1248           388.381 Cooperation by programs ~~counties and district~~.—Any  
1249 program conducting county or district carrying on an arthropod  
1250 control ~~program~~ may cooperate with another county, district, or  
1251 municipality in carrying out work ~~a program~~ for the control of  
1252 mosquitoes and other arthropods, by agreement as to the program  
1253 and reimbursement thereof, when approved by the department.

1254           Section 27. Section 388.391, Florida Statutes, is amended  
1255 to read:

1256           388.391 Control measures in municipalities and portions of  
1257 counties located outside boundaries of programs ~~districts~~.—Any  
1258 program ~~district~~ whose operation is limited to a portion of the  
1259 county in which it is located may perform any control measures  
1260 authorized by this chapter in any municipality located in the  
1261 same county or in any portions of the same county, where there  
1262 is no established program ~~district~~, when requested to do so by  
1263 the municipality or county, pursuant to s. 388.381.

1264           Section 28. Section 388.401, Florida Statutes, is amended  
1265 to read:

1266           388.401 Penalty for damage to property or operations.—  
1267 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of  
1268 any program ~~county or district~~ created under this or other  
1269 chapters, or any works constructed, maintained, or controlled by  
1270 such program ~~county or district~~, or who obstructs ~~shall obstruct~~  
1271 or causes ~~cause~~ to be obstructed any of the operations of such  
1272 program ~~county or district~~, or who ~~shall~~ knowingly or willfully  
1273 violates ~~violate~~ any provisions of this chapter or any rule or  
1274 regulation promulgated by any board of commissioners of any  
1275 program, commits ~~county or district shall be guilty of a~~  
1276 misdemeanor of the second degree, punishable as provided in s.

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1277 775.082 or s. 775.083.

1278 Section 29. Paragraph (a) of subsection (2) of section  
1279 388.46, Florida Statutes, is amended to read:

1280 388.46 Florida Coordinating Council on Mosquito Control;  
1281 establishment; membership; organization; responsibilities.—

1282 (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

1283 (a) *Membership*.—The Florida Coordinating Council on  
1284 Mosquito Control shall be composed ~~comprised~~ of the following  
1285 representatives or their authorized designees:

1286 1. The Secretary of Environmental Protection.

1287 2. The State Surgeon General.

1288 3. The executive director of the Fish and Wildlife  
1289 Conservation Commission.

1290 4. The state epidemiologist.

1291 5. The Commissioner of Agriculture.

1292 6. The Board of Trustees of the Internal Improvement Trust  
1293 Fund.

1294 7. Representatives from:

1295 a. The University of Florida, Institute of Food and  
1296 Agricultural Sciences, Florida Medical Entomological Research  
1297 Laboratory.

1298 b. The United States Environmental Protection Agency.

1299 c. The United States Department of Agriculture, Center of  
1300 Medical, Agricultural, and Veterinary Entomology ~~Insects~~  
1301 ~~Affecting Man~~ Laboratory.

1302 d. The United States Fish and Wildlife Service.

1303 8. Four ~~Two~~ mosquito control directors to be nominated by  
1304 the Florida Mosquito Control Association, two representatives of  
1305 Florida environmental groups, and two private citizens who are

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1306 property owners whose lands are regularly subject to mosquito  
1307 control operations, to be appointed to 4-year terms by the  
1308 Commissioner of Agriculture and serve until his or her successor  
1309 is appointed.

1310 Section 30. Paragraph (d) of subsection (7) of section  
1311 403.067, Florida Statutes, is amended to read:

1312 403.067 Establishment and implementation of total maximum  
1313 daily loads.—

1314 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND  
1315 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

1316 (d) *Enforcement and verification of basin management action*  
1317 *plans and management strategies.—*

1318 1. Basin management action plans are enforceable pursuant  
1319 to this section and ss. 403.121, 403.141, and 403.161.

1320 Management strategies, including best management practices and  
1321 water quality monitoring, are enforceable under this chapter.

1322 2. No later than January 1, 2017:

1323 a. The department, in consultation with the water  
1324 management districts and the Department of Agriculture and  
1325 Consumer Services, shall initiate rulemaking to adopt procedures  
1326 to verify implementation of water quality monitoring required in  
1327 lieu of implementation of best management practices or other  
1328 measures pursuant to sub-subparagraph (b)2.g.;

1329 b. The department, in consultation with the water  
1330 management districts and the Department of Agriculture and  
1331 Consumer Services, shall initiate rulemaking to adopt procedures  
1332 to verify implementation of nonagricultural interim measures,  
1333 best management practices, or other measures adopted by rule  
1334 pursuant to subparagraph (c)1.; and

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1335 c. The Department of Agriculture and Consumer Services, in  
1336 consultation with the water management districts and the  
1337 department, shall initiate rulemaking to adopt procedures to  
1338 verify implementation of agricultural interim measures, best  
1339 management practices, or other measures adopted by rule pursuant  
1340 to subparagraph (c)2.

1341  
1342 The rules required under this subparagraph shall include  
1343 enforcement procedures applicable to the landowner, discharger,  
1344 or other responsible person required to implement applicable  
1345 management strategies, including best management practices or  
1346 water quality monitoring as a result of noncompliance.

1347 3. At least every 2 years, the Department of Agriculture  
1348 and Consumer Services shall perform onsite inspections of each  
1349 agricultural producer that enrolls in a best management  
1350 practice, except those enrolled by rule in subparagraph 4., to  
1351 ensure that such practice is being properly implemented. Such  
1352 verification must include a collection and review of the best  
1353 management practice documentation from the previous 2 years  
1354 required by rules adopted pursuant to subparagraph (c)2.,  
1355 including, but not limited to, nitrogen and phosphorus  
1356 ~~fertilizer~~ application records, which must be collected and  
1357 retained pursuant to subparagraphs (c)3., 4., and 6. The  
1358 Department of Agriculture and Consumer Services shall initially  
1359 prioritize the inspection of agricultural producers located in  
1360 the basin management action plans for Lake Okeechobee, the  
1361 Indian River Lagoon, the Caloosahatchee River and Estuary, and  
1362 Silver Springs.

1363 4. The Department of Agriculture and Consumer Services is

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1364 authorized to adopt rules establishing an enrollment in best  
1365 management practices by rule process that agricultural pollutant  
1366 sources and agricultural producers may use in lieu of the best  
1367 management practices adopted in paragraph (c) and identify best  
1368 management practices for landowners of parcels which meet the  
1369 following requirements:

1370 a. A parcel not more than 25 acres in size;

1371 b. A parcel designated as agricultural land use by the  
1372 county in which it is located or the parcel is granted  
1373 agricultural tax classification by the county property appraiser  
1374 of the county in which it is located;

1375 c. A parcel with water use not exceeding 100,000 gallons  
1376 per day on average unless the entire use is met using recycled  
1377 water from wet detention treatment ponds or reuse water;

1378 d. A parcel where the agricultural activity on the parcel  
1379 is not a vegetable crop, an agronomic crop, a nursery, or a  
1380 dairy operation;

1381 e. A parcel not abutting an impaired water body identified  
1382 in subsection (4); and

1383 f. A parcel not part of a larger operation that is enrolled  
1384 in the Department of Agriculture and Consumer Services best  
1385 management practices or conducting water quality monitoring  
1386 prescribed by the department or a water management district.

1387  
1388 Such requirements must specify design or performance criteria  
1389 that, if applied, would result in compliance with appropriate  
1390 water quality standards. The Department of Agriculture and  
1391 Consumer Services is authorized to adopt additional eligibility  
1392 criteria for landowners or producers to use enrollment by rule



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1393 and to revoke enrollment by rule.

1394 5. The Department of Agriculture and Consumer Services  
1395 shall annually perform onsite inspections of 20 percent for all  
1396 enrollments that meet the qualifications pursuant to  
1397 subparagraph 4. by rule within basin management action plan  
1398 areas, to ensure that practices are being properly implemented.  
1399 Such inspections must include a collection and review of the  
1400 identified best management practice documentation from the  
1401 previous 2 years required by rules adopted pursuant to  
1402 subparagraph (c)2. All agricultural producers enrolled by rule  
1403 in a best management practice must annually submit nutrient  
1404 records, including nitrogen and phosphorus application records  
1405 for the previous calendar year, to the Department of Agriculture  
1406 and Consumer Services as required by rules adopted pursuant to  
1407 subparagraph (c)2. The Department of Agriculture and Consumer  
1408 Services shall collect and retain these nutrient records  
1409 pursuant to subparagraphs (c)3., 4., and 6.

1410 Section 31. Subsection (19) is added to section 403.852,  
1411 Florida Statutes, to read:

1412 403.852 Definitions; ss. 403.850-403.864.—As used in ss.  
1413 403.850-403.864:

1414 (19) "Water quality additive" means any chemical or  
1415 additive which is used in a public water system for the purpose  
1416 of removing contaminants or increasing water quality. The term  
1417 does not include additives used for health-related purposes.

1418 Section 32. Subsection (8) is added to section 403.859,  
1419 Florida Statutes, to read:

1420 403.859 Prohibited acts.—The following acts and the causing  
1421 thereof are prohibited and are violations of this act:

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1422       (8) The use of any additive in a public water system which  
1423 does not meet the definition of a water quality additive as  
1424 defined in s. 403.852(19), or the use of any additive included  
1425 primarily for health-related purposes.

1426       Section 33. Subsection (10) of section 482.111, Florida  
1427 Statutes, is amended to read:

1428       482.111 Pest control operator's certificate.-

1429       (10) In order to renew a certificate, the certificateholder  
1430 must complete 2 hours of approved continuing education on  
1431 legislation, safety, pesticide labeling, and integrated pest  
1432 management and 2 hours of approved continuing education in each  
1433 category of her or his certificate or must pass an examination  
1434 that the department shall provide in person and remotely through  
1435 a third-party vendor. The third-party vendor may collect and  
1436 retain a convenience fee given by the department. The department  
1437 may not renew a certificate if the continuing education or  
1438 examination requirement is not met.

1439       (a) Courses or programs, to be considered for credit, must  
1440 include one or more of the following topics:

1441       1. The law and rules of this state pertaining to pest  
1442 control.

1443       2. Precautions necessary to safeguard life, health, and  
1444 property in the conducting of pest control and the application  
1445 of pesticides.

1446       3. Pests, their habits, recognition of the damage they  
1447 cause, and identification of them by accepted common name.

1448       4. Current accepted industry practices in the conducting of  
1449 fumigation, termites and other wood-destroying organisms pest  
1450 control, lawn and ornamental pest control, and household pest

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1451 control.

1452 5. How to read labels, a review of current state and  
1453 federal laws on labeling, and a review of changes in or  
1454 additions to labels used in pest control.

1455 6. Integrated pest management.

1456 (b) The certificateholder must submit with her or his  
1457 application for renewal a statement certifying that she or he  
1458 has completed the required number of hours of continuing  
1459 education. The statement must be on a form prescribed by the  
1460 department and must identify at least the date, location,  
1461 provider, and subject of the training and must provide such  
1462 other information as required by the department.

1463 (c) The department shall charge the same fee for  
1464 examination as provided in s. 482.141(2).

1465 Section 34. Subsection (1) of section 482.141, Florida  
1466 Statutes, is amended to read:

1467 482.141 Examinations.—

1468 (1) Each individual seeking certification must  
1469 satisfactorily pass an examination which must be written but  
1470 ~~which~~ may include practical demonstration. The department shall  
1471 provide in-person and remote testing through a third-party  
1472 vendor. A third-party vendor may collect and retain a  
1473 convenience fee ~~hold at least two examinations each year~~. An  
1474 applicant may seek certification in one or more categories.

1475 Section 35. Paragraph (b) of subsection (1) of section  
1476 482.155, Florida Statutes, is amended to read:

1477 482.155 Limited certification for governmental pesticide  
1478 applicators or private applicators.—

1479 (1)

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1480 (b) A person seeking limited certification under this  
1481 subsection must pass an examination that the department shall  
1482 provide in person and remotely through a third-party vendor. The  
1483 third-party vendor may collect and retain a convenience fee  
1484 ~~given or approved by the department~~. Each application for  
1485 examination must be accompanied by an examination fee set by the  
1486 department, in an amount of not more than \$150 or less than \$50;  
1487 and a recertification fee of \$25 every 4 years. Until rules  
1488 setting these fees are adopted by the department, the  
1489 examination fee is \$50. Application for recertification must be  
1490 accompanied by proof of having completed 4 classroom hours of  
1491 acceptable continuing education. The limited certificate expires  
1492 4 years after the date of issuance. If the certificateholder  
1493 fails to renew his or her certificate and provide proof of  
1494 completion of the required continuing education units within 60  
1495 days after the expiration date, the certificateholder may be  
1496 recertified only after reexamination. The department shall make  
1497 available ~~provide~~ the appropriate reference material ~~and make~~  
1498 ~~the examination readily accessible and available to all~~  
1499 ~~applicants at least quarterly or as necessary in each county.~~

1500 Section 36. Subsection (2) of section 482.156, Florida  
1501 Statutes, is amended to read:

1502 482.156 Limited certification for commercial landscape  
1503 maintenance personnel.—

1504 (2) (a) A person seeking limited certification under this  
1505 section must pass an examination that the department shall  
1506 provide in person and remotely through a third-party vendor. The  
1507 third-party vendor may collect and retain a convenience fee  
1508 ~~given by the department~~. Each application for examination must

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1509 be accompanied by an examination fee set by rule of the  
1510 department, in an amount of not more than \$150 or less than \$50.  
1511 Before the department issues a limited certification under this  
1512 section, each person applying for the certification must furnish  
1513 proof of having a certificate of insurance which states that the  
1514 employer meets the requirements for minimum financial  
1515 responsibility for bodily injury and property damage required by  
1516 s. 482.071(4).

1517 (b) The department shall make available ~~provide~~ the  
1518 appropriate reference materials for the examination and provide  
1519 in-person and remote testing through a third-party vendor. A  
1520 third-party vendor may collect and retain a convenience fee ~~make~~  
1521 ~~the examination readily accessible and available to applicants~~  
1522 ~~at least quarterly or as necessary in each county.~~

1523 Section 37. Subsection (2) of section 482.157, Florida  
1524 Statutes, is amended to read:

1525 482.157 Limited certification for commercial wildlife  
1526 management personnel.—

1527 (2) The department shall issue a limited certificate to an  
1528 applicant who:

1529 (a) Submits an application and examination fee of at least  
1530 \$150, but not more than \$300, as prescribed by the department by  
1531 rule;

1532 (b) Passes an examination that the department shall provide  
1533 in person and remotely through a third-party vendor. The third-  
1534 party vendor may collect and retain a convenience fee  
1535 ~~administered by the department.~~ The department shall make  
1536 available ~~provide~~ the appropriate study materials for the  
1537 examination ~~and make the examination readily available to~~

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1538 ~~applicants in each county as necessary, but not less frequently~~  
1539 ~~than quarterly; and~~

1540 (c) Provides proof, including a certificate of insurance,  
1541 that the applicant has met the minimum bodily injury and  
1542 property damage insurance requirements in s. 482.071(4).

1543 Section 38. Paragraph (m) is added to subsection (1) of  
1544 section 482.161, Florida Statutes, to read:

1545 482.161 Disciplinary grounds and actions; reinstatement.—

1546 (1) The department may issue a written warning to or impose  
1547 a fine against, or deny the application for licensure or  
1548 licensure renewal of, a licensee, certified operator, limited  
1549 certificateholder, identification cardholder, or special  
1550 identification cardholder or any other person, or may suspend,  
1551 revoke, or deny the issuance or renewal of any license,  
1552 certificate, limited certificate, identification card, or  
1553 special identification card that is within the scope of this  
1554 chapter, in accordance with chapter 120, upon any of the  
1555 following grounds:

1556 (m) Upon the issuance of a final order imposing civil  
1557 penalties under subsection 14(a) of the Federal Insecticide,  
1558 Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction  
1559 under subsection 14(b) of FIFRA.

1560 Section 39. Subsection (2) of section 487.044, Florida  
1561 Statutes, is amended to read:

1562 487.044 Certification; examination.—

1563 (2) The department shall require each applicant for a  
1564 certified applicator's license to demonstrate competence by a  
1565 written or oral examination in which the applicant must  
1566 demonstrate adequate knowledge concerning the proper use and

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1567 application of restricted-use pesticides in each classification  
1568 for which application for license is made. The department shall  
1569 provide in-person and remote testing through a third-party  
1570 vendor. A third-party vendor may collect and retain a  
1571 convenience fee. The examination may be prepared, administered,  
1572 and evaluated by the department. Each applicant for a certified  
1573 applicator's license must ~~shall~~ demonstrate minimum competence  
1574 as to:

1575 (a) The proper use of the equipment.

1576 (b) The environmental hazards that may be involved in  
1577 applying restricted-use pesticides.

1578 (c) Calculating the concentration of restricted-use  
1579 pesticides to be used in particular circumstances.

1580 (d) Identification of common pests to be controlled and the  
1581 damages caused by such pests.

1582 (e) Protective clothing and respiratory equipment required  
1583 during the handling and application of restricted-use  
1584 pesticides.

1585 (f) General precautions to be followed in the disposal of  
1586 containers, as well as the cleaning and decontamination of the  
1587 equipment which the applicant proposes to use.

1588 (g) Applicable state and federal pesticide laws, rules, and  
1589 regulations.

1590 (h) General safety precautions.

1591 Section 40. Subsection (6) is added to section 487.175,  
1592 Florida Statutes, to read:

1593 487.175 Penalties; administrative fine; injunction.—

1594 (6) Licensure may be suspended, revoked, or denied by the  
1595 department, upon the issuance of a final order to a licensee

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1596 imposing civil penalties under subsection 14(a) of the Federal  
1597 Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a  
1598 criminal conviction under subsection 14(b) of FIFRA.

1599 Section 41. Present subsections (13) through (28) of  
1600 section 496.404, Florida Statutes, are redesignated as  
1601 subsections (15) through (30), respectively, and new subsections  
1602 (13) and (14) are added to that section, to read:

1603 496.404 Definitions.—As used in ss. 496.401-496.424, the  
1604 term:

1605 (13) "Foreign country of concern" means the People's  
1606 Republic of China, the Russian Federation, the Islamic Republic  
1607 of Iran, the Venezuelan regime of Nicolás Maduro, or the Syrian  
1608 Arab Republic, including any agency of or any other entity under  
1609 significant control of such foreign country of concern.

1610 (14) "Foreign source of concern" means any of the  
1611 following:

1612 (a) The government or any official of the government of a  
1613 foreign country of concern;

1614 (b) A political party or member of a political party or any  
1615 subdivision of a political party in a foreign country of  
1616 concern;

1617 (c) A partnership, an association, a corporation, an  
1618 organization, or other combination of persons organized under  
1619 the laws of or having its principal place of business in a  
1620 foreign country of concern, or a subsidiary of such entity;

1621 (d) Any person who is domiciled in a foreign country of  
1622 concern and is not a citizen or lawful permanent citizen of the  
1623 United States;

1624 (e) An agent, including a subsidiary or an affiliate of a



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1625 foreign legal entity, acting on behalf of a foreign source of  
1626 concern; or

1627 (f) An entity in which a person, entity, or collection of  
1628 persons or entities described in paragraphs (a)-(e) has a  
1629 controlling interest. As used in this paragraph, the term  
1630 "controlling interest" means the possession of the power to  
1631 direct or cause the direction of the management or policies of  
1632 an entity, whether through ownership of securities, by contract,  
1633 or otherwise. A person or an entity that directly or indirectly  
1634 has the right to vote 25 percent or more of the voting interest  
1635 of the company or is entitled to 25 percent or more of its  
1636 profits is presumed to possess a controlling interest.

1637 Section 42. Present paragraphs (d) through (g) of  
1638 subsection (2) of section 496.405, Florida Statutes, are  
1639 redesignated as paragraphs (f) through (i), respectively, new  
1640 paragraphs (d) and (e) are added to that subsection, subsection  
1641 (11) is added to that section, and subsection (1) and paragraph  
1642 (b) of subsection (7) of that section are amended, to read:

1643 496.405 Registration statements by charitable organizations  
1644 and sponsors.—

1645 (1) A charitable organization or sponsor, unless exempted  
1646 pursuant to s. 496.406, which intends to solicit contributions  
1647 in or from this state by any means or have funds solicited on  
1648 its behalf by any other person, charitable organization,  
1649 sponsor, commercial co-venturer, or professional solicitor, or  
1650 that participates in a charitable sales promotion or sponsor  
1651 sales promotion, must, before engaging in any of these  
1652 activities, file an initial registration statement, which  
1653 includes an attestation statement, and a renewal statement

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1654 annually thereafter, with the department.

1655 (a) Except as provided in paragraph (b), any changes in the  
1656 information submitted on the initial registration statement or  
1657 the last renewal statement must be updated annually on a renewal  
1658 statement provided by the department on or before the date that  
1659 marks 1 year after the date the department approved the initial  
1660 registration statement as provided in this section. The  
1661 department shall annually provide a renewal statement to each  
1662 registrant by mail or by electronic mail at least 30 days before  
1663 the renewal date.

1664 (b) Any changes to the information submitted to the  
1665 department pursuant to paragraph (2) (f) ~~(2) (d)~~ on the initial  
1666 registration statement, which includes an attestation statement,  
1667 or the last renewal statement must be reported to the department  
1668 on a form prescribed by the department within 10 days after the  
1669 change occurs.

1670 (c) A charitable organization or sponsor that is required  
1671 to file an initial registration statement or annual renewal  
1672 statement may not, before approval of its statement by the  
1673 department in accordance with subsection (7), solicit  
1674 contributions or have contributions solicited on its behalf by  
1675 any other person, charitable organization, sponsor, commercial  
1676 co-venturer, or professional solicitor or participate in a  
1677 charitable sales promotion or sponsor sales promotion.

1678 (d) The registration of a charitable organization or  
1679 sponsor may not continue in effect and shall expire without  
1680 further action of the department under either of the following  
1681 circumstances:

1682 1. After the date the charitable organization or sponsor

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1683 should have filed, but failed to file, its renewal statement in  
1684 accordance with this section.

1685 2. For failure to provide a financial statement within any  
1686 extension period provided under s. 496.407.

1687 (2) The initial registration statement must be submitted on  
1688 a form prescribed by the department, signed by an authorized  
1689 official of the charitable organization or sponsor who shall  
1690 certify that the registration statement is true and correct, and  
1691 include the following information or material:

1692 (d) An attestation statement, which must be submitted on a  
1693 form prescribed by the department and signed by an authorized  
1694 official of the charitable organization, who shall certify and  
1695 attest that the charitable organization, if engaged in  
1696 activities that would require registration pursuant to chapter  
1697 106 is registered with the Department of State, pursuant to  
1698 chapter 106.

1699 (e) An attestation statement on a form prescribed by the  
1700 department, signed by an authorized official of the charitable  
1701 organization, who shall certify and attest that the charitable  
1702 organization, if prohibited by applicable federal or state law,  
1703 is not engaged in activities that would require registration  
1704 with the Department of State pursuant to chapter 106.

1705 (7)

1706 (b) If a charitable organization or sponsor discloses  
1707 information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~  
1708 in the initial registration statement or annual renewal  
1709 statement, the time limits set forth in paragraph (a) are  
1710 waived, and the department shall process such initial  
1711 registration statement or annual renewal statement in accordance

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1712 with the time limits set forth in chapter 120. The registration  
1713 of a charitable organization or sponsor shall be automatically  
1714 suspended for failure to disclose any information specified in  
1715 subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the  
1716 required information is submitted to the department.

1717 (11) The department may investigate and refer a charitable  
1718 organization or sponsor to the Florida Elections Commission for  
1719 investigation of violations pursuant to chapters 104 and 106.

1720 Section 43. Subsection (20) is added to section 496.415,  
1721 Florida Statutes, to read:

1722 496.415 Prohibited acts.—It is unlawful for any person in  
1723 connection with the planning, conduct, or execution of any  
1724 solicitation or charitable or sponsor sales promotion to:

1725 (20) Solicit or accept contributions or anything of value  
1726 from a foreign source of concern.

1727 Section 44. Section 496.417, Florida Statutes, is amended  
1728 to read:

1729 496.417 Criminal penalties.—Except as otherwise provided in  
1730 ss. 496.401-496.424, and in addition to any administrative or  
1731 civil penalties, any person who willfully and knowingly violates  
1732 ss. 496.401-496.424 commits a felony of the third degree,  
1733 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1734 For a second or subsequent conviction, such violation  
1735 constitutes a felony of the second degree, punishable as  
1736 provided in s. 775.082, s. 775.083, or s. 775.084. The  
1737 department may also investigate and refer a charitable  
1738 organization or sponsor to the Florida Elections Commission for  
1739 investigation of violations pursuant to chapters 104 and 106.

1740 Section 45. Subsection (11) is added to section 496.419,

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1741 Florida Statutes, to read:

1742 496.419 Powers of the department.—

1743 (11) A charitable organization or sponsor whose  
1744 registration is denied or revoked for submitting a false  
1745 attestation required pursuant to s. 496.405(2)(d) or (2)(e) is  
1746 subject to the penalties specified in subsection (5) at the  
1747 discretion of the department.

1748 Section 46. Section 496.431, Florida Statutes, is created  
1749 to read:

1750 496.431 Honest Services Registry.—

1751 (1) The department shall create the Honest Services  
1752 Registry to provide the residents of this state with the  
1753 information necessary to make an informed choice when deciding  
1754 which charitable organizations to support.

1755 (2) To be included on the Honest Services Registry, a  
1756 charitable organization must, at a minimum, submit to the  
1757 department an attestation statement on a form prescribed by the  
1758 department, verified as provided in s. 92.525, attesting to all  
1759 of the following:

1760 (a) That the organization does not solicit or accept,  
1761 directly or indirectly, contributions, funding, support, or  
1762 services from a foreign source of concern.

1763 (b) That the organization's messaging and content are not  
1764 directly or indirectly produced or influenced by a foreign  
1765 source of concern.

1766 (3) The department shall publish the Honest Services  
1767 Registry on the department's website.

1768 (4) The department shall adopt rules to implement this  
1769 section.

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1770 Section 47. Paragraph (j) of subsection (1) of section  
1771 500.03, Florida Statutes, is amended to read:

1772 500.03 Definitions; construction; applicability.-

1773 (1) For the purpose of this chapter, the term:

1774 (j) "Cottage food product" means food that is not time or  
1775 temperature controlled for safety or a potentially hazardous  
1776 food as defined by department rule which is sold by a cottage  
1777 food operation in accordance with s. 500.80.

1778 Section 48. Paragraphs (a) and (b) of subsection (1) of  
1779 section 500.12, Florida Statutes, are amended to read:

1780 500.12 Food permits; building permits.-

1781 (1)(a) A food permit from the department is required of any  
1782 person or business that ~~who~~ operates a food establishment,  
1783 except:

1784 1. Persons or businesses operating minor food outlets that  
1785 sell food that is commercially prepackaged, not potentially  
1786 hazardous, not age restricted, and not time or temperature  
1787 controlled for safety, if the shelf space for those items does  
1788 not exceed 12 total linear feet and no other food is sold by the  
1789 person or business minor food outlet.

1790 2. Persons subject to continuous, onsite federal or state  
1791 inspection.

1792 3. Persons selling only legumes in the shell, either  
1793 parched, roasted, or boiled.

1794 4. Persons selling sugar cane or sorghum syrup that has  
1795 been boiled and bottled on a premise located within this state.  
1796 Such bottles must contain a label listing the producer's name  
1797 and street address, all added ingredients, the net weight or  
1798 volume of the product, and a statement that reads, "This product

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1799 has not been produced in a facility permitted by the Florida  
1800 Department of Agriculture and Consumer Services.”

1801 (b) Each food establishment regulated under this chapter  
1802 must apply for and receive a food permit before operation  
1803 begins. An application for a food permit from the department  
1804 must be accompanied by a fee in an amount determined by  
1805 department rule. The department shall adopt by rule a schedule  
1806 of fees to be paid by each food establishment as a condition of  
1807 issuance or renewal of a food permit. Such fees may not exceed  
1808 \$650 and must be used solely for the recovery of costs for the  
1809 services provided, except that the fee accompanying an  
1810 application for a food permit for operating a bottled water  
1811 plant may not exceed \$1,000 and the fee accompanying an  
1812 application for a food permit for operating a packaged ice plant  
1813 may not exceed \$250. The fee for operating a bottled water plant  
1814 or a packaged ice plant must be set by rule of the department.  
1815 Food permits are not transferable from one person or physical  
1816 location to another. Food permits must be renewed in accordance  
1817 with subparagraphs 1.-3. If an application for renewal of a food  
1818 permit is not received by the department on or before its due  
1819 date, a late fee not exceeding \$100 must be paid in addition to  
1820 the food permit fee before the department may issue the food  
1821 permit. The moneys collected must be deposited in the General  
1822 Inspection Trust Fund.

1823 1. A food permit issued to a new food establishment ~~on or~~  
1824 ~~after September 1, 2023,~~ is valid for 1 calendar year after the  
1825 date of issuance and must be renewed annually on or before that  
1826 date thereafter.

1827 2. ~~Effective January 1, 2024,~~ A food permit issued before

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1828 September 1, 2023, expires on the month and day the initial  
1829 permit was issued to the food establishment and must be renewed  
1830 annually on or before that date thereafter. The department may  
1831 charge a prorated permit fee for purposes of this subparagraph.

1832 3. The department may establish a single permit renewal  
1833 date for multiple food establishments owned by the same entity  
1834 ~~The owner of 100 or more permitted food establishment locations~~  
1835 ~~may elect to set the expiration of food permits for such~~  
1836 ~~establishments as December 31 of each calendar year.~~

1837 Section 49. Section 500.166, Florida Statutes, is amended  
1838 to read:

1839 500.166 Records of interstate shipment.—For the purpose of  
1840 enforcing this chapter, carriers engaged in interstate commerce  
1841 and persons receiving food in interstate commerce shall retain  
1842 all records for 3 years from the date of the record showing the  
1843 movement in interstate commerce of any food, and the quantity,  
1844 shipper and consignee thereof and, upon the request by an  
1845 officer or employee duly designated by the department, permit  
1846 the officer or employee to have access to and to copy all  
1847 records showing the movement in interstate commerce of any food,  
1848 and the quantity, shipper, and consignee thereof.

1849 Section 50. Subsection (1) of section 500.172, Florida  
1850 Statutes, is amended to read:

1851 500.172 Embargoing, detaining, destroying of food, food  
1852 processing equipment, or areas that are in violation.—

1853 (1) When the department, or its duly authorized agent who  
1854 has received appropriate education and training regarding the  
1855 legal requirements of this chapter, finds or has probable cause  
1856 to believe that any food, food processing equipment, food



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1857 processing area, or food storage area is in violation of this  
1858 chapter or any rule adopted under this chapter so as to be  
1859 dangerous, unwholesome, mislabeled, fraudulent, or insanitary  
1860 within the meaning of this chapter, an agent of the department  
1861 may issue and enforce a stop-sale, stop-use, removal, or hold  
1862 order, which order gives notice that such article, processing  
1863 equipment, processing area, or storage area is or is suspected  
1864 of being in violation and has been detained or embargoed and  
1865 which order warns all persons not to remove, use, or dispose of  
1866 such article, processing equipment, processing area, or storage  
1867 area by sale or otherwise until permission for removal, use, or  
1868 disposal is given by the department or the court. The department  
1869 is authorized to enter into a written agreement with the owner  
1870 of such food, food processing equipment, food processing area,  
1871 or food storage area, or otherwise facilitate the destruction of  
1872 any article found or suspected by the department to be in  
1873 violation of this section. A person may not remove, use, or  
1874 dispose of such detained or embargoed article, processing  
1875 equipment, processing area, or storage area by sale or otherwise  
1876 without such permission from or in accordance with a written  
1877 agreement with the department.

1878 Section 51. Section 500.75, Florida Statutes, is created to  
1879 read:

1880 500.75 Mushrooms spores and mycelium; offenses.—It is  
1881 unlawful to transport, import, sell, offer for sale, furnish, or  
1882 give away spores or mycelium capable of producing mushrooms or  
1883 other material which will contain a controlled substance,  
1884 including psilocybin or psilocyn, during its lifecycle. A person  
1885 who transports, imports into this state, sells, offers for sale,

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1886 furnishes, gives away, or offers to transport, import into this  
1887 state, sell, furnish, or give away any spores or mycelium  
1888 capable of producing mushrooms or other material which will  
1889 contain a controlled substance commits a misdemeanor of the  
1890 first degree, punishable as provided in s. 775.082 or s.  
1891 775.083.

1892 Section 52. Section 500.93, Florida Statutes, is created to  
1893 read:

1894 500.93 Mislabeleding of plant-based products as milk, meat,  
1895 or poultry.-

1896 (1) As used in this section, the term:

1897 (a) "Egg" and "egg product" have the same meanings as in 21  
1898 U.S.C. s. 1033 and the Egg Products Inspection Act.

1899 (b) "FDA" means the United States Food and Drug  
1900 Administration.

1901 (c) "Meat" has the same meaning as in 9 C.F.R. s. 301.2 and  
1902 the Federal Meat Inspection Act.

1903 (d) "Milk" has the same meaning as in 21 C.F.R. s. 131.110  
1904 and the Grade "A" pasteurized milk ordinance.

1905 (e) "Poultry" and "poultry product" have the same meanings  
1906 as in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

1907 (2) (a) In accordance with the established standard of  
1908 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade  
1909 "A" pasteurized milk ordinance, the department shall adopt rules  
1910 to enforce the FDA's standard of identity for milk, as adopted  
1911 in state law, to prohibit the sale of plant-based products  
1912 mislabeled as milk in this state.

1913 (b) This subsection is effective upon the enactment into  
1914 law of a mandatory labeling requirement to prohibit the sale of

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1915 plant-based products mislabeled as milk that is consistent with  
1916 this section by any 11 of the group of 14 states composed of  
1917 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,  
1918 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,  
1919 Texas, Virginia, and West Virginia.

1920 (3) (a) In accordance with the established standard of  
1921 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal  
1922 Meat Inspection Act, and both poultry and poultry products  
1923 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection  
1924 Act, the department shall adopt rules to enforce the FDA's  
1925 standard of identity for meat, poultry, and poultry products as  
1926 adopted in this section, to prohibit the sale of plant-based  
1927 products mislabeled as meat, poultry, or poultry products in  
1928 this state.

1929 (b) This subsection is effective upon the enactment into  
1930 law of a mandatory labeling requirement to prohibit the sale of  
1931 plant-based products mislabeled as meat, poultry, or poultry  
1932 products which is consistent with this section by any 11 of the  
1933 group of 14 states composed of Alabama, Arkansas, Florida,  
1934 Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,  
1935 South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1936 (4) (a) In accordance with the established standard of  
1937 identity for eggs and egg products defined in 21 U.S.C. s. 1033  
1938 and the Egg Products Inspection Act, the department shall adopt  
1939 rules to enforce the FDA's standard of identity for eggs and egg  
1940 products, as adopted in state law, to prohibit the sale of  
1941 plant-based products mislabeled as egg or egg products in this  
1942 state.

1943 (b) This subsection is effective upon the enactment into

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1944 law of a mandatory labeling requirement to prohibit the sale of  
 1945 plant-based products mislabeled as egg or egg products that is  
 1946 consistent with this section by any 11 of the group of 14 states  
 1947 composed of Alabama, Arkansas, Florida, Georgia, Kentucky,  
 1948 Louisiana, Maryland, Mississippi, Oklahoma, South Carolina,  
 1949 Tennessee, Texas, Virginia, and West Virginia.

1950 (5) The Department of Agriculture and Consumer Services  
 1951 shall notify the Division of Law Revision upon the enactment  
 1952 into law by any 11 of the group of 14 states composed of  
 1953 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,  
 1954 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,  
 1955 Texas, Virginia, and West Virginia of the mandatory labeling  
 1956 requirements pursuant to subsections (2) and (3).

1957 (6) The department shall adopt rules to implement this  
 1958 section.

1959 (7) This section may not be construed to limit the  
 1960 department's authority to enforce its laws and regulations.

1961 Section 53. Section 501.135, Florida Statutes, is repealed.

1962 Section 54. Subsection (1) of section 501.912, Florida  
 1963 Statutes, is amended to read:

1964 501.912 Definitions.—As used in ss. 501.91-501.923:

1965 (1) "Antifreeze" means any substance or preparation,  
 1966 including, but not limited to, coolant, antifreeze-coolant,  
 1967 antifreeze and summer coolant, or summer coolant, that is sold,  
 1968 distributed, or intended for use:

1969 (a) As the cooling liquid, or to be added to the cooling  
 1970 liquid, in the cooling system of ~~internal combustion engines of~~  
 1971 motor vehicles to prevent freezing of the cooling liquid or to  
 1972 lower its freezing point; or

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1973 (b) To raise the boiling point of water, aid in vehicle  
1974 component cooling, or for the prevention of engine overheating,  
1975 whether or not the liquid is used as a year-round cooling system  
1976 fluid.

1977 Section 55. Section 525.19, Florida Statutes, is created to  
1978 read:

1979 525.19 Petroleum registration.—

1980 (1) The department shall create an annual petroleum  
1981 registration program for petroleum owners or operators and shall  
1982 adopt rules detailing the requirements for such registration  
1983 that include, at minimum:

1984 (a) Name of the petroleum owner or operator;

1985 (b) Address of the petroleum owner or operator;

1986 (c) Phone number of the petroleum owner or operator;

1987 (d) E-mail address of the petroleum owner or operator;

1988 (e) Requirements for the transfer switch;

1989 (f) Fuel and petroleum infrastructure; and

1990 (g) Fuel and petroleum inventory and delivery information.

1991 (2) The registration program must be free for all  
1992 registrants.

1993 (3) The department has the authority to require registrants  
1994 to provide updates related to the status of infrastructure,  
1995 inventory, and delivery information during a state of emergency  
1996 as declared by an executive order issued by the Governor.

1997 Section 56. Section 526.147, Florida Statutes, is created  
1998 to read:

1999 526.147 Florida Retail Fuel Transfer Switch Modernization  
2000 Grant Program.—

2001 (1) (a) There is created, subject to appropriation, the

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2002 Florida Retail Fuel Transfer Switch Modernization Grant Program  
2003 within the Department of Agriculture and Consumer Services.

2004 (b) The grant program shall provide grant funds, not to  
2005 exceed \$10,000 per retail fuel facility, to be used for  
2006 installation and equipment costs related to installing or  
2007 modernizing transfer switch infrastructure at retail fuel  
2008 facilities to allow for the continuity of fueling operations  
2009 under generated power.

2010 (c) The department shall award funds based upon the  
2011 following criteria:

2012 1. Up to \$10,000, of costs for transfer switch purchase and  
2013 installation for retail fuel locations in fiscally constrained  
2014 counties as designated under s. 218.67(1).

2015 2. Up to \$5,000, of costs for transfer switch purchase and  
2016 installation for all other retail fuel locations.

2017 (d) Retail fuel facilities which are awarded grant funds  
2018 must comply with s. 526.143 and must install a transfer switch  
2019 capable of operating all fuel pumps, dispensing equipment, life  
2020 safety systems, and payment acceptance equipment using an  
2021 alternative generated power source.

2022 (e) Before being awarded funding from the department,  
2023 retail fuel facilities must provide documentation on transfer  
2024 switch installation and required generator sizing to the  
2025 department.

2026 (f) Marinas and fueling facilities with fewer than 4  
2027 fueling positions are excluded from being awarded funding  
2028 through this program.

2029 (g) Fueling facilities subject to s. 526.143(2) are  
2030 excluded from being awarded funding through this program.

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2031       (2) The department, in consultation with the Division of  
2032 Emergency Management, shall adopt rules to implement and  
2033 administer this section, including establishing grant  
2034 application processes for the Florida Retail Fuel Transfer  
2035 Switch Modernization Grant Program. The rules must include  
2036 application deadlines and establish the supporting documentation  
2037 necessary to be provided to the department.

2038       Section 57. Section 531.48, Florida Statutes, is amended to  
2039 read:

2040       531.48 Declarations of unit price on random packages.—In  
2041 addition to the declarations required by s. 531.47, any package  
2042 being one of a lot containing random weights of the same  
2043 commodity must ~~and bearing the total selling price of the~~  
2044 ~~package shall~~ bear on the outside of the package a plain and  
2045 conspicuous declaration of the price per single unit of weight  
2046 and the total retail price of the package, as defined by  
2047 department rule.

2048       Section 58. Section 531.49, Florida Statutes, is amended to  
2049 read:

2050       531.49 Advertising packages for sale.—~~Whenever~~ A packaged  
2051 commodity ~~is advertised in any manner with the retail price~~  
2052 ~~stated, there shall be~~ closely and conspicuously associated with  
2053 the retail price must have a declaration of quantity as is  
2054 required by law or rule to appear on the package.

2055       Section 59. Present subsections (44), (45), and (46) of  
2056 section 570.07, Florida Statutes, are redesignated as  
2057 subsections (47), (48), and (49), respectively, and new  
2058 subsections (44), (45), and (46) are added to that section, to  
2059 read:

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2060           570.07 Department of Agriculture and Consumer Services;  
2061 functions, powers, and duties.—The department shall have and  
2062 exercise the following functions, powers, and duties:

2063           (44) (a) To foster and encourage the employment and  
2064 retention of qualified veterinary pathologists. The department  
2065 may reimburse the educational expenses of qualified veterinary  
2066 pathologists who enter into an agreement with the department to  
2067 retain employment for a specified period of time.

2068           (b) The department shall adopt rules to administer this  
2069 subsection.

2070           (45) Subject to appropriation, to extend state and national  
2071 Future Farmers of America opportunities to any public school  
2072 student enrolled in agricultural education, at little or no cost  
2073 to the student or school district, and to support statewide  
2074 Future Farmers of America programming that helps such students  
2075 develop their potential for premier leadership, personal growth,  
2076 and career success.

2077           (46) (a) Notwithstanding ss. 287.042 and 287.057, to use  
2078 contracts procured by another agency.

2079           (b) As used in this subsection, the term "agency" has the  
2080 same meaning as provided in s. 287.012.

2081           Section 60. Subsection (2) of section 570.544, Florida  
2082 Statutes, is amended to read:

2083           570.544 Division of Consumer Services; director; powers;  
2084 processing of complaints; records.—

2085           (2) The director shall supervise, direct, and coordinate  
2086 the activities of the division and shall, under the direction of  
2087 the department, enforce the provisions of ss. 366.94 and ~~ss.~~  
2088 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526,



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2089 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

2090 Section 61. Section 570.546, Florida Statutes, is created  
2091 to read:

2092 570.546 Licensing.—

2093 (1) The department is authorized to:

2094 (a) Create a process for the bulk renewal of licenses which  
2095 will allow licensees the ability, upon request, to submit all  
2096 license applications of the same type, notwithstanding any  
2097 provisions of law applicable to each application process.

2098 (b) Create a process that will allow licensees, upon  
2099 request, to align the expiration dates of licenses within a  
2100 statutory program.

2101 (c) Change the expiration dates for current licensees for  
2102 the purpose of reducing large numbers of license expirations  
2103 that occur during the same month.

2104 (2) The department shall prorate any licensing fee for  
2105 which the term of the license was reduced for the purposes of  
2106 alignment.

2107 (3) The department shall adopt rules to implement this  
2108 section.

2109 Section 62. Section 570.694, Florida Statutes, is created  
2110 to read:

2111 570.694 Florida Aquaculture Foundation.—

2112 (1) The Florida Aquaculture Foundation is established as a  
2113 direct-support organization within the Department of Agriculture  
2114 and Consumer Services. The purpose of the foundation is to:

2115 (a) Conduct programs and activities related to the  
2116 assistance, promotion, and furtherance of aquaculture and  
2117 aquaculture producers in this state.

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2118           (b) Identify and pursue methods to provide statewide  
 2119 resources and materials for these programs.

2120           (2) The foundation shall be governed by s. 570.691.

2121           (3) The department is authorized to appoint an advisory  
 2122 committee adjunct to the foundation pursuant to s. 570.232.

2123           Section 63. Section 570.822, Florida Statutes, is amended  
 2124 to read:

2125           570.822 Agriculture and Aquaculture Producers Emergency  
 2126 ~~Natural Disaster~~ Recovery Loan Program.—

2127           (1) DEFINITIONS.—As used in this section, the term:

2128           (a) “Bona fide farm operation” means a farm operation  
 2129 engaged in a good faith commercial agricultural use of land on  
 2130 land classified as agricultural pursuant to s. 193.461 or on  
 2131 sovereign submerged land that is leased to the applicant by the  
 2132 department pursuant to s. 597.010 and that produces agricultural  
 2133 products within the definition of agriculture under s. 570.02.

2134           (b) “Declared emergency natural disaster” means an  
 2135 emergency ~~a natural disaster~~ for which a state of emergency is  
 2136 declared pursuant to s. 252.36 or s. 570.07(21).

2137           (c) “Department” means the Department of Agriculture and  
 2138 Consumer Services.

2139           (d) “Essential physical property” means fences; equipment;  
 2140 structural production facilities, such as shade houses and  
 2141 greenhouses; or other agriculture or aquaculture facilities or  
 2142 infrastructure.

2143           (e) “Program” means the Agriculture and Aquaculture  
 2144 Producers Emergency ~~Natural Disaster~~ Recovery Loan Program.

2145           (2) USE OF LOAN FUNDS; LOAN TERMS.—

2146           (a) The program is established within the department to

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2147 make loans to agriculture and aquaculture producers that have  
2148 experienced damage or destruction from a declared emergency  
2149 ~~natural disaster~~. Loan funds may be used to restore, repair, or  
2150 replace essential physical property or remove vegetative debris  
2151 from essential physical property, or restock aquaculture. A  
2152 structure or building constructed using loan proceeds must  
2153 comply with storm-hardening standards for nonresidential farm  
2154 buildings as defined in s. 604.50(2). The department shall adopt  
2155 such standards by rule.

2156 (b) The department may make a low-interest or interest-free  
2157 loan to an eligible applicant. The maximum amount that an  
2158 applicant may receive during the application period for a loan  
2159 is \$500,000. An applicant may not receive more than one loan per  
2160 application period and no more than two loans per year or no  
2161 more than five loans in any 3-year period. A loan term is 10  
2162 years.

2163 (3) ELIGIBLE APPLICANTS.—To be eligible for the program, an  
2164 applicant must:

2165 (a) Own or lease a bona fide farm operation that is located  
2166 in a county named in a declared emergency ~~natural disaster~~ and  
2167 that was damaged or destroyed as a result of such declared  
2168 emergency ~~natural disaster~~.

2169 (b) Maintain complete and acceptable farm records, pursuant  
2170 to criteria published by the department, and present them as  
2171 proof of production levels and bona fide farm operations.

2172 (4) LOAN APPLICATION AND AGREEMENT.—

2173 (a) Requests for loans must be made by application to the  
2174 department. Upon a determination that funding for loans is  
2175 available, the department shall publicly notice an application

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2176 period for the declared emergency ~~natural disaster~~, beginning  
2177 within 60 days after the date of the declared emergency ~~natural~~  
2178 ~~disaster~~ and running up to 1 year after the date of the declared  
2179 emergency ~~natural disaster~~ or until all available loan funds are  
2180 exhausted, whichever occurs first. The application may be  
2181 renewed upon a determination from the department and pursuant to  
2182 an active declared emergency.

2183 (b) An applicant must demonstrate the need for financial  
2184 assistance and an ability to repay or meet a standard credit  
2185 rating determined by the department.

2186 (c) Loans must be made pursuant to written agreements  
2187 specifying the terms and conditions agreed to by the approved  
2188 applicant and the department. The loan agreement must specify  
2189 that the loan is due upon sale if the property or other  
2190 collateral for the loan is sold.

2191 (d) An approved applicant must agree to stay in production  
2192 for the duration of the loan. A loan is not assumable.

2193 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured  
2194 by a lien, subordinate only to any mortgage held by a financial  
2195 institution as defined in s. 655.005, on property or other  
2196 collateral as set forth in the loan agreement. The specific type  
2197 of collateral required may vary depending upon the loan purpose,  
2198 repayment ability, and the particular circumstances of the  
2199 applicant. The department shall record the lien in public  
2200 records in the county where the property is located and, in the  
2201 case of personal property, perfect the security interest by  
2202 filing appropriate Uniform Commercial Code forms with the  
2203 Florida Secured Transaction Registry as required pursuant to  
2204 chapter 679.

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2205 (6) LOAN REPAYMENT.—

2206 (a) A loan is due and payable in accordance with the terms  
2207 of the loan agreement.

2208 (b) The department shall defer payments for the first 3  
2209 years of the loan. After 3 years, the department shall reduce  
2210 the principal balance annually through the end of the loan term  
2211 such that the original principal balance is reduced by 30  
2212 percent. If the principal balance is repaid before the end of  
2213 the 10th year, the applicant may not be required to pay more  
2214 than 70 percent of the original principal balance. The approved  
2215 applicant must continue to be actively engaged in production in  
2216 order to receive the original principal balance reductions and  
2217 must continue to meet the loan agreement terms to the  
2218 satisfaction of the department.

2219 (c) An approved applicant may make payments on the loan at  
2220 any time without penalty. Early repayment is encouraged as other  
2221 funding sources or revenues become available to the approved  
2222 applicant.

2223 (d) All repayments of principal and interest, if  
2224 applicable, received by the department in a fiscal year must be  
2225 returned to the loan fund and made available for loans to other  
2226 applicants in the next application period.

2227 (e) The department may periodically review an approved  
2228 applicant to determine whether he or she continues to be in  
2229 compliance with the terms of the loan agreement. If the  
2230 department finds that an applicant is no longer in production or  
2231 has otherwise violated the loan agreement, the department may  
2232 seek repayment of the full original principal balance  
2233 outstanding, including any interest or costs, as applicable, and

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2234 excluding any applied or anticipated original principal balance  
2235 reductions.

2236 (f) The department may defer or waive loan payments if at  
2237 any time during the repayment period of a loan, the approved  
2238 applicant experiences a significant hardship such as crop loss  
2239 from a weather-related event or from impacts from a natural  
2240 disaster or declared emergency.

2241 (7) ADMINISTRATION.—

2242 (a) The department shall create and maintain a separate  
2243 account in the General Inspection Trust Fund as a fund for the  
2244 program. All repayments must be returned to the loan fund and  
2245 made available as provided in this section. Notwithstanding s.  
2246 216.301, funds appropriated for the loan program are not subject  
2247 to reversion. The department shall manage the fund, establishing  
2248 loan practices that must include, but are not limited to,  
2249 procedures for establishing loan interest rates, uses of  
2250 funding, application procedures, and application review  
2251 procedures. The department is authorized to contract with a  
2252 third-party administrator to administer the program and manage  
2253 the loan fund. A contract for a third-party administrator that  
2254 includes management of the loan fund must, at a minimum, require  
2255 maintenance of the loan fund to ensure that the program may  
2256 operate in a revolving manner.

2257 (b) The department shall coordinate with other state  
2258 agencies and other entities to ensure to the greatest extent  
2259 possible that agriculture and aquaculture producers in this  
2260 state have access to the maximum financial assistance available  
2261 following a declared emergency ~~natural disaster~~. The  
2262 coordination must endeavor to ensure that there is no

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2263 duplication of financial assistance between the loan program and  
2264 other funding sources, such as any federal or other state  
2265 programs, including public assistance requests to the Federal  
2266 Emergency Management Agency or financial assistance from the  
2267 United States Department of Agriculture, which could render the  
2268 approved applicant ineligible for other financial assistance.

2269 (8) PUBLIC RECORDS EXEMPTION.—

2270 (a) The following information held by the department  
2271 pursuant to its administration of the program is exempt from s.  
2272 119.07(1) and s. 24(a), Art. I of the State Constitution:

2273 1. Tax returns.

2274 2. Credit history information, credit reports, and credit  
2275 scores.

2276 (b) This subsection does not prohibit the disclosure of  
2277 information held by the department pursuant to its  
2278 administration of the program in an aggregated and anonymized  
2279 format.

2280 (c) This subsection is subject to the Open Government  
2281 Sunset Review Act in accordance with s. 119.15 and shall stand  
2282 repealed on October 2, 2029, unless reviewed and saved from  
2283 repeal through reenactment by the Legislature.

2284 (9) RULES.—The department shall adopt rules to implement  
2285 this section.

2286 (10) REPORTS.—By December 1, 2024, and each December 1  
2287 thereafter, the department shall provide a report on program  
2288 activities during the previous fiscal year to the President of  
2289 the Senate and the Speaker of the House of Representatives. The  
2290 report must include information on noticed application periods,  
2291 the number and value of loans awarded under the program for each

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2292 application period, the number and value of loans outstanding,  
2293 the number and value of any loan repayments received, and an  
2294 anticipated repayment schedule for all loans.

2295 (11) SUNSET.—This section expires July 1, 2043, unless  
2296 reviewed and saved from repeal through reenactment by the  
2297 Legislature.

2298 Section 64. Section 570.823, Florida Statutes, is created  
2299 to read:

2300 570.823 Silviculture emergency recovery program.—

2301 (1) DEFINITIONS.—As used in this section, the term:

2302 (a) "Bona fide farm operation" means a farm operation  
2303 engaged in a good faith commercial agricultural use of land on  
2304 land classified as agricultural pursuant to s. 193.461 that  
2305 produces agricultural products within the definition of  
2306 agriculture under s. 570.02.

2307 (b) "Declared emergency" means an emergency for which a  
2308 state of emergency is declared pursuant to s. 252.36 or s.  
2309 570.07(21).

2310 (c) "Department" means the Department of Agriculture and  
2311 Consumer Services.

2312 (d) "Program" means the silviculture emergency recovery  
2313 program.

2314 (2) USE OF GRANT FUNDS; GRANT TERMS.—

2315 (a) The silviculture emergency recovery program is  
2316 established within the department to administer a grant program  
2317 to assist timber landowners whose timber land was damaged as a  
2318 result of a declared emergency. Grants provided to eligible  
2319 timber landowners must be used for:

2320 1. Timber stand restoration, including downed tree removal



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2321 on land which will retain the existing trees on site which are  
2322 lightly or completely undamaged;

2323 2. Site preparation, and tree replanting; or

2324 3. Road and trail clearing on private timber lands to  
2325 provide emergency access and facilitate salvage operations.

2326 (b) Only timber land located on lands classified as  
2327 agricultural lands under s. 193.461 are eligible for the  
2328 program.

2329 (c) The department shall coordinate with state agencies and  
2330 other entities to ensure to the greatest extent possible that  
2331 timber landowners have access to the maximum financial  
2332 assistance available following a specified declared emergency.  
2333 The coordination must endeavor to ensure that there is no  
2334 duplication of financial assistance between these funds and  
2335 other funding sources, such as any federal or other state  
2336 programs, including public assistance requests to the Federal  
2337 Emergency Management Agency or financial assistance from the  
2338 United States Department of Agriculture, which would render the  
2339 approved applicant ineligible for other financial assistance.

2340 (d) The department is authorized to adopt rules to  
2341 implement this section, including emergency rules.  
2342 Notwithstanding any other provision of law, emergency rules  
2343 adopted pursuant to this subsection are effective for 6 months  
2344 after adoption and may be renewed during the pendency of  
2345 procedures to adopt permanent rules addressing the subject of  
2346 the emergency rules.

2347 Section 65. Section 570.831, Florida Statutes, is created  
2348 to read:

2349 570.831 Florida beef marketing program.—The Cattle

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2350 Enhancement Board, Inc., in coordination with the department,  
2351 shall, subject to appropriation, establish a Florida beef  
2352 marketing program to conduct research designed to expand the  
2353 uses of beef and beef products and strengthen the market  
2354 position of Florida's cattle industry through marketing  
2355 campaigns and promotions within this state and the nation.

2356 Section 66. Subsections (2) and (5) of section 581.1843,  
2357 Florida Statutes, are amended to read:

2358 581.1843 Citrus nursery stock propagation and production  
2359 and the establishment of regulated areas around citrus  
2360 nurseries.—

2361 (2) Effective January 1, 2007, it is unlawful for any  
2362 person to propagate for sale or movement any citrus nursery  
2363 stock that was not propagated or grown on a site and within a  
2364 protective structure approved by the department ~~and that is not~~  
2365 ~~at least 1 mile away from commercial citrus groves. A citrus~~  
2366 ~~nursery registered with the department prior to April 1, 2006,~~  
2367 ~~shall not be required to comply with the 1-mile setback from~~  
2368 ~~commercial citrus groves while continuously operating at the~~  
2369 ~~same location for which it was registered. However, the nursery~~  
2370 shall be required to propagate citrus within a protective  
2371 structure approved by the department. Effective January 1, 2008,  
2372 it is ~~shall be~~ unlawful to distribute any citrus nursery stock  
2373 that was not produced in a protective structure approved by the  
2374 department.

2375 ~~(5) The department shall establish regulated areas around~~  
2376 ~~the perimeter of commercial citrus nurseries that were~~  
2377 ~~established on sites after April 1, 2006, not to exceed a radius~~  
2378 ~~of 1 mile. The planting of citrus in an established regulated~~

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2379 ~~area is prohibited. The planting of citrus within a 1-mile~~  
2380 ~~radius of commercial citrus nurseries that were established on~~  
2381 ~~sites prior to April 1, 2006, must be approved by the~~  
2382 ~~department. Citrus plants planted within a regulated area prior~~  
2383 ~~to the establishment of the regulated area may remain in the~~  
2384 ~~regulated area unless the department determines the citrus~~  
2385 ~~plants to be infected or infested with citrus canker or citrus~~  
2386 ~~greening. The department shall require the removal of infected~~  
2387 ~~or infested citrus, nonapproved planted citrus, and citrus that~~  
2388 ~~has sprouted by natural means in regulated areas. The property~~  
2389 ~~owner shall be responsible for the removal of citrus planted~~  
2390 ~~without proper approval. Notice of the removal of citrus trees,~~  
2391 ~~by immediate final order of the department, shall be provided to~~  
2392 ~~the owner of the property on which the trees are located. An~~  
2393 ~~immediate final order issued by the department under this~~  
2394 ~~section shall notify the property owner that the citrus trees,~~  
2395 ~~which are the subject of the immediate final order, must be~~  
2396 ~~removed and destroyed unless the property owner, no later than~~  
2397 ~~10 days after delivery of the immediate final order, requests~~  
2398 ~~and obtains a stay of the immediate final order from the~~  
2399 ~~district court of appeal with jurisdiction to review such~~  
2400 ~~requests. The property owner shall not be required to seek a~~  
2401 ~~stay from the department of the immediate final order prior to~~  
2402 ~~seeking a stay from the district court of appeal.~~

2403       Section 67. Sections 593.101, 593.102, 593.103, 593.104,  
2404 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,  
2405 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116,  
2406 and 593.117, Florida Statutes, are repealed.

2407       Section 68. Subsection (11) of section 595.404, Florida

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2408 Statutes, is amended to read:

2409       595.404 School food and other nutrition programs; powers  
2410 and duties of the department.—The department has the following  
2411 powers and duties:

2412       (11) To adopt and implement an appeal process by rule, as  
2413 required by federal regulations, for applicants and participants  
2414 under the programs implemented pursuant to this chapter,  
2415 notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss.~~  
2416 ~~120.569 and 120.57-120.595.~~

2417       Section 69. Section 599.002, Florida Statutes, is amended  
2418 to read:

2419       599.002 Florida Wine ~~Viticulture~~ Advisory Council.—

2420       (1) There is created within the Department of Agriculture  
2421 and Consumer Services the Florida Wine ~~Viticulture~~ Advisory  
2422 Council, to be composed ~~consist~~ of eight members as follows: the  
2423 president of the Florida Wine and Grape Growers Association  
2424 ~~Florida Grape Growers' Association~~ or a designee thereof; a  
2425 representative from the Institute of Food and Agricultural  
2426 Sciences; a representative from the viticultural science program  
2427 at Florida Agricultural and Mechanical University; and five  
2428 additional commercial members, to be appointed for a 2-year term  
2429 each by the Commissioner of Agriculture, including a wine  
2430 producer, a fresh fruit producer, a nonwine product (juice,  
2431 jelly, pie fillings, etc.) producer, and a viticultural nursery  
2432 operator.

2433       (2) The meetings, powers and duties, procedures, and  
2434 recordkeeping of the Florida Wine ~~Viticulture~~ Advisory Council  
2435 shall be pursuant to s. 570.232.

2436       (3) The primary responsibilities of the Florida Wine

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2437 ~~Viticulture~~ Advisory Council are to submit to the Commissioner  
2438 of Agriculture, annually, the industry's recommendations for  
2439 wine and viticultural research, promotion, and education and, as  
2440 necessary, the industry's recommendations for revisions to the  
2441 State Wine ~~Viticulture~~ Plan.

2442 Section 70. Section 599.003, Florida Statutes, is amended  
2443 to read:

2444 599.003 State Wine ~~Viticulture~~ Plan.—

2445 (1) The Commissioner of Agriculture, in consultation with  
2446 the Florida Wine ~~Viticulture~~ Advisory Council, shall develop and  
2447 coordinate the implementation of the State Wine ~~Viticulture~~  
2448 Plan, which shall identify problems and constraints of the wine  
2449 and viticulture industry, propose possible solutions to those  
2450 problems, and develop planning mechanisms for the orderly growth  
2451 of the industry, including:

2452 (a) Criteria for wine and viticultural research, service,  
2453 and management priorities.

2454 (b) Additional proposed legislation that may be required.

2455 (c) Plans and goals to improve research and service  
2456 capabilities at Florida Agricultural and Mechanical University  
2457 and the University of Florida in their efforts to address  
2458 current and future needs of the industry.

2459 (d) The potential for viticulture products in terms of  
2460 market and needs for development.

2461 (e) Evaluation of wine policy alternatives, including, but  
2462 not limited to, continued improvement in wine quality, blending  
2463 considerations, promotion and advertising, labeling and vineyard  
2464 designations, and development of production and marketing  
2465 strategies.

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2466 (f) Evaluation of production and fresh fruit policy  
2467 alternatives, including, but not limited to, setting minimum  
2468 grades and standards, promotion and advertising, development of  
2469 production and marketing strategies, and setting minimum  
2470 standards on types and quality of nursery plants.

2471 (g) Evaluation of policy alternatives for nonwine processed  
2472 products, including, but not limited to, setting minimum quality  
2473 standards and development of production and marketing  
2474 strategies.

2475 (h) Research and service priorities for further development  
2476 of the wine and viticulture industry.

2477 (i) The identification of state agencies and public and  
2478 private institutions concerned with research, education,  
2479 extension, services, planning, promotion, and marketing  
2480 functions related to wine and viticultural development and the  
2481 delineation of contributions and responsibilities.

2482 (j) Business planning, investment potential, financial  
2483 risks, and economics of production and utilization.

2484 (2) A revision and update of the State Wine Viticulture  
2485 Plan must ~~shall~~ be submitted biennially to the President of the  
2486 Senate, the Speaker of the House of Representatives, and the  
2487 chairs of appropriate committees of the Senate and House of  
2488 Representatives, and a progress report and budget request must  
2489 ~~shall~~ be submitted annually.

2490 Section 71. Paragraph (a) of subsection (2) and subsection  
2491 (3) of section 599.004, Florida Statutes, are amended, and  
2492 paragraph (d) is added to subsection (2) of that section, to  
2493 read:

2494 599.004 Florida Farm Winery Program; registration; logo;

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2495 fees.—

2496 (2) (a) The department, in coordination with the Florida  
2497 Wine Viticulture Advisory Council, shall develop and designate  
2498 by rule a Florida Farm Winery logo, emblem, and directional sign  
2499 to guide the public to certified Florida Farm Wineries ~~Winery~~  
2500 ~~tourist attractions~~. The logo and emblem of certified Florida  
2501 Farm Winery signs must ~~shall~~ be uniform.

2502 (d) Wineries that fail to recertify annually or pay the  
2503 licensing fee required in paragraph (c) are subject to having  
2504 the signs referenced in paragraph (b) removed and will be  
2505 responsible for all costs incurred by the Department of  
2506 Transportation in connection with the removal.

2507 (3) All fees collected, except as otherwise provided by  
2508 this section, shall be deposited into the Florida Wine  
2509 Viticulture Trust Fund and used to develop consumer information  
2510 on the native characteristics and proper use of wines.

2511 Section 72. Section 599.012, Florida Statutes, is amended  
2512 to read:

2513 599.012 Wine Viticulture Trust Fund; creation.—

2514 (1) There is established the Viticulture Trust Fund within  
2515 the Department of Agriculture and Consumer Services. The  
2516 department shall use the moneys deposited in the trust fund  
2517 pursuant to subsection (2) to do all the following:

2518 (a) Develop and coordinate the implementation of the State  
2519 Viticulture Plan.

2520 (b) Promote viticulture products manufactured from products  
2521 grown in the state.

2522 (c) Provide grants for viticultural research.

2523 (2) Fifty percent of the revenues collected from the excise

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2524 taxes imposed under s. 564.06 on wine produced by manufacturers  
2525 in this state from products grown in the state will be deposited  
2526 in the Viticulture Trust Fund in accordance with that section.

2527 Section 73. Subsection (1) of section 616.12, Florida  
2528 Statutes, is amended to read:

2529 616.12 Licenses upon certain shows; distribution of fees;  
2530 exemptions.—

2531 (1) Each person who operates any traveling show,  
2532 exhibition, amusement enterprise, carnival, vaudeville, exhibit,  
2533 ~~minstrel~~, rodeo, theatrical, game or test of skill, riding  
2534 device, dramatic repertoire, other show or amusement, or  
2535 concession, including a concession operating in a tent,  
2536 enclosure, or other temporary structure, within the grounds of,  
2537 and in connection with, any annual public fair held by a fair  
2538 association shall pay the license taxes provided by law.

2539 However, if the association satisfies the requirements of this  
2540 chapter, including securing the required fair permit from the  
2541 department, the license taxes and local business tax authorized  
2542 in chapter 205 are waived and the department shall issue a tax  
2543 exemption certificate. The department shall adopt the proper  
2544 forms and rules to administer this section, including the  
2545 necessary tax exemption certificate, showing that the fair  
2546 association has met all requirements and that the traveling  
2547 show, exhibition, amusement enterprise, carnival, vaudeville,  
2548 exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill,  
2549 riding device, dramatic repertoire, other show or amusement, or  
2550 concession is exempt.

2551 Section 74. Section 687.16, Florida Statutes, is created to  
2552 read:



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2553 687.16 Florida Farmer Financial Protection Act.—

2554 (1) SHORT TITLE.—This section may be cited as the “Florida  
2555 Farmer Financial Protection Act.”

2556 (2) DEFINITIONS.—As used in this section, the term:

2557 (a) “Agriculture producer” means a person or company  
2558 authorized to do business in this state and engaged in the  
2559 production of goods derived from plants or animals, including,  
2560 but not limited to, the growing of crops, silviculture, animal  
2561 husbandry, or the production of livestock or dairy products.

2562 (b) “Agritourism activity” has the same meaning as provided  
2563 in s. 570.86.

2564 (c) “Commissioner” means the Commissioner of Agriculture.

2565 (d) “Company” means a for-profit organization, association,  
2566 corporation, partnership, joint venture, sole proprietorship,  
2567 limited partnership, limited liability partnership, or limited  
2568 liability company, including a wholly owned subsidiary,  
2569 majority-owned subsidiary, parent company, or affiliate of those  
2570 entities or business associations authorized to do business in  
2571 this state.

2572 (e) “Denies or restricts” means refusing to provide  
2573 services, terminating existing services, or restricting or  
2574 burdening the scope or nature of services offered or provided.

2575 (f) “Discriminate in the provision of financial services”  
2576 means to deny or restrict services and thereby decline to  
2577 provide financial services.

2578 (g) “ESG factor” means any factor or consideration that is  
2579 collateral to or not reasonably likely to affect or impact  
2580 financial risk and includes the promotion, furtherance, or  
2581 achievement of environmental, social, or political goals,

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2582 objectives, or outcomes, which may include the agriculture  
2583 producer's greenhouse gas emissions, use of fossil-fuel derived  
2584 fertilizer, or use of fossil-fuel powered machinery.

2585 (h) "Farm" means the land, buildings, support facilities,  
2586 machinery, and other appurtenances used in the production of  
2587 farm or aquaculture products.

2588 (i) "Financial institution" means a company authorized to  
2589 do business in this state which has total assets of more than  
2590 \$100 million and offers financial services. A financial  
2591 institution includes any affiliate or subsidiary company, even  
2592 if that affiliate or subsidiary company is also a financial  
2593 institution.

2594 (j) "Financial service" means any product or service that  
2595 is of a financial nature and is offered by a financial  
2596 institution.

2597 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

2598 (a) A financial institution may not discriminate in the  
2599 provision of financial services to an agriculture producer  
2600 based, in whole or in part, upon an ESG factor.

2601 (b) If a financial institution has made any ESG commitment  
2602 related to agriculture, there is an inference that the  
2603 institution's denial or restriction of a financial service to an  
2604 agriculture producer violates paragraph (a).

2605 (c) A financial institution may overcome the inference in  
2606 paragraph (b) by demonstrating that its denial or restriction of  
2607 a financial service was based solely on documented risk  
2608 analysis, and not on any ESG factor.

2609 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney  
2610 General, in consultation with the Office of Financial

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2611 Regulation, is authorized to enforce subsection (3). Any  
2612 violation of subsection (3) constitutes an unfair trade practice  
2613 under part II of chapter 501 and the Attorney General is  
2614 authorized to investigate and seek remedies as provided in  
2615 general law. Actions for damages may be sought by an aggrieved  
2616 party.

2617 Section 75. Paragraph (a) of subsection (3) of section  
2618 741.0305, Florida Statutes, is amended to read:

2619 741.0305 Marriage fee reduction for completion of  
2620 premarital preparation course.—

2621 (3)(a) All individuals electing to participate in a  
2622 premarital preparation course shall choose from the following  
2623 list of qualified instructors:

- 2624 1. A psychologist licensed under chapter 490.
- 2625 2. A clinical social worker licensed under chapter 491.
- 2626 3. A marriage and family therapist licensed under chapter  
2627 491.
- 2628 4. A mental health counselor licensed under chapter 491.
- 2629 5. An official representative of a religious institution  
2630 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the  
2631 representative has relevant training.

2632 6. Any other provider designated by a judicial circuit,  
2633 including, but not limited to, school counselors who are  
2634 certified to offer such courses. Each judicial circuit may  
2635 establish a roster of area course providers, including those who  
2636 offer the course on a sliding fee scale or for free.

2637 Section 76. Paragraph (h) of subsection (2), subsection  
2638 (3), paragraph (c) of subsection (6), and subsection (10) of  
2639 section 790.06, Florida Statutes, are amended to read:

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2640 790.06 License to carry concealed weapon or concealed  
2641 firearm.—

2642 (2) The Department of Agriculture and Consumer Services  
2643 shall issue a license if the applicant:

2644 (h) Demonstrates competence with a firearm by any one of  
2645 the following:

2646 1. Completion of any hunter education or hunter safety  
2647 course approved by the Fish and Wildlife Conservation Commission  
2648 or a similar agency of another state;

2649 2. Completion of any National Rifle Association firearms  
2650 safety or training course;

2651 3. Completion of any firearms safety or training course or  
2652 class available to the general public offered by a law  
2653 enforcement agency, junior college, college, or private or  
2654 public institution or organization or firearms training school,  
2655 using instructors certified by the National Rifle Association,  
2656 Criminal Justice Standards and Training Commission, or the  
2657 Department of Agriculture and Consumer Services;

2658 4. Completion of any law enforcement firearms safety or  
2659 training course or class offered for security guards,  
2660 investigators, special deputies, or any division or subdivision  
2661 of a law enforcement agency or security enforcement;

2662 5. Presents evidence of equivalent experience with a  
2663 firearm through participation in organized shooting competition  
2664 or United States military service;

2665 6. Is licensed or has been licensed to carry a concealed  
2666 weapon or concealed firearm in this state or a county or  
2667 municipality of this state, unless such license has been revoked  
2668 for cause; or

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2669           7. Completion of any firearms training or safety course or  
2670 class conducted by a state-certified or National Rifle  
2671 Association certified firearms instructor;

2672  
2673 A photocopy of a certificate of completion of any of the courses  
2674 or classes; an affidavit from the instructor, school, club,  
2675 organization, or group that conducted or taught such course or  
2676 class attesting to the completion of the course or class by the  
2677 applicant; or a copy of any document that shows completion of  
2678 the course or class or evidences participation in firearms  
2679 competition shall constitute evidence of qualification under  
2680 this paragraph. A person who conducts a course pursuant to  
2681 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as  
2682 an instructor, attests to the completion of such courses, must  
2683 maintain records certifying that he or she observed the student  
2684 safely handle and discharge the firearm in his or her physical  
2685 presence and that the discharge of the firearm included live  
2686 fire using a firearm and ammunition as defined in s. 790.001;

2687           (3) (a) The Department of Agriculture and Consumer Services  
2688 shall deny a license if the applicant has been found guilty of,  
2689 had adjudication of guilt withheld for, or had imposition of  
2690 sentence suspended for one or more crimes of violence  
2691 constituting a misdemeanor, unless 3 years have elapsed since  
2692 probation or any other conditions set by the court have been  
2693 fulfilled or the record has been sealed or expunged. The  
2694 Department of Agriculture and Consumer Services shall revoke a  
2695 license if the licensee has been found guilty of, had  
2696 adjudication of guilt withheld for, or had imposition of  
2697 sentence suspended for one or more crimes of violence within the

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2698 preceding 3 years. The department shall, upon notification by a  
2699 law enforcement agency, a court, clerk's office, or the Florida  
2700 Department of Law Enforcement ~~and subsequent written~~  
2701 ~~verification~~, temporarily suspend a license or the processing of  
2702 an application for a license if the licensee or applicant is  
2703 arrested or formally charged with a crime that would disqualify  
2704 such person from having a license under this section, until  
2705 final disposition of the case. The department shall suspend a  
2706 license or the processing of an application for a license if the  
2707 licensee or applicant is issued an injunction that restrains the  
2708 licensee or applicant from committing acts of domestic violence  
2709 or acts of repeat violence. The department shall notify the  
2710 licensee or applicant suspended under this section of his or her  
2711 right to a hearing pursuant to chapter 120. A hearing conducted  
2712 regarding the temporary suspension must be for the limited  
2713 purpose of determining whether the licensee has been arrested or  
2714 charged with a disqualifying crime or issued an injunction or  
2715 court order. If the criminal case or injunction results in a  
2716 nondisqualifying disposition, the department must issue an order  
2717 lifting the suspension upon the applicant or licensee's  
2718 submission to the department of a certified copy of the final  
2719 resolution. If the criminal case results in a disqualifying  
2720 disposition, the suspension remains in effect and the department  
2721 must proceed with denial or revocation proceedings pursuant to  
2722 chapter 120.

2723 (b) This subsection may not be construed to limit,  
2724 restrict, or inhibit the constitutional right to bear arms and  
2725 carry a concealed weapon in this state. The Legislature finds it  
2726 a matter of public policy and public safety that it is necessary

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2727 to ensure that potentially disqualifying information about an  
2728 applicant or licensee is investigated and processed in a timely  
2729 manner by the department pursuant to this section. The  
2730 Legislature intends to clarify that suspensions pursuant to this  
2731 section are temporary, and the department has the duty to make  
2732 an eligibility determination and issue a license in the time  
2733 frame prescribed in this subsection.

2734 (6)

2735 (c) The Department of Agriculture and Consumer Services  
2736 shall, within 90 days after the date of receipt of the items  
2737 listed in subsection (5):

2738 1. Issue the license; or

2739 2. Deny the application based solely on the ground that the  
2740 applicant fails to qualify under the criteria listed in  
2741 subsection (2) or subsection (3). If the Department of  
2742 Agriculture and Consumer Services denies the application, it  
2743 shall notify the applicant in writing, stating the ground for  
2744 denial and informing the applicant of any right to a hearing  
2745 pursuant to chapter 120.

2746 3. In the event the result of the criminal history  
2747 screening identifies ~~department receives~~ criminal history  
2748 information related to a crime that may disqualify the applicant  
2749 but does not contain ~~with no~~ final disposition of the crime or  
2750 lacks sufficient information to make an eligibility  
2751 determination ~~on a crime which may disqualify the applicant,~~ the  
2752 time limitation prescribed by this paragraph may be extended for  
2753 up to an additional 90 days from the receipt of the information  
2754 ~~suspended until receipt of the final disposition or proof of~~  
2755 ~~restoration of civil and firearm rights.~~ The department may make

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2756 a request for information to the jurisdiction where the criminal  
2757 history information originated but must issue a license if it  
2758 does not obtain a disposition or sufficient information to make  
2759 an eligibility determination during the additional 90 days if  
2760 the applicant is otherwise eligible. The department may take any  
2761 action authorized in this section if it receives disqualifying  
2762 criminal history information during the additional 90-day review  
2763 or after issuance of a license.

2764 (10) A license issued under this section must ~~shall~~ be  
2765 temporarily suspended as provided for in subparagraph (6)(c)3.,  
2766 or revoked pursuant to chapter 120 if the license was issued in  
2767 error or if the licensee:

2768 (a) Is found to be ineligible under the criteria set forth  
2769 in subsection (2);

2770 (b) Develops or sustains a physical infirmity which  
2771 prevents the safe handling of a weapon or firearm;

2772 (c) Is convicted of a felony which would make the licensee  
2773 ineligible to possess a firearm pursuant to s. 790.23;

2774 (d) Is found guilty of a crime under chapter 893, or  
2775 similar laws of any other state, relating to controlled  
2776 substances;

2777 (e) Is committed as a substance abuser under chapter 397,  
2778 or is deemed a habitual offender under s. 856.011(3), or similar  
2779 laws of any other state;

2780 (f) Is convicted of a second violation of s. 316.193, or a  
2781 similar law of another state, within 3 years after a first  
2782 conviction of such section or similar law of another state, even  
2783 though the first violation may have occurred before the date on  
2784 which the application was submitted;



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2785 (g) Is adjudicated an incapacitated person under s.  
2786 744.331, or similar laws of any other state; or  
2787 (h) Is committed to a mental institution under chapter 394,  
2788 or similar laws of any other state.

2789

2790 Notwithstanding s. 120.60(5), service of a notice of the  
2791 suspension or revocation of a concealed weapon or concealed  
2792 firearm license must be given by either certified mail, return  
2793 receipt requested, to the licensee at his or her last known  
2794 mailing address furnished to the Department of Agriculture and  
2795 Consumer Services, or by personal service. If a notice given by  
2796 certified mail is returned as undeliverable, a second attempt  
2797 must be made to provide notice to the licensee at that address,  
2798 by either first-class mail in an envelope, postage prepaid,  
2799 addressed to the licensee at his or her last known mailing  
2800 address furnished to the department, or, if the licensee has  
2801 provided an e-mail address to the department, by e-mail. Such  
2802 mailing by the department constitutes notice, and any failure by  
2803 the licensee to receive such notice does not stay the effective  
2804 date or term of the suspension or revocation. A request for  
2805 hearing must be filed with the department within 21 days after  
2806 notice is received by personal delivery, or within 26 days after  
2807 the date the department deposits the notice in the United States  
2808 mail (21 days plus 5 days for mailing). The department shall  
2809 document its attempts to provide notice, and such documentation  
2810 is admissible in the courts of this state and constitutes  
2811 sufficient proof that notice was given.

2812 Section 77. Subsection (2) of section 812.0151, Florida  
2813 Statutes, is amended to read:

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2814 812.0151 Retail fuel theft.—

2815 (2) (a) A person commits a felony of the third degree,  
2816 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
2817 if he or she willfully, knowingly, and without authorization:

2818 1. Breaches a retail fuel dispenser or accesses any  
2819 internal portion of a retail fuel dispenser; ~~or~~

2820 2. Possesses any device constructed for the purpose of  
2821 fraudulently altering, manipulating, or interrupting the normal  
2822 functioning of a retail fuel dispenser; or

2823 3. Possesses any form of a payment instrument that can be  
2824 used, alone or in conjunction with another access device, to  
2825 authorize a fuel transaction or obtain fuel, including, but not  
2826 limited to, a plastic payment card with a magnetic stripe or a  
2827 chip encoded with account information or both, with the intent  
2828 to defraud the fuel retailer, the authorized payment instrument  
2829 financial account holder, or the banking institution that issued  
2830 the payment instrument financial account.

2831 (b) A person commits a felony of the second degree,  
2832 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
2833 if he or she willfully, knowingly, and without authorization:

2834 1. Physically tampers with, manipulates, removes, replaces,  
2835 or interrupts any mechanical or electronic component located on  
2836 ~~within~~ the internal or external portion of a retail fuel  
2837 dispenser; or

2838 2. Uses any form of electronic communication to  
2839 fraudulently alter, manipulate, or interrupt the normal  
2840 functioning of a retail fuel dispenser.

2841 (c) A person commits a felony of the third degree,  
2842 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,

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2843 if he or she:

2844 1. Obtains fuel as a result of violating paragraph (a) or  
2845 paragraph (b); ~~or~~

2846 2. Modifies a vehicle's factory installed fuel tank or  
2847 possesses any item used to hold fuel which was not fitted to a  
2848 vehicle or conveyance at the time of manufacture with the intent  
2849 to use such fuel tank or item to hold or transport fuel obtained  
2850 as a result of violating paragraph (a) or paragraph (b); or

2851 3. Uses any form of a payment instrument that can be used,  
2852 alone or in conjunction with another access device, to authorize  
2853 a fuel transaction or obtain fuel, including, but not limited  
2854 to, a plastic payment card with a magnetic stripe or a chip  
2855 encoded with account information or both, with the intent to  
2856 defraud the fuel retailer, the authorized payment instrument  
2857 financial account holder, or the banking institution that issued  
2858 the payment instrument financial account.

2859 Section 78. Section 812.136, Florida Statutes, is created  
2860 to read:

2861 812.136 Mail theft.—

2862 (1) As used in this section, unless the context otherwise  
2863 requires:

2864 (a) "Mail" means any letter, postal card, parcel, envelope,  
2865 package, bag, or any other sealed article addressed to another,  
2866 along with its contents.

2867 (b) "Mail depository" means a mail box, letter box, mail  
2868 route, or mail receptacle of a postal service, an office of a  
2869 postal service, or mail carrier of a postal service, or a  
2870 vehicle of a postal service.

2871 (c) "Postal service" means the United States Postal Service

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2872 or its contractors, or any commercial courier that delivers  
2873 mail.

2874 (2) Any of the following acts constitutes mail theft:

2875 (a) Removing mail from a mail depository or taking mail  
2876 from a mail carrier of a postal service with an intent to steal.

2877 (b) Obtaining custody of mail by fraud or deception with an  
2878 intent to steal.

2879 (c) Selling, receiving, possessing, transferring, buying,  
2880 or concealing mail obtained by acts described in paragraph (a)  
2881 or paragraph (b) of this subsection, while knowing or having  
2882 reason to know the mail was obtained illegally.

2883 (3) Any of the following constitutes theft of or  
2884 unauthorized reproduction of a mail depository key or lock:

2885 (a) Stealing or obtaining by false pretense any key or lock  
2886 adopted by a postal service for a mail depository or other  
2887 authorized receptacle for the deposit or delivery of mail.

2888 (b) Knowingly and unlawfully making, forging, or  
2889 counterfeiting any such key or possessing any such key or lock  
2890 adopted by a postal service with the intent to unlawfully or  
2891 improperly use, sell, or otherwise dispose of the key or lock,  
2892 or to cause the key or lock to be unlawfully or improperly used,  
2893 sold, or otherwise disposed.

2894 (4) The first violation of this section constitutes a  
2895 misdemeanor of the first degree, punishable by a term of  
2896 imprisonment not exceeding 1 year pursuant to s. 775.082(4) (a)  
2897 or a fine not to exceed \$1,000 pursuant to s. 775.083(1) (d), or  
2898 both. A second or subsequent violation of this section  
2899 constitutes a felony of the third degree, punishable by a term  
2900 of imprisonment not exceeding 5 years pursuant to s.

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2901 775.82(3)(e) or a fine not to exceed \$5,000 pursuant to s.  
 2902 775.083(1)(c), or both.

2903 Section 79. Paragraph (i) of subsection (4) of section  
 2904 934.50, Florida Statutes, is amended to read:

2905 934.50 Searches and seizure using a drone.—

2906 (4) EXCEPTIONS.—This section does not prohibit the use of a  
 2907 drone:

2908 ~~(i) By a person or an entity engaged in a business or~~  
 2909 ~~profession licensed by the state, or by an agent, employee, or~~  
 2910 ~~contractor thereof, if the drone is used only to perform~~  
 2911 ~~reasonable tasks within the scope of practice or activities~~  
 2912 ~~permitted under such person's or entity's license. However, this~~  
 2913 ~~exception does not apply to a profession in which the licensee's~~  
 2914 ~~authorized scope of practice includes obtaining information~~  
 2915 ~~about the identity, habits, conduct, movements, whereabouts,~~  
 2916 ~~affiliations, associations, transactions, reputation, or~~  
 2917 ~~character of any society, person, or group of persons.~~

2918 Section 80. Section 1013.373, Florida Statutes, is created  
 2919 to read:

2920 1013.373 Educational facilities used for agricultural  
 2921 education.—

2922 (1) Notwithstanding any other provision of law, a local  
 2923 government may not adopt any ordinance, regulation, rule, or  
 2924 policy to prohibit, restrict, regulate, or otherwise limit any  
 2925 activities of public educational facilities and auxiliary  
 2926 facilities constructed by a board for agricultural education,  
 2927 for Future Farmers of America or 4-H activities, or the storage  
 2928 of any animal or equipment therein.

2929 (2) Lands used for agricultural education or for Future

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2930 Farmers of America or 4-H activities are considered agricultural  
2931 lands pursuant to s. 193.461 and subject to s. 823.14.

2932 Section 81. For the purpose of incorporating the amendment  
2933 made by this act to section 110.205, Florida Statutes, in a  
2934 reference thereto, paragraph (a) of subsection (5) of section  
2935 295.07, Florida Statutes, is reenacted to read:

2936 295.07 Preference in appointment and retention.—

2937 (5) The following positions are exempt from this section:

2938 (a) Those positions that are exempt from the state Career  
2939 Service System under s. 110.205(2); however, all positions under  
2940 the University Support Personnel System of the State University  
2941 System as well as all Career Service System positions under the  
2942 Florida College System and the School for the Deaf and the  
2943 Blind, or the equivalent of such positions at state  
2944 universities, Florida College System institutions, or the School  
2945 for the Deaf and the Blind, are not exempt.

2946 Section 82. For the purpose of incorporating the amendment  
2947 made by this act to section 388.271, Florida Statutes, in a  
2948 reference thereto, paragraph (a) of subsection (1) of section  
2949 189.062, Florida Statutes, is reenacted to read:

2950 189.062 Special procedures for inactive districts.—

2951 (1) The department shall declare inactive any special  
2952 district in this state by documenting that:

2953 (a) The special district meets one of the following  
2954 criteria:

2955 1. The registered agent of the district, the chair of the  
2956 governing body of the district, or the governing body of the  
2957 appropriate local general-purpose government notifies the  
2958 department in writing that the district has taken no action for

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2959 2 or more years;

2960 2. The registered agent of the district, the chair of the  
2961 governing body of the district, or the governing body of the  
2962 appropriate local general-purpose government notifies the  
2963 department in writing that the district has not had a governing  
2964 body or a sufficient number of governing body members to  
2965 constitute a quorum for 2 or more years;

2966 3. The registered agent of the district, the chair of the  
2967 governing body of the district, or the governing body of the  
2968 appropriate local general-purpose government fails to respond to  
2969 an inquiry by the department within 21 days;

2970 4. The department determines, pursuant to s. 189.067, that  
2971 the district has failed to file any of the reports listed in s.  
2972 189.066;

2973 5. The district has not had a registered office and agent  
2974 on file with the department for 1 or more years;

2975 6. The governing body of a special district provides  
2976 documentation to the department that it has unanimously adopted  
2977 a resolution declaring the special district inactive. The  
2978 special district is responsible for payment of any expenses  
2979 associated with its dissolution;

2980 7. The district is an independent special district or a  
2981 community redevelopment district created under part III of  
2982 chapter 163 that has reported no revenue, no expenditures, and  
2983 no debt under s. 189.016(9) or s. 218.32 for at least 5  
2984 consecutive fiscal years beginning no earlier than October 1,  
2985 2018. This subparagraph does not apply to a community  
2986 development district established under chapter 190 or to any  
2987 independent special district operating pursuant to a special act

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2988 that provides that any amendment to chapter 190 to grant  
2989 additional powers constitutes a power of that district; or

2990 8. For a mosquito control district created pursuant to  
2991 chapter 388, the department has received notice from the  
2992 Department of Agriculture and Consumer Services that the  
2993 district has failed to file a tentative work plan and tentative  
2994 detailed work plan budget as required by s. 388.271.

2995 Section 83. For the purpose of incorporating the amendment  
2996 made by this act to section 388.271, Florida Statutes, in a  
2997 reference thereto, subsection (7) of section 388.261, Florida  
2998 Statutes, is reenacted to read:

2999 388.261 State aid to counties and districts for arthropod  
3000 control; distribution priorities and limitations.—

3001 (7) The department may use state funds appropriated for a  
3002 county or district under subsection (1) or subsection (2) to  
3003 provide state mosquito or other arthropod control equipment,  
3004 supplies, or services when requested by a county or district  
3005 eligible to receive state funds under s. 388.271.

3006 Section 84. For the purpose of incorporating the amendment  
3007 made by this act to section 482.161, Florida Statutes, in a  
3008 reference thereto, paragraph (b) of subsection (3) of section  
3009 482.072, Florida Statutes, is reenacted to read:

3010 482.072 Pest control customer contact centers.—

3011 (3)

3012 (b) Notwithstanding any other provision of this section:

3013 1. A customer contact center licensee is subject to  
3014 disciplinary action under s. 482.161 for a violation of this  
3015 section or a rule adopted under this section committed by a  
3016 person who solicits pest control services or provides customer



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3017 service in a customer contact center.

3018 2. A pest control business licensee may be subject to  
3019 disciplinary action under s. 482.161 for a violation of this  
3020 section or a rule adopted under this section committed by a  
3021 person who solicits pest control services or provides customer  
3022 service in a customer contact center operated by a licensee if  
3023 the licensee participates in the violation.

3024 Section 85. For the purpose of incorporating the amendment  
3025 made by this act to section 482.161, Florida Statutes, in a  
3026 reference thereto, section 482.163, Florida Statutes, is  
3027 reenacted to read:

3028 482.163 Responsibility for pest control activities of  
3029 employee.—Proper performance of pest control activities by a  
3030 pest control business employee is the responsibility not only of  
3031 the employee but also of the certified operator in charge, and  
3032 the certified operator in charge may be disciplined pursuant to  
3033 the provisions of s. 482.161 for the pest control activities of  
3034 an employee. A licensee may not automatically be considered  
3035 responsible for violations made by an employee. However, the  
3036 licensee may not knowingly encourage, aid, or abet violations of  
3037 this chapter.

3038 Section 86. For the purpose of incorporating the amendment  
3039 made by this act to section 487.044, Florida Statutes, in a  
3040 reference thereto, section 487.156, Florida Statutes, is  
3041 reenacted to read:

3042 487.156 Governmental agencies.—All governmental agencies  
3043 shall be subject to the provisions of this part and rules  
3044 adopted under this part. Public applicators using or supervising  
3045 the use of restricted-use pesticides shall be subject to

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3046 examination as provided in s. 487.044.

3047 Section 87. For the purpose of incorporating the amendment  
3048 made by this act to section 496.405, Florida Statutes, in a  
3049 reference thereto, subsection (2) of section 496.4055, Florida  
3050 Statutes, is reenacted to read:

3051 496.4055 Charitable organization or sponsor board duties.—

3052 (2) The board of directors, or an authorized committee  
3053 thereof, of a charitable organization or sponsor required to  
3054 register with the department under s. 496.405 shall adopt a  
3055 policy regarding conflict of interest transactions. The policy  
3056 shall require annual certification of compliance with the policy  
3057 by all directors, officers, and trustees of the charitable  
3058 organization. A copy of the annual certification shall be  
3059 submitted to the department with the annual registration  
3060 statement required by s. 496.405.

3061 Section 88. For the purpose of incorporating the amendment  
3062 made by this act to section 496.405, Florida Statutes, in  
3063 references thereto, subsections (2) and (4) of section 496.406,  
3064 Florida Statutes, are reenacted to read:

3065 496.406 Exemption from registration.—

3066 (2) Before soliciting contributions, a charitable  
3067 organization or sponsor claiming to be exempt from the  
3068 registration requirements of s. 496.405 under paragraph (1)(d)  
3069 must submit annually to the department, on forms prescribed by  
3070 the department:

3071 (a) The name, street address, and telephone number of the  
3072 charitable organization or sponsor, the name under which it  
3073 intends to solicit contributions, the purpose for which it is  
3074 organized, and the purpose or purposes for which the

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3075 contributions to be solicited will be used.

3076 (b) The tax exempt status of the organization.

3077 (c) The date on which the organization's fiscal year ends.

3078 (d) The names, street addresses, and telephone numbers of  
3079 the individuals or officers who have final responsibility for  
3080 the custody of the contributions and who will be responsible for  
3081 the final distribution of the contributions.

3082 (e) A financial statement of support, revenue, and expenses  
3083 and a statement of functional expenses that must include, but  
3084 not be limited to, expenses in the following categories:  
3085 program, management and general, and fundraising. In lieu of the  
3086 financial statement, a charitable organization or sponsor may  
3087 submit a copy of its Internal Revenue Service Form 990 and all  
3088 attached schedules or Internal Revenue Service Form 990-EZ and  
3089 Schedule O.

3090 (4) Exemption from the registration requirements of s.  
3091 496.405 does not limit the applicability of other provisions of  
3092 this section to a charitable organization or sponsor.

3093 Section 89. For the purpose of incorporating the amendment  
3094 made by this act to section 500.12, Florida Statutes, in a  
3095 reference thereto, paragraph (a) of subsection (1) of section  
3096 500.80, Florida Statutes, is reenacted to read:

3097 500.80 Cottage food operations.—

3098 (1)(a) A cottage food operation must comply with the  
3099 applicable requirements of this chapter but is exempt from the  
3100 permitting requirements of s. 500.12 if the cottage food  
3101 operation complies with this section and has annual gross sales  
3102 of cottage food products that do not exceed \$250,000.

3103 Section 90. For the purpose of incorporating the amendment

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3104 made by this act to section 500.172, Florida Statutes, in a  
3105 reference thereto, subsection (6) of section 500.121, Florida  
3106 Statutes, is reenacted to read:

3107 500.121 Disciplinary procedures.—

3108 (6) If the department determines that a food offered in a  
3109 food establishment is labeled with nutrient claims that are in  
3110 violation of this chapter, the department shall retest or  
3111 reexamine the product within 90 days after notification to the  
3112 manufacturer and to the firm at which the product was collected.  
3113 If the product is again found in violation, the department shall  
3114 test or examine the product for a third time within 60 days  
3115 after the second notification. The product manufacturer shall  
3116 reimburse the department for the cost of the third test or  
3117 examination. If the product is found in violation for a third  
3118 time, the department shall exercise its authority under s.  
3119 500.172 and issue a stop-sale or stop-use order. The department  
3120 may impose additional sanctions for violations of this  
3121 subsection.

3122 Section 91. For the purpose of incorporating the amendment  
3123 made by this act to section 790.06, Florida Statutes, in a  
3124 reference thereto, section 790.061, Florida Statutes, is  
3125 reenacted to read:

3126 790.061 Judges and justices; exceptions from licensure  
3127 provisions.—A county court judge, circuit court judge, district  
3128 court of appeal judge, justice of the supreme court, federal  
3129 district court judge, or federal court of appeals judge serving  
3130 in this state is not required to comply with the provisions of  
3131 s. 790.06 in order to receive a license to carry a concealed  
3132 weapon or firearm, except that any such justice or judge must

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3133 comply with the provisions of s. 790.06(2)(h). The Department of  
3134 Agriculture and Consumer Services shall issue a license to carry  
3135 a concealed weapon or firearm to any such justice or judge upon  
3136 demonstration of competence of the justice or judge pursuant to  
3137 s. 790.06(2)(h).

3138 Section 92. This act shall take effect July 1, 2025.