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1  
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  
20 such a 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 by a certain date be offered for fee

54 simple acquisition by the department before the land

55 may be offered for sale or transfer to a private

56 individual or entity; requiring an electric utility to

57 issue a written intent to sell through certified mail

58 to the Commissioner of Agriculture within a specified

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59 | timeframe before offering to sell or transferring  
60 | certain lands; authorizing the commissioner to issue a  
61 | written intent to purchase via certified mail within a  
62 | specified timeframe after receipt of such written  
63 | intent to sell; requiring the electric utility to be  
64 | released from certain provisions under certain  
65 | circumstances; requiring that certain offers accepted  
66 | and received by the department within a specified  
67 | timeframe be executed no later than a certain date;  
68 | requiring the department to adopt rules; amending s.  
69 | 366.94, F.S.; defining the term "electric vehicle  
70 | charging station"; authorizing the department to adopt  
71 | rules; requiring local governmental entities to issue  
72 | permits for electric vehicle charging stations based  
73 | on specified standards and provisions of law;  
74 | requiring that an electric vehicle charger be  
75 | registered with the department before being placed  
76 | into service for use by the public; providing the  
77 | department with certain authority relating to electric  
78 | vehicle charging stations; providing a penalty;  
79 | authorizing the department to issue an immediate final  
80 | order to an electric vehicle charging station under  
81 | certain circumstances; providing that the department  
82 | may bring an action to enjoin a violation of specified  
83 | provisions or rules; requiring the court to issue a  
84 | temporary or permanent injunction under certain  
85 | circumstances; amending s. 388.011, F.S.; revising the  
86 | definition of the terms "board of commissioners" and  
87 | "district"; defining the term "program"; amending s.

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88 388.021, F.S.; making a technical change; amending s.  
89 388.181, F.S.; authorizing programs to perform  
90 specified actions; amending s. 388.201, F.S.;  
91 conforming provisions to changes made by the act;  
92 requiring that the tentative work plan budget covering  
93 the proposed operations and requirements for arthropod  
94 control measures show the estimated amount to be  
95 raised by county, municipality, or district taxes;  
96 requiring that county commissioners' or a similar  
97 governing body's mosquito control budget be made and  
98 adopted pursuant to specified provisions and requiring  
99 that summary figures be incorporated into the county  
100 budgets as prescribed by the department; amending s.  
101 388.241, F.S.; providing that certain rights, powers,  
102 and duties be vested in the board of county  
103 commissioners or similar governing body of a county,  
104 or municipality; amending s. 388.261, F.S.; increasing  
105 the maximum annual amount that a county, municipality,  
106 or district may receive, without contributing matching  
107 funds, in state funds, supplies, services, or  
108 equipment for a certain number of years for any new  
109 program for the control of mosquitos and other  
110 arthropods which serves an area not previously served  
111 by a county, municipality, or district; conforming a  
112 provision to changes made by the act; amending s.  
113 388.271, F.S.; requiring each program participating in  
114 arthropod control activities to file a tentative  
115 integrated arthropod management plan with the  
116 department by a specified date; conforming provisions

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

118 requiring that all funds, supplies, and services

119 released to programs be used in accordance with the

120 integrated arthropod management plan and certified

121 budget; requiring that such integrated arthropod

122 management plan and certified budget be approved by

123 both the department and the board of county

124 commissioners or an appropriate representative;

125 conforming provisions to changes made by the act;

126 amending s. 388.291, F.S.; providing that a program

127 may perform certain source reduction measures in any

128 area providing that the department has approved the

129 operating or construction plan as outlined in the

130 integrated arthropod management plan; conforming

131 provisions to changes made by the act; amending s.

132 388.301, F.S.; revising the schedule by which state

133 funds for the control of mosquitos and other

134 arthropods may be paid; conforming provisions to

135 changes made by the act; amending s. 388.311, F.S.;

136 conforming provisions to changes made by the act;

137 amending s. 388.321, F.S.; conforming provisions to

138 changes made by the act; amending s. 388.322, F.S.;

139 requiring the department to maintain a record and

140 inventory of certain property purchased with state

141 funds for arthropod control use; conforming provisions

142 to changes made by the act; amending s. 388.323, F.S.;

143 requiring that certain equipment no longer needed by a

144 program be first offered for sale to other programs

145 engaged in arthropod control at a specified price;

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146 requiring that all proceeds from the sale of certain  
147 property owned by a program and purchased using state  
148 funds be deposited in the program's state fund  
149 account; conforming provisions to changes made by the  
150 act; amending s. 388.341, F.S.; requiring a program  
151 receiving state aid to submit a monthly report of all  
152 expenditures from all funds for arthropod control by a  
153 specified timeframe as may be required by the  
154 department; conforming provisions to changes made by  
155 the act; amending s. 388.351, F.S.; conforming  
156 provisions to changes made by the act; amending s.  
157 388.361, F.S.; conforming provisions to changes made  
158 by the act; amending s. 388.3711, F.S.; revising the  
159 department's enforcement powers; amending s. 388.381,  
160 F.S.; conforming provisions to changes made by the  
161 act; amending s. 388.391, F.S.; conforming provisions  
162 to changes made by the act; amending s. 388.401, F.S.;  
163 conforming provisions to changes made by the act;  
164 amending s. 388.46, F.S.; revising the composition of  
165 the Florida Coordinating Council on Mosquito Control;  
166 amending s. 403.067, F.S.; providing an exception for  
167 inspection requirements for certain agricultural  
168 producers; authorizing the department to adopt rules  
169 establishing an enrollment in best management  
170 practices by rule process; authorizing the department  
171 to identify best management practices for specified  
172 landowners; requiring the department to perform onsite  
173 inspections annually of a certain percentage of all  
174 enrollments that meet specified qualifications within

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175 a specified area; providing requirements for such  
176 inspections; requiring agricultural producers enrolled  
177 by rule in a best management practice to submit  
178 nutrient records annually to the department; requiring  
179 the department to collect and retain such records;  
180 amending s. 403.852, F.S.; defining the term "water  
181 quality additive"; amending s. 403.859, F.S.;

182 prohibiting the use of certain additives in a water  
183 system which do not meet specified requirements;  
184 amending s. 482.111, F.S.; revising requirements for  
185 the renewal of a pest control operator's certificate;  
186 authorizing a third-party vendor to collect and retain  
187 a convenience fee; amending s. 482.141, F.S.;

188 requiring the department to provide in-person and  
189 remote testing for the examination through a third-  
190 party vendor for an individual seeking pest control  
191 operator certification; authorizing a third-party  
192 vendor to collect and retain a convenience fee;  
193 amending s. 482.155, F.S.; requiring the department to  
194 provide in-person and remote testing for the  
195 examination through a third-party vendor for an  
196 individual seeking limited certification for a  
197 governmental pesticide applicator or a private  
198 applicator; authorizing a third-party vendor to  
199 collect and retain a convenience fee; deleting  
200 provisions requiring the department to make such  
201 examination readily accessible and available to all  
202 applicants on a specified schedule; amending s.  
203 482.156, F.S.; requiring the department to provide in-

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204 person and remote testing for the examination through  
205 a third-party vendor for an individual seeking a  
206 limited certification for commercial landscape  
207 maintenance; authorizing a third-party vendor to  
208 collect and retain a convenience fee; deleting  
209 provisions requiring the department to make such  
210 examination readily accessible and available to all  
211 applicants on a specified schedule; amending s.  
212 482.157, F.S.; revising requirements for issuance of a  
213 limited certification for commercial wildlife  
214 management personnel; authorizing a third-party vendor  
215 to collect and retain a convenience fee; deleting  
216 provisions requiring the department to make an  
217 examination readily accessible and available to all  
218 applicants on a specified schedule; amending s.  
219 482.161, F.S.; authorizing the department to take  
220 specified disciplinary action upon the issuance of a  
221 final order imposing civil penalties or a criminal  
222 conviction pursuant to the Federal Insecticide,  
223 Fungicide, and Rodenticide Act; amending s. 487.044,  
224 F.S.; requiring the department to provide in-person  
225 and remote testing through a third-party vendor for  
226 the examination of an individual seeking a limited  
227 certification for pesticide application; authorizing a  
228 third-party vendor to collect and retain a convenience  
229 fee; amending s. 487.175, F.S.; providing that the  
230 department may suspend, revoke, or deny licensure of a  
231 pesticide applicator upon issuance of a final order to  
232 a licensee which imposes civil penalties or a criminal

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233 conviction under the Federal Insecticide, Fungicide,  
234 and Rodenticide Act; amending s. 496.404, F.S.;  
235 defining the terms "foreign country of concern" and  
236 "foreign source of concern"; amending s. 496.405,  
237 F.S.; revising which documents a charitable  
238 organization or sponsor must file before engaging in  
239 specified activities; requiring that any changes to  
240 such documents be reported to the department on a  
241 specified form in a specified timeframe; revising the  
242 requirements of the charitable organization's initial  
243 registration statement; authorizing the department to  
244 investigate or refer to the Florida Elections  
245 Commission certain violations of the charitable  
246 organization or sponsor; amending s. 496.415, F.S.;  
247 prohibiting specified persons from soliciting or  
248 accepting anything of value from a foreign source of  
249 concern; providing penalties; amending s. 496.417,  
250 F.S.; authorizing the department to investigate or  
251 refer to the Florida Elections Commission certain  
252 violations of a charitable organization or sponsor;  
253 amending s. 496.419, F.S.; providing discretionary  
254 penalties for a charitable organization or sponsor  
255 whose registration is denied or revoked for submitting  
256 a false attestation; creating s. 496.431, F.S.;  
257 requiring the department to create the Honest Services  
258 Registry to provide residents with information  
259 relating to charitable organizations; requiring a  
260 charitable organization included in the Honest  
261 Services Registry to submit an attestation statement

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262 to the department; requiring the department to publish  
263 the Honest Services Registry on the department's  
264 website; requiring the department to adopt rules;  
265 amending s. 500.03, F.S.; revising the definition of  
266 the term "cottage food product"; amending s. 500.12,  
267 F.S.; providing that the department requires a food  
268 permit from any person or business that operates a  
269 food establishment; revising exceptions; revising the  
270 schedule for renewing certain food permits;  
271 authorizing the department to establish a single  
272 permit renewal date for certain food establishments;  
273 amending s. 500.166, F.S.; requiring certain persons  
274 engaged in interstate commerce to retain all records  
275 that show certain information for a specified  
276 timeframe; amending s. 500.172, F.S.; authorizing the  
277 department to facilitate the destruction of certain  
278 articles that violate specified provisions;  
279 prohibiting certain persons from certain actions  
280 without permission from, or in accord with a written  
281 agreement with, the department; creating s. 500.75,  
282 F.S.; providing that it is unlawful to transport or  
283 offer to transport, import into this state, sell or  
284 offer for sale, furnish, or give away certain spores  
285 or mycelium; providing a penalty; creating s. 500.93,  
286 F.S.; defining terms; requiring the department to  
287 adopt rules to enforce the Food and Drug  
288 Administration's standard of identity for milk, meat,  
289 poultry, and poultry products, and eggs and egg  
290 products to prohibit the sale of plant-based products

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291 mislabeled as milk, meat, poultry, or poultry  
292 products, or egg or egg products; providing contingent  
293 effective dates; requiring the department to adopt  
294 rules; providing construction; repealing s. 501.135,  
295 F.S., relating to consumer unit pricing; amending s.  
296 501.912, F.S.; revising the definition of the term  
297 "antifreeze"; creating s. 525.19, F.S.; requiring the  
298 department to create an annual petroleum registration  
299 program for petroleum owners or operators; requiring  
300 the department to adopt rules for such registration  
301 which include specified information; requiring that  
302 the registration program be free for all registrants;  
303 authorizing the department to require registrants to  
304 provide certain information during a state of  
305 emergency; creating s. 526.147, F.S.; creating the  
306 Florida Retail Fuel Transfer Switch Modernization  
307 Grant Program within the department; requiring the  
308 grant program to provide funds up to a certain amount  
309 to be used for installation and equipment costs  
310 related to installing or modernizing transfer switch  
311 infrastructure at retail fuel facilities; requiring  
312 the department to award funds based on specified  
313 criteria; requiring retail fuel facilities awarded  
314 grant funds to comply with specified provisions;  
315 requiring such facilities to install a transfer switch  
316 with specified capabilities; requiring retail fuel  
317 facilities to provide specified documentation before  
318 being awarded funding; prohibiting certain facilities  
319 from being awarded funding; requiring the department,

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320 in consultation with the Division of Emergency  
321 Management, to adopt rules; requiring that such rules  
322 include specified information; amending s. 531.48,  
323 F.S.; requiring that certain packages bear specified  
324 information on the outside of the package; amending s.  
325 531.49, F.S.; revising requirements for the  
326 advertising of a packaged commodity; amending s.  
327 564.06, F.S.; requiring that a certain percentage of  
328 revenues collected from certain excise taxes be  
329 deposited into the Florida Wine Trust Fund; amending  
330 s. 570.07, F.S.; requiring the department to foster  
331 and encourage the employment and retention of  
332 qualified veterinary pathologists; providing that the  
333 department may reimburse the educational expenses of  
334 certain veterinary pathologists who enter into a  
335 certain agreement with the department; requiring the  
336 department to adopt certain rules; requiring the  
337 department to extend certain opportunities to public  
338 school students enrolled in agricultural education to  
339 support Future Farmers of America programming;  
340 requiring the department to use contracts procured by  
341 agencies; defining the term "agency"; amending s.  
342 570.544, F.S.; revising which provisions the director  
343 of the Division of Consumer Services must enforce;  
344 creating s. 570.546, F.S.; authorizing the department  
345 to create a process for the bulk renewal of licenses;  
346 authorizing the department to create a process that  
347 will allow licensees to align the expiration dates of  
348 licenses within a specified program; authorizing the

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349 department to change the expiration date for current  
350 licenses for a certain purpose; requiring the  
351 department to prorate the licensing fee for certain  
352 licenses; requiring the department to adopt rules;  
353 creating s. 570.694, F.S.; creating the Florida  
354 Aquaculture Foundation as a direct support  
355 organization within the department; providing the  
356 purpose of the foundation; providing governance for  
357 the foundation; authorizing the department to appoint  
358 an advisory committee adjunct to the foundation;  
359 amending s. 570.822, F.S.; defining the term "declared  
360 emergency," rather than "declared natural disaster,"  
361 and revising the definition of the term "program";  
362 providing that loan funds from the department may be  
363 used to restock aquaculture; authorizing the  
364 department to renew a loan application under certain  
365 circumstances; authorizing the department to defer or  
366 waive loan payments under certain circumstances;  
367 conforming provisions to changes made by the act;  
368 creating s. 570.823, F.S.; defining terms;  
369 establishing the silviculture emergency recovery  
370 program within the department to administer a grant  
371 program to assist certain timber landowners; requiring  
372 that such grants be used for certain purposes;  
373 requiring that only timber lands located on  
374 agricultural property are eligible for the program;  
375 requiring the department to coordinate with state  
376 agencies to provide financial assistance to timber  
377 landowners after a specified declared emergency;

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378 providing construction; authorizing the department to  
379 adopt rules to implement this section including  
380 emergency rules that may be effective for a specified  
381 timeframe; creating s. 570.831, F.S.; requiring,  
382 subject to appropriation of funds, the Cattle  
383 Enhancement Board, Inc., in coordination with the  
384 department, to establish a Florida beef marketing  
385 program; providing a purpose for such program;  
386 amending s. 581.1843, F.S.; deleting provisions that  
387 exclude certain citrus nurseries from certain  
388 requirements; deleting provisions relating to  
389 regulated areas around the perimeter of commercial  
390 citrus nurseries; repealing ss. 593.101, 593.102,  
391 593.103, 593.104, 593.105, 593.106, 593.107, 593.108,  
392 593.109, 593.11, 593.111, 593.112, 593.113, 593.114,  
393 593.1141, 593.1142, 593.115, 593.116, and 593.117,  
394 F.S., relating to the Florida Boll Weevil Eradication  
395 Law; definitions; powers and duties of Department of  
396 Agriculture and Consumer Services; the entry of  
397 premises to carry out boll weevil eradication  
398 activities and inspections; reports by persons growing  
399 cotton; quarantine areas and the regulation of  
400 articles within a boll weevil eradication zone; the  
401 regulation of collection, transportation,  
402 distribution, and movement of cotton; cooperative  
403 programs for persons engaged in growing, processing,  
404 marketing, or handling cotton; the department's  
405 authority to designate eradication zones, prohibit  
406 planting of cotton, and require participation in

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407 eradication program; regulation of the pasturage of  
408 livestock, entry by persons, and location of honeybee  
409 colonies in eradication zones and other areas;  
410 eligibility for certification of cotton growers'  
411 organization; the certification of cotton growers'  
412 organization; a referendum; an assessment; the  
413 department's authority to enter agreements with the  
414 Farm Service Agency; liens; mandamus or injunction;  
415 penalty for violation; and the handling of moneys  
416 received, respectively; amending s. 595.404, F.S.;  
417 revising the department's powers and duties regarding  
418 school nutrition programs; amending s. 599.002, F.S.;  
419 renaming the Viticulture Advisory Council as the  
420 Florida Wine Advisory Council; revising the membership  
421 of the Florida Wine Advisory Council; conforming  
422 provisions to changes made by the act; amending s.  
423 599.003, F.S.; renaming the State Viticulture Plan as  
424 the State Wine Plan; conforming provisions to changes  
425 made by the act; amending s. 599.004, F.S.; making  
426 technical changes; providing that wineries that fail  
427 to recertify annually or pay a specified licensing fee  
428 are subject to certain actions and costs; conforming  
429 provisions to changes made by the act; amending s.  
430 599.012, F.S.; conforming provisions to changes made  
431 by the act; amending s. 616.12, F.S.; deleting  
432 provisions requiring a person who operates a minstrel  
433 show in connection with any certain public fairs to  
434 pay specified license taxes; deleting a provision that  
435 exempts such person from paying specified taxes;

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436 creating s. 687.16, F.S.; providing a short title;  
437 defining terms; prohibiting a financial institution  
438 from discriminating in the provision of financial  
439 services to an agricultural producer based on an ESG  
440 factor; providing an inference with regard to a  
441 certain violation; providing that the financial  
442 institution may overcome the inference by making  
443 certain demonstrations regarding its denial or  
444 restriction of financial services to an agricultural  
445 producer; authorizing the Attorney General to enforce  
446 specified provisions; providing that a violation of  
447 specified provisions constitutes an unfair and  
448 deceptive trade practice; authorizing the Attorney  
449 General to investigate and seek remedies for such  
450 unfair trade practices; authorizing an aggrieved party  
451 to seek an action for damages; amending s. 741.0305,  
452 F.S.; conforming a cross-reference; amending s.  
453 790.06, F.S.; revising the circumstances under which  
454 the department may temporarily suspend a person's  
455 license to carry a concealed weapon or concealed  
456 firearm or the processing of an application for such  
457 license; requiring the department to notify certain  
458 licensees or applicants of their right to a hearing;  
459 requiring the department to issue an order confirming  
460 the end of a suspension within a specified timeframe  
461 after an applicant or licensee submits a copy of a  
462 specified document to the department; requiring that  
463 such document be sent through electronic or certified  
464 mail to a specified location; requiring that the

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465 suspension remain in effect upon a certain disposition  
466 of a criminal case or injunction; providing  
467 construction; providing legislative findings; revising  
468 the duties of the department after the date of receipt  
469 of a completed application for a license to carry a  
470 concealed weapon or concealed firearm; requiring that  
471 a license issued under this section be temporarily  
472 suspended or revoked if the license was issued in  
473 error or if the licensee commits certain actions;  
474 amending s. 812.0151, F.S.; revising the elements of  
475 third degree and second degree felony retail fuel  
476 theft; creating s. 812.136, F.S.; defining terms;  
477 providing elements for the crime of mail theft;  
478 providing elements of theft of or unauthorized  
479 reproduction of a mail depository key or lock;  
480 providing criminal penalties; amending s. 934.50,  
481 F.S.; deleting certain exceptions from the prohibited  
482 uses of drones; providing that a drone may be used for  
483 certain purposes by a local governmental entity or  
484 person under contract with or acting under the  
485 direction of such entity; creating s. 1013.373, F.S.;;  
486 prohibiting a local government from adopting any  
487 measure to limit the activities of public educational  
488 facilities or auxiliary facilities constructed by  
489 certain organizations; requiring that lands used for  
490 agricultural education or for the Future Farmers of  
491 America or 4-H activities be considered agricultural  
492 lands; reenacting s. 295.07(5)(a), F.S., relating to  
493 preference in appointment and retention, to

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494 incorporate the amendment made to s. 110.205, F.S., in  
495 a reference thereto; reenacting s. 189.062(1)(a),  
496 F.S., relating to special procedures for inactive  
497 districts and state aid to counties, to incorporate  
498 the amendment made to s. 388.271, F.S., in references  
499 thereto; reenacting ss. 482.072(3)(b) and 482.163,  
500 F.S., relating to pest control customer contact  
501 centers and responsibility for pest control activities  
502 of employee, respectively, to incorporate the  
503 amendment made to s. 482.161, F.S., in references  
504 thereto; reenacting s. 487.156, F.S., relating to  
505 governmental agencies, to incorporate the amendment  
506 made to s. 487.044, F.S., in a reference thereto;  
507 reenacting ss. 496.4055(2) and 496.406(2) and (4),  
508 F.S., relating to charitable organization or sponsor  
509 board duties and exemption from registration,  
510 respectively, to incorporate the amendment made to s.  
511 496.405, F.S., in references thereto; reenacting s.  
512 500.80(1)(a), F.S., relating to cottage food  
513 operations, to incorporate the amendment made to s.  
514 500.12, F.S., in a reference thereto; reenacting s.  
515 500.121(6), F.S., relating to disciplinary procedures,  
516 to incorporate the amendment made to s. 500.172, F.S.,  
517 in a reference thereto; reenacting s. 790.061, F.S.,  
518 relating to judges and justices, to incorporate the  
519 amendment made to s. 790.06, F.S., in a reference  
520 thereto; providing effective dates.

521

522 Be It Enacted by the Legislature of the State of Florida:

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524 Section 1. Paragraph (m) of subsection (2) of section  
525 110.205, Florida Statutes, is amended to read:

526 110.205 Career service; exemptions.—

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

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

534 1. Positions in The Department of Health and the Department  
535 of Children and Families which are assigned primary duties of  
536 serving as the superintendent or assistant superintendent of an  
537 institution.

538 2. Positions in The Department of Corrections which are  
539 assigned primary duties of serving as the warden, assistant  
540 warden, colonel, or major of an institution or that are assigned  
541 primary duties of serving as the circuit administrator or deputy  
542 circuit administrator.

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

546 4. Positions in The Department of Environmental Protection  
547 which are assigned the duty of an Environmental Administrator or  
548 program administrator.

549 5. Positions in The Department of Health which are assigned  
550 the duties of Environmental Administrator, Assistant County  
551 Health Department Director, and County Health Department

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552 Financial Administrator.

553         6. Positions in The Department of Highway Safety and Motor  
554 Vehicles which are assigned primary duties of serving as  
555 captains in the Florida Highway Patrol.

556         7. Positions in the Department of Agriculture and Consumer  
557 Services which are assigned primary duties of serving as  
558 captains or majors in the Office of Agricultural Law  
559 Enforcement.

560

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

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

571         163.3162 Agricultural Lands and Practices.—

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

573         (a) "Department" means the Department of Agriculture and  
574 Consumer Services.

575         (f) "Housing site" means the totality of development  
576 supporting authorized housing, including buildings, mobile  
577 homes, barracks, dormitories used as living quarters, parking  
578 areas, common areas such as athletic fields or playgrounds,  
579 storage structures, and other related structures.

580         (g) "Legally verified agricultural worker" means a person

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581 who:

582 1. Is lawfully present in the United States;

583 2. Meets the definition of eligible worker pursuant to 29

584 C.F.R. s. 502.10;

585 3. Has been verified through the process provided in s.  
586 448.095(2) and is authorized to work at the time of employment;

587 4. Is seasonally or annually employed in bona fide  
588 agricultural production;

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

591 6. Is not an unauthorized alien as defined in s.  
592 448.095(1).

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

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

600 (b) Construction or installation of housing units for  
601 legally verified agricultural workers on parcels of land  
602 classified as agricultural land under s. 193.461 must satisfy  
603 all of the following criteria:

604 1. The dwelling units must meet federal, state, and local  
605 building standards, including standards of the Department of  
606 Health adopted pursuant to ss. 381.008-381.00897 and federal  
607 standards for H-2A visa housing. If a written notice of intent  
608 is required to be submitted to the Department of Health pursuant  
609 to s. 381.0083, the appropriate governmental entity with

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610 jurisdiction over the agricultural lands may also require  
611 submittal of a copy of the written notice.

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

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

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

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

624 6. A housing site may not be located less than 100 feet  
625 from a property line adjacent to property zoned for residential  
626 use. If the housing site is located less than 250 feet from any  
627 property line, screening must be provided between the housing  
628 site and any residentially developed adjacent parcels that are  
629 under different ownership. The screening may be designed in any  
630 of the following ways:

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

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

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

638 d. A row of evergreen shade trees that, at the time of

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639 planting, are at least 10 feet in height, a minimum of 2-inch  
640 caliper, and spaced no more than 20 feet apart; or

641 e. A berm made with a combination of the materials listed  
642 in sub-subparagraphs a.-d., which is at least 6 feet in height  
643 and provides an overall screening opacity of 75 percent at the  
644 time of installation.

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

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

662 (d) Beginning July 1, 2025, a property owner must maintain  
663 records of all approved permits, including successor permits,  
664 for migrant labor camps or residential migrant housing as  
665 required under s. 381.0081. A property owner must maintain such  
666 records for at least 3 years and make the records available for  
667 inspection within 14 days after receipt of a request for records

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668 by a governmental entity.

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

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

679 2. If the property on which the housing site is located  
680 ceases to be classified as agricultural land pursuant to s.  
681 193.461.

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

687 4. If a housing site is found to be occupied by any person  
688 who does not meet the definition of a legally verified  
689 agricultural worker, or is otherwise unlawfully present in the  
690 United States. A property owner who violates this subparagraph  
691 is subject to a Class I fine pursuant to s. 570.971, not to  
692 exceed \$1,000, for the first violation, and a Class II fine, not  
693 to exceed \$5,000, for any subsequent violations. The fines shall  
694 be collected by the clerk of the court of the county in which  
695 the violation occurred.

696 (f) Notwithstanding this subsection, the construction or

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697 installation of housing for legally verified agricultural  
698 workers in the Florida Keys Area of Critical State Concern and  
699 the City of Key West Area of Critical State Concern is subject  
700 to the permit allocation systems of the Florida Keys Area of  
701 Critical State Concern and the City of Key West Area of Critical  
702 State Concern, respectively.

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

713 (6) DATA COLLECTION.—The department shall adopt rules  
714 providing for:

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

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

721  
722 Governmental entities shall provide this information quarterly  
723 to the department in a format and timeframe prescribed by rule.

724 (7) ENFORCEMENT.—

725 (a) In addition to the enforcement methods of employment

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726 verification outlined in s. 448.095, the department shall  
727 enforce the requirements of subsection (5). Enforcement includes  
728 completing routine inspections based on a random sample of data  
729 collected by government entities and submitted to the  
730 department, the investigation and review of complaints, and the  
731 enforcement of violations.

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

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

739 201.25 Tax exemptions for certain loans.—There shall be  
740 exempt from all taxes imposed by this chapter:

741 (3) Any loan made by the Agriculture and Aquaculture  
742 Producers Emergency ~~Natural Disaster~~ Recovery Loan Program  
743 pursuant to s. 570.822.

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

746 253.0341 Surplus of state-owned lands.—

747 (19) Notwithstanding any other law or rule, the Department  
748 of Agriculture and Consumer Services may surplus lands acquired  
749 pursuant to s. 366.20 which are determined to be suitable for  
750 bona fide agricultural production, as defined in s. 193.461. The  
751 Department of Agriculture and Consumer Services shall consult  
752 with the Department of Environmental Protection in the process  
753 of making such determination. In the event that lands acquired  
754 pursuant to s. 366.20, which are determined to be suitable for

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755 bona fide agricultural production are surplused, the Department  
756 of Agriculture and Consumer Services must retain a rural-lands-  
757 protection easements pursuant to s. 570.71(3), and all proceeds  
758 must be deposited into the Incidental Trust Fund within the  
759 Department of Agriculture and Consumer Services for less than  
760 fee simple land acquisition pursuant to ss. 570.71 and 570.715.  
761 By January 1, 2026, and each January 1 thereafter, the  
762 Department of Agriculture and Consumer Services shall provide a  
763 report of lands surplused pursuant to this subsection to the  
764 board.

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

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

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

778 330.41 Unmanned Aircraft Systems Act.—

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

780 (a) "Commercial property" means real property other than  
781 residential property. The term includes, but is not limited to,  
782 a property zoned multifamily residential which is comprised of  
783 five or more dwelling units, and real property used for

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784 commercial, industrial, or agricultural purposes.

785 (f) "Private property" means any residential or commercial  
786 property.

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

794 (h) "Residential property" means real property zoned as  
795 residential or multifamily residential and composed of four or  
796 fewer dwelling units.

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

799 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

804 (6) PROTECTION OF AGRICULTURAL LANDS.—

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

808 1. Operate a drone.

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

811 3. Allow a drone to come within a distance close enough to  
812 such lands to interfere with or cause a disturbance to

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813 agricultural production.

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

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

821 1. The owner of the agricultural lands.

822 2. A person acting under the prior written consent of the  
823 owner of the agricultural lands.

824 3. A person or entity acting in compliance with the  
825 provisions of s. 934.50.

826 (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING  
827 LANDS.—

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

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

838 (c) A person who violates paragraph (a) and records video  
839 of the private property, state wildlife management lands, or  
840 sport shooting and training range, including any person or  
841 object on the premises of or within the private property, state

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842 wildlife management lands, or sport shooting and training range,  
843 commits a misdemeanor of the first degree, punishable as  
844 provided in s. 775.082 or s. 775.083. A person who commits a  
845 second or subsequent violation commits a felony of the third  
846 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
847 775.084.

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

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

853 2. A person or entity acting in compliance with the  
854 provisions of s. 934.50.

855 Section 6. Effective July 31, 2026, section 366.20, Florida  
856 Statutes, is created to read:

857 366.20 Sale and management of lands owned by electric  
858 utilities.—

859 (1) Lands acquired by an electric utility, as defined in s.  
860 366.02(4), on or after January 1, 2009, which have been  
861 classified as agricultural lands pursuant to s. 193.461 at any  
862 time in the 5 years preceding the acquisition of the land by the  
863 electric utility must be offered for fee simple acquisition by  
864 the Department of Agriculture and Consumer Services through the  
865 process outlined in subsection (3) before offering for sale or  
866 transferring the land to a private individual or entity.

867 (2) Lands owned by an electric utility, as defined in s.  
868 366.02(4), on or after January 1, 2009, which were classified as  
869 agricultural lands pursuant to s. 193.461 at any time in the 5  
870 years preceding the date of acquisition of the land by the

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871 electric utility must be offered for fee simple acquisition by  
872 the department through the process outlined in subsection (3)  
873 before offering for sale or transferring the land to a private  
874 individual or entity.

875 (3) (a) Within 30 days before offering for sale or  
876 transferring lands identified pursuant to subsection (1) or  
877 subsection (2) to a private individual or entity, an electric  
878 utility must issue a written intent to sell sent through  
879 certified mail to the Commissioner of Agriculture.

880 (b) Within 30 days after the date of receipt by certified  
881 mail of the written intent by an electric utility to sell or  
882 transfer such land, the commissioner may issue a written intent  
883 to purchase via certified mail to the electric utility that  
884 issued the intent to sell. If the commissioner declines, or does  
885 not issue an intent to purchase within the 30 day timeframe, the  
886 electric utility is released from the requirements of this  
887 section.

888 (4) Offers accepted by the department pursuant to paragraph  
889 (3) (b) which are received no later than 6 months before the  
890 start of the regular legislative session must be executed no  
891 later than July 31 following that regular legislative session.

892 (5) The department shall adopt rules to implement this  
893 section.

894 Section 7. Present subsections (3) and (4) of section  
895 366.94, Florida Statutes, are redesignated as subsections (4)  
896 and (5), respectively, a new subsection (3) is added to that  
897 section, and subsection (2) of that section is amended, to read:

898 366.94 Electric vehicle charging.—

899 (2) (a) As used in this section, the term "electric vehicle

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900 charging station” means the area in the immediate vicinity of  
901 electric vehicle supply equipment and includes the electric  
902 vehicle supply equipment, supporting equipment, and associated  
903 parking spaces. The regulation of electric vehicle charging  
904 stations is preempted to the state.

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

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

912 (b) The department may adopt rules to protect the public  
913 health, safety, and welfare and establish standards for the  
914 placement, design, installation, maintenance, and operation of  
915 electric vehicle charging stations.

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

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

925 (e) The department shall have the authority to inspect  
926 electric vehicle charging stations, conduct investigations, and  
927 enforce this subsection and any rules adopted thereto. The  
928 department may impose one or more of the following penalties

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929 against a person who violates this subsection or any rule  
930 adopted under this subsection:

931 1. Issuance of a warning letter.

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

934 (f) If the department determines that an electric vehicle  
935 charging station or any associated equipment presents a threat  
936 to the public health, safety, or welfare, the department may  
937 issue an immediate final order prohibiting the use of the  
938 electric vehicle charging station or any portion thereof.

939 (g) In addition to the remedies provided in this  
940 subsection, and notwithstanding the existence of any adequate  
941 remedy at law, the department may bring an action to enjoin a  
942 violation of this subsection or rules adopted under this  
943 subsection in the circuit court of the county in which the  
944 violation occurs or is about to occur. Upon demonstration of  
945 competent and substantial evidence by the department to the  
946 court of the violation or threatened violation, the court shall  
947 immediately issue the temporary or permanent injunction sought  
948 by the department. The injunction must be issued without bond.

949 Section 8. Present subsections (10) and (11) of section  
950 388.011, Florida Statutes, are redesignated as subsections (11)  
951 and (12), respectively, a new subsection (10) is added to that  
952 section, and subsections (2) and (5) of that section are  
953 amended, to read:

954 388.011 Definitions.—As used in this chapter:

955 (2) "Board of commissioners" means the governing body of  
956 any mosquito control program district, and may include boards of  
957 county commissioners, city councils, municipalities, or other

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958 similar governing bodies when context so indicates.

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

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

965 Section 9. Section 388.021, Florida Statutes, is amended to  
966 read:

967 388.021 Creation of mosquito control special districts.-

968 (1) The abatement or suppression of arthropods, whether  
969 disease-bearing or merely pestiferous, within any or all  
970 counties of this state is advisable and necessary for the  
971 maintenance and betterment of the comfort, health, and welfare  
972 of the people thereof and is found and declared to be for public  
973 purposes. Areas where arthropods incubate, hatch, or occur in  
974 significant numbers so as to constitute a public health,  
975 welfare, or nuisance problem may be controlled or abated as  
976 provided in this chapter or the rules promulgated hereunder.  
977 Therefore, any municipality ~~city~~, town, or county, or any  
978 portion or portions thereof, whether such portion or portions  
979 include incorporated territory or portions of two or more  
980 counties in the state, may be created into a special taxing  
981 district for the control of arthropods under the provisions of  
982 this chapter.

983 (2) It is the legislative intent that ~~those~~ mosquito  
984 control districts established prior to July 1, 1980, pursuant to  
985 the petition process contained in former s. 388.031, may  
986 continue to operate as outlined in this chapter. However, on and

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987 after that date, no mosquito control districts may be created  
988 except pursuant to s. 125.01.

989 Section 10. Section 388.181, Florida Statutes, is amended  
990 to read:

991 388.181 Power to do all things necessary.—The respective  
992 programs ~~districts~~ of the state are hereby fully authorized to  
993 do and perform all things necessary to carry out the intent and  
994 purposes of this law.

995 Section 11. Subsections (1), (2), (4), and (5) of section  
996 388.201, Florida Statutes, are amended to read:

997 388.201 Program ~~District~~ budgets; hearing.—

998 (1) The fiscal year of programs ~~districts~~ operating under  
999 ~~the provisions of~~ this chapter shall be the 12-month period  
1000 extending from October 1 of one year through September 30 of the  
1001 following year. The governing board of the programs ~~district~~  
1002 shall before July 15 of each year complete the preparation of a  
1003 tentative detailed work plan budget covering its proposed  
1004 operations and requirements for arthropod control measures  
1005 during the ensuing fiscal year and, for the purpose of  
1006 determining eligibility for state aid, shall submit copies as  
1007 may be required to the department for review and approval. The  
1008 tentative detailed work plan budget must ~~shall~~ set forth,  
1009 classified by account number, title and program items, and by  
1010 fund from which to be paid, the proposed expenditures of the  
1011 program ~~district~~ for construction, for acquisition of land, and  
1012 other purposes, for the operation and maintenance of the  
1013 program's ~~district's~~ works, the conduct of the program ~~district~~  
1014 generally, to which may be added an amount to be held as a  
1015 reserve.

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1016 (2) The tentative detailed work plan budget must ~~shall~~ also  
1017 show the estimated amount which will appear at the beginning of  
1018 the fiscal year as obligated upon commitments made but  
1019 uncompleted, ~~There shall be shown~~ the estimated unobligated or  
1020 net balance which will be on hand at the beginning of the fiscal  
1021 year, and the estimated amount to be raised by county,  
1022 municipality, or district taxes and from any and all other  
1023 sources for meeting the program's ~~the district's~~ requirements.

1024 (4) The governing board shall:

1025 (a) ~~Shall~~ Consider objections filed against adoption of the  
1026 tentative detailed work plan budget and in its discretion may  
1027 amend, modify, or change such budget; and

1028 (b) ~~Shall~~ By September 30, adopt and execute on a form  
1029 furnished by the department a certified budget for the programs  
1030 ~~district~~ which shall be the operating and fiscal guide for the  
1031 program district. Certified copies of this budget must ~~shall~~ be  
1032 submitted by September 30 to the department for approval.

1033 (5) County commissioners' mosquito and arthropod control  
1034 budgets or the budgets of a similar governing body of a county,  
1035 city, or town must ~~shall~~ be made and adopted as prescribed by  
1036 subsections (1) and (2); summary figures must ~~shall~~ be  
1037 incorporated into the county budgets as prescribed by the  
1038 Department of Financial Services.

1039 Section 12. Section 388.241, Florida Statutes, is amended  
1040 to read:

1041 388.241 Board of county commissioners vested with powers  
1042 and duties of board of commissioners in certain counties.—In  
1043 those counties or municipalities where there has been no  
1044 formation of a separate or special board of commissioners, all

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1045 the rights, powers, and duties of a board of commissioners as  
1046 conferred in this chapter shall be vested in the board of county  
1047 commissioners or similar governing body of said county or  
1048 municipality.

1049 Section 13. Section 388.261, Florida Statutes, is amended  
1050 to read:

1051 388.261 State aid to counties, municipalities, and  
1052 districts for arthropod control; distribution priorities and  
1053 limitations.—

1054 (1) A county, municipality, or district may, without  
1055 contributing matching funds, receive state funds, supplies,  
1056 services, or equipment in an amount of no more than \$75,000  
1057 ~~\$50,000~~ per year for up to 3 years for any new program for the  
1058 control of mosquitoes and other arthropods which serves an area  
1059 not previously served by the county, municipality, or district.  
1060 These funds may be expended for any and all types of control  
1061 measures approved by the department.

1062 (2) Every county, municipality, or district budgeting local  
1063 funds to be used exclusively for the control of mosquitoes and  
1064 other arthropods, under a plan submitted by the county,  
1065 municipality, or district and approved by the department, is  
1066 eligible to receive state funds and supplies, services, and  
1067 equipment on a dollar-for-dollar matching basis to the amount of  
1068 local funds budgeted. If state funds appropriated by the  
1069 Legislature are insufficient to grant each county, municipality,  
1070 or district state funds on a dollar-for-dollar matching basis to  
1071 the amount budgeted in local funds, the department must ~~shall~~  
1072 distribute the funds as prescribed by rule. Such rules must  
1073 ~~shall~~ provide for up to 80 percent of the funds to be

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1074 distributed to programs with local funds for mosquito control  
1075 budgets of less than \$1 million, if the county, municipality, or  
1076 district meets the eligibility requirements. The funds must  
1077 ~~shall~~ be distributed as equally as possible within the category  
1078 of counties pursuant to this section. The remaining funds must  
1079 ~~shall~~ be distributed as prescribed by rule among the remaining  
1080 counties to support mosquito control and to support research,  
1081 education, and outreach.

1082 (3) Every county shall be limited to receive a total of  
1083 \$120,000 of state funds, exclusive of state funds brought  
1084 forward, during any one year.

1085 (4) Up to 20 percent of the annual funds appropriated to  
1086 local governments for arthropod control may be used for  
1087 arthropod control research or demonstration projects as approved  
1088 by the department.

1089 (5) If more than one program ~~local mosquito control agency~~  
1090 exists in a county or municipality, the funds must ~~shall~~ be  
1091 prorated between the programs ~~agencies~~ based on the population  
1092 served by each program ~~agency~~.

1093 (6) The Commissioner of Agriculture may exempt counties,  
1094 municipalities, or districts from the requirements in subsection  
1095 (1), subsection (2), or subsection (3) when the department  
1096 determines state funds, supplies, services, or equipment are  
1097 necessary for the immediate control of mosquitoes and other  
1098 arthropods that pose a threat to human or animal health.

1099 (7) The department may use state funds appropriated for a  
1100 county, municipality, or district under subsection (1) or  
1101 subsection (2) to provide state mosquito or other arthropod  
1102 control equipment, supplies, or services when requested by a

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1103 county, municipality, or district eligible to receive state  
1104 funds under s. 388.271.

1105 (8) The department is authorized to use up to 5 percent of  
1106 the funds appropriated annually by the Legislature under this  
1107 section to provide technical assistance to the counties, mu-  
1108 nicipalities, or districts, or to purchase equipment,  
1109 supplies, or services necessary to administer the provisions of  
1110 this chapter.

1111 Section 14. Subsections (1) and (2) of section 388.271,  
1112 Florida Statutes, are amended to read:

1113 388.271 Prerequisites to participation.—

1114 (1) When state funds are involved, it is the duty of the  
1115 department to guide, review, approve, and coordinate the  
1116 activities of all county and municipal governments and special  
1117 districts receiving state funds in furtherance of the goal of  
1118 integrated arthropod control. Each program ~~county~~ eligible to  
1119 participate may, and each district must, begin participation on  
1120 October 1 of any year by filing with the department not later  
1121 than July 15 a tentative integrated arthropod management plan  
1122 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for  
1123 the control of arthropods. Following approval of the plan and  
1124 budget by the department, a copy ~~two copies~~ of the program's  
1125 ~~county's or district's~~ certified budget based on the approved  
1126 integrated arthropod management ~~work plan~~ and detailed ~~work plan~~  
1127 budget must ~~shall~~ be submitted to the department by September 30  
1128 ~~following~~. State funds, supplies, and services must ~~shall~~ be  
1129 made available to such program ~~county or district~~ by and through  
1130 the department ~~immediately~~ upon release of funds by the  
1131 Executive Office of the Governor.

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1132 (2) All purchases of supplies, materials, and equipment by  
1133 programs must ~~counties or districts shall~~ be made in accordance  
1134 with the laws governing purchases by boards of county  
1135 commissioners or similar governing bodies, except that programs  
1136 ~~districts~~ with special laws relative to competitive bidding  
1137 shall make purchases in accordance therewith.

1138 Section 15. Subsections (1) and (3) of section 388.281,  
1139 Florida Statutes, are amended to read:

1140 388.281 Use of state matching funds.—

1141 (1) All funds, supplies, and services released to programs  
1142 ~~counties and districts~~ hereunder must ~~shall~~ be used in  
1143 accordance with the integrated arthropod management ~~detailed~~  
1144 ~~work~~ plan and certified budget approved by both the department  
1145 and the board of commissioners or an appropriate representative  
1146 ~~county or district~~. The integrated arthropod management plan and  
1147 budget may be amended at any time upon prior approval of the  
1148 department.

1149 (3) In any program ~~county or district~~ where the arthropod  
1150 problem has been eliminated, or reduced to such an extent that  
1151 it does not constitute a health, comfort, or economic problem as  
1152 determined by the department, the maximum amount of state funds  
1153 available under this chapter shall be reduced to the amount  
1154 necessary to meet actual need.

1155 Section 16. Subsections (1) and (2) of section 388.291,  
1156 Florida Statutes, are amended to read:

1157 388.291 Source reduction measures; supervision by  
1158 department.—

1159 (1) Any program ~~county or district~~ may perform source  
1160 reduction measures in conformity with good engineering practices

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1161 in any area, provided that the department cooperating with the  
1162 county, municipality, or district has approved the operating or  
1163 construction plan as outlined in the integrated arthropod  
1164 management plan and that it has been determined by criteria  
1165 contained in rule that the area or areas to be controlled would  
1166 produce arthropods in significant numbers to constitute a health  
1167 or nuisance problem.

1168 (2) The program ~~county or district~~ shall manage the  
1169 detailed business affairs and supervise the ~~said~~ work, and the  
1170 department shall advise the programs ~~districts~~ as to the best  
1171 and most effective measures to be used in bringing about better  
1172 temporary control and the permanent elimination of breeding  
1173 conditions. The department may at its discretion discontinue any  
1174 state aid provided hereunder in the event it finds the jointly  
1175 agreed upon program is not being followed or is not efficiently  
1176 and effectively administered.

1177 Section 17. Section 388.301, Florida Statutes, is amended  
1178 to read:

1179 388.301 Payment of state funds; supplies and services.—  
1180 State funds shall be payable ~~quarterly~~, in accordance with the  
1181 rules of the department, upon requisition by the department to  
1182 the Chief Financial Officer. The department is authorized to  
1183 furnish insecticides, chemicals, materials, equipment, vehicles,  
1184 and personnel in lieu of state funds where mass purchasing may  
1185 save funds for the state, or where it would be more practical  
1186 and economical to use equipment, supplies, and services between  
1187 two or more programs ~~counties or districts~~.

1188 Section 18. Section 388.311, Florida Statutes, is amended  
1189 to read:

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1190           388.311 Carry over of state funds and local funds.—State  
1191 and local funds budgeted for the control of mosquitoes and other  
1192 arthropods shall be carried over at the end of the program's  
1193 ~~county or district's~~ fiscal year, and rebudgeted for such  
1194 control measures the following fiscal year.

1195           Section 19. Section 388.321, Florida Statutes, is amended  
1196 to read:

1197           388.321 Equipment to become property of a program ~~the~~  
1198 ~~county or district~~.—All equipment purchased under this chapter  
1199 with state funds made available directly to a program ~~the county~~  
1200 ~~or district~~ shall become the property of the program ~~county or~~  
1201 ~~district~~ unless otherwise provided, and may be traded in on  
1202 other equipment, or sold, when no longer needed by the program  
1203 ~~county or district~~.

1204           Section 20. Section 388.322, Florida Statutes, is amended  
1205 to read:

1206           388.322 Record and inventory of certain property.—A record  
1207 and inventory of certain property purchased with state funds for  
1208 arthropod control use owned by the program ~~must~~ ~~district shall~~  
1209 be maintained in accordance with s. 274.02.

1210           Section 21. Section 388.323, Florida Statutes, is amended  
1211 to read:

1212           388.323 Disposal of surplus property.—Surplus property  
1213 shall be disposed of according to the provisions set forth in s.  
1214 274.05 with the following exceptions:

1215           (1) Serviceable equipment purchased using state funds for  
1216 arthropod control use no longer needed by a program ~~must~~ ~~county~~  
1217 ~~or district shall~~ first be offered to any ~~or all~~ other programs  
1218 ~~counties or districts~~ engaged in arthropod control at a price

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1219 established by the board of commissioners owning the equipment.

1220 (2) The alternative procedure for disposal of surplus  
1221 property, as prescribed in s. 274.06, must ~~shall~~ be followed if  
1222 it is determined that no other program ~~county or district~~  
1223 engaged in arthropod control has need for the equipment.

1224 (3) All proceeds from the sale of any real or tangible  
1225 personal property owned by the program and purchased using state  
1226 funds ~~county or district~~ shall be deposited in the program's  
1227 ~~county's or district's~~ state fund account unless otherwise  
1228 specifically designated by the department.

1229 Section 22. Section 388.341, Florida Statutes, is amended  
1230 to read:

1231 388.341 Reports of expenditures and accomplishments.—Each  
1232 program receiving state aid ~~county and district participating~~  
1233 ~~under the provisions of~~ this chapter shall within 30 days after  
1234 the end of each month submit to the department a monthly report  
1235 for the preceding month of expenditures from all funds for  
1236 arthropod control, and each program participating under this  
1237 chapter shall provide such reports of activities and  
1238 accomplishments as may be required by the department.

1239 Section 23. Section 388.351, Florida Statutes, is amended  
1240 to read:

1241 388.351 Transfer of equipment, personnel, and supplies  
1242 during an emergency.—The department, upon notifying a program  
1243 ~~county or district~~ and obtaining its approval, is authorized to  
1244 transfer equipment, materials, and personnel from one program  
1245 ~~district~~ to another in the event of an emergency brought about  
1246 by an arthropod-borne epidemic or other disaster requiring  
1247 emergency control.

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1248 Section 24. Subsection (7) of section 388.361, Florida  
1249 Statutes, is amended to read:

1250 388.361 Department authority and rules; administration.—

1251 (7) The department shall have the authority to collect,  
1252 detect, suppress, and control mosquitoes and other arthropods  
1253 that are determined by the State Health Officer to pose a threat  
1254 to public health, or determined by the Commissioner of  
1255 Agriculture to pose a threat to animal health, wherever they may  
1256 occur on public or private land in this state, and to do all  
1257 things necessary in the exercise of such authority. Prior to the  
1258 start of treatments for the control of mosquitoes or other  
1259 arthropods, the department shall consult with the mosquito  
1260 control programs ~~districts~~ in the proposed treatment areas, the  
1261 Department of Health, the Department of Environmental  
1262 Protection, and the Fish and Wildlife Conservation Commission  
1263 regarding the proposed locations, dates, and methods to be used.

1264 Section 25. Subsections (2) and (3) of section 388.3711,  
1265 Florida Statutes, are amended to read:

1266 388.3711 Enforcement.—

1267 (2) The department may issue a written warning, impose a  
1268 fine; deny, suspend, or revoke any license or certification, or  
1269 the disbursal of state aid; or deny participation, in accordance  
1270 with the provisions of chapter 120, upon any one or more of the  
1271 following grounds as may be applicable:

1272 (a) Violation of any rule of the department or provision of  
1273 this chapter.

1274 (b) Violation of FIFRA or any relevant EPA rule or  
1275 regulation pertaining to the use of arthropod control pesticides  
1276 by the licensee.

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1277 (c) Failure to give the department, or any authorized  
1278 representative thereof, true information upon request regarding  
1279 methods and materials used, work performed, or other information  
1280 essential to the administration of this chapter.

1281 (3) The department may, if it finds a violation is of such  
1282 nature or circumstances that imposition of a fine, or denial,  
1283 revocation, or suspension of a certification or license or  
1284 disbursal of state aid would be detrimental to the public or be  
1285 unnecessarily harsh under the circumstances, in its discretion,  
1286 place the offending party on probation for a period of not more  
1287 than 2 years. If the department determines that the terms of  
1288 such probation have been violated, it may reinstitute license or  
1289 certification or state aid denial, suspension, or revocation  
1290 proceedings.

1291 Section 26. Section 388.381, Florida Statutes, is amended  
1292 to read:

1293 388.381 Cooperation by programs ~~counties and district.~~—Any  
1294 program conducting county or district carrying on an arthropod  
1295 control ~~program~~ may cooperate with another county, district, or  
1296 municipality in carrying out work ~~a program~~ for the control of  
1297 mosquitoes and other arthropods, by agreement as to the program  
1298 and reimbursement thereof, when approved by the department.

1299 Section 27. Section 388.391, Florida Statutes, is amended  
1300 to read:

1301 388.391 Control measures in municipalities and portions of  
1302 counties located outside boundaries of programs ~~districts.~~—Any  
1303 program ~~district~~ whose operation is limited to a portion of the  
1304 county in which it is located may perform any control measures  
1305 authorized by this chapter in any municipality located in the

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1306 same county or in any portions of the same county, where there  
1307 is no established program district, when requested to do so by  
1308 the municipality or county, pursuant to s. 388.381.

1309 Section 28. Section 388.401, Florida Statutes, is amended  
1310 to read:

1311 388.401 Penalty for damage to property or operations.—  
1312 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of  
1313 any program county or district created under this or other  
1314 chapters, or any works constructed, maintained, or controlled by  
1315 such program county or district, or who obstructs ~~shall obstruct~~  
1316 or causes ~~cause~~ to be obstructed any of the operations of such  
1317 program county or district, or who ~~shall~~ knowingly or willfully  
1318 violates ~~violate~~ any provisions of this chapter or any rule or  
1319 regulation promulgated by any board of commissioners of any  
1320 program, commits ~~county or district shall be guilty of a~~  
1321 misdemeanor of the second degree, punishable as provided in s.  
1322 775.082 or s. 775.083.

1323 Section 29. Paragraph (a) of subsection (2) of section  
1324 388.46, Florida Statutes, is amended to read:

1325 388.46 Florida Coordinating Council on Mosquito Control;  
1326 establishment; membership; organization; responsibilities.—

1327 (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

1328 (a) *Membership*.—The Florida Coordinating Council on  
1329 Mosquito Control shall be composed ~~comprised~~ of the following  
1330 representatives or their authorized designees:

- 1331 1. The Secretary of Environmental Protection.
- 1332 2. The State Surgeon General.
- 1333 3. The executive director of the Fish and Wildlife  
1334 Conservation Commission.

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- 1335 4. The state epidemiologist.
- 1336 5. The Commissioner of Agriculture.
- 1337 6. The Board of Trustees of the Internal Improvement Trust  
1338 Fund.
- 1339 7. Representatives from:
- 1340 a. The University of Florida, Institute of Food and  
1341 Agricultural Sciences, Florida Medical Entomological Research  
1342 Laboratory.
- 1343 b. The United States Environmental Protection Agency.
- 1344 c. The United States Department of Agriculture, Center of  
1345 Medical, Agricultural, and Veterinary Entomology ~~Insects~~  
1346 Affecting Man Laboratory.
- 1347 d. The United States Fish and Wildlife Service.
- 1348 8. Four ~~Two~~ mosquito control directors to be nominated by  
1349 the Florida Mosquito Control Association, two representatives of  
1350 Florida environmental groups, and two private citizens who are  
1351 property owners whose lands are regularly subject to mosquito  
1352 control operations, to be appointed to 4-year terms by the  
1353 Commissioner of Agriculture and serve until his or her successor  
1354 is appointed.
- 1355 Section 30. Paragraph (d) of subsection (7) of section  
1356 403.067, Florida Statutes, is amended to read:
- 1357 403.067 Establishment and implementation of total maximum  
1358 daily loads.—
- 1359 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND  
1360 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—
- 1361 (d) *Enforcement and verification of basin management action*  
1362 *plans and management strategies*.—
- 1363 1. Basin management action plans are enforceable pursuant

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1364 to this section and ss. 403.121, 403.141, and 403.161.  
1365 Management strategies, including best management practices and  
1366 water quality monitoring, are enforceable under this chapter.

1367 2. No later than January 1, 2017:

1368 a. The department, in consultation with the water  
1369 management districts and the Department of Agriculture and  
1370 Consumer Services, shall initiate rulemaking to adopt procedures  
1371 to verify implementation of water quality monitoring required in  
1372 lieu of implementation of best management practices or other  
1373 measures pursuant to sub-subparagraph (b)2.g.;

1374 b. The department, in consultation with the water  
1375 management districts and the Department of Agriculture and  
1376 Consumer Services, shall initiate rulemaking to adopt procedures  
1377 to verify implementation of nonagricultural interim measures,  
1378 best management practices, or other measures adopted by rule  
1379 pursuant to subparagraph (c)1.; and

1380 c. The Department of Agriculture and Consumer Services, in  
1381 consultation with the water management districts and the  
1382 department, shall initiate rulemaking to adopt procedures to  
1383 verify implementation of agricultural interim measures, best  
1384 management practices, or other measures adopted by rule pursuant  
1385 to subparagraph (c)2.

1386  
1387 The rules required under this subparagraph shall include  
1388 enforcement procedures applicable to the landowner, discharger,  
1389 or other responsible person required to implement applicable  
1390 management strategies, including best management practices or  
1391 water quality monitoring as a result of noncompliance.

1392 3. At least every 2 years, the Department of Agriculture

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1393 and Consumer Services shall perform onsite inspections of each  
1394 agricultural producer that enrolls in a best management  
1395 practice, except those enrolled by rule in subparagraph 4., to  
1396 ensure that such practice is being properly implemented. Such  
1397 verification must include a collection and review of the best  
1398 management practice documentation from the previous 2 years  
1399 required by rules adopted pursuant to subparagraph (c)2.,  
1400 including, but not limited to, nitrogen and phosphorus  
1401 ~~fertilizer~~ application records, which must be collected and  
1402 retained pursuant to subparagraphs (c)3., 4., and 6. The  
1403 Department of Agriculture and Consumer Services shall initially  
1404 prioritize the inspection of agricultural producers located in  
1405 the basin management action plans for Lake Okeechobee, the  
1406 Indian River Lagoon, the Caloosahatchee River and Estuary, and  
1407 Silver Springs.

1408 4. The Department of Agriculture and Consumer Services is  
1409 authorized to adopt rules establishing an enrollment in best  
1410 management practices by rule process that agricultural pollutant  
1411 sources and agricultural producers may use in lieu of the best  
1412 management practices adopted in paragraph (c) and identify best  
1413 management practices for landowners of parcels which meet the  
1414 following requirements:

- 1415 a. A parcel not more than 25 acres in size;  
1416 b. A parcel designated as agricultural land use by the  
1417 county in which it is located or the parcel is granted  
1418 agricultural tax classification by the county property appraiser  
1419 of the county in which it is located;  
1420 c. A parcel with water use not exceeding 100,000 gallons  
1421 per day on average unless the entire use is met using recycled

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1422 water from wet detention treatment ponds or reuse water;

1423 d. A parcel where the agricultural activity on the parcel  
1424 is not a vegetable crop, an agronomic crop, a nursery, or a  
1425 dairy operation;

1426 e. A parcel not abutting an impaired water body identified  
1427 in subsection (4); and

1428 f. A parcel not part of a larger operation that is enrolled  
1429 in the Department of Agriculture and Consumer Services best  
1430 management practices or conducting water quality monitoring  
1431 prescribed by the department or a water management district.

1432  
1433 Such requirements must specify design or performance criteria  
1434 that, if applied, would result in compliance with appropriate  
1435 water quality standards. The Department of Agriculture and  
1436 Consumer Services is authorized to adopt additional eligibility  
1437 criteria for landowners or producers to use enrollment by rule  
1438 and to revoke enrollment by rule.

1439 5. The Department of Agriculture and Consumer Services  
1440 shall annually perform onsite inspections of 20 percent for all  
1441 enrollments that meet the qualifications pursuant to  
1442 subparagraph 4. by rule within basin management action plan  
1443 areas, to ensure that practices are being properly implemented.  
1444 Such inspections must include a collection and review of the  
1445 identified best management practice documentation from the  
1446 previous 2 years required by rules adopted pursuant to  
1447 subparagraph (c)2. All agricultural producers enrolled by rule  
1448 in a best management practice must annually submit nutrient  
1449 records, including nitrogen and phosphorus application records  
1450 for the previous calendar year, to the Department of Agriculture

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1451 and Consumer Services as required by rules adopted pursuant to  
1452 subparagraph (c)2. The Department of Agriculture and Consumer  
1453 Services shall collect and retain these nutrient records  
1454 pursuant to subparagraphs (c)3., 4., and 6.

1455 Section 31. Subsection (19) is added to section 403.852,  
1456 Florida Statutes, to read:

1457 403.852 Definitions; ss. 403.850-403.864.—As used in ss.  
1458 403.850-403.864:

1459 (19) "Water quality additive" means any chemical, additive,  
1460 or substance that is used in a public water system for the  
1461 purpose of:

1462 (a) Meeting or surpassing primary or secondary drinking  
1463 water standards;

1464 (b) Preventing, reducing, or removing contaminants; or

1465 (c) Improving water quality.

1466 Section 32. Subsection (8) is added to section 403.859,  
1467 Florida Statutes, to read:

1468 403.859 Prohibited acts.—The following acts and the causing  
1469 thereof are prohibited and are violations of this act:

1470 (8) The use of any additive in a public water system which  
1471 does not meet the definition of a water quality additive as  
1472 defined in s. 403.852(19).

1473 Section 33. Subsection (10) of section 482.111, Florida  
1474 Statutes, is amended to read:

1475 482.111 Pest control operator's certificate.—

1476 (10) In order to renew a certificate, the certificateholder  
1477 must complete 2 hours of approved continuing education on  
1478 legislation, safety, pesticide labeling, and integrated pest  
1479 management and 2 hours of approved continuing education in each

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1480 category of her or his certificate or must pass an examination  
1481 that the department shall provide in person and remotely through  
1482 a third-party vendor. The third-party vendor may collect and  
1483 retain a convenience fee given by the department. The department  
1484 may not renew a certificate if the continuing education or  
1485 examination requirement is not met.

1486 (a) Courses or programs, to be considered for credit, must  
1487 include one or more of the following topics:

1488 1. The law and rules of this state pertaining to pest  
1489 control.

1490 2. Precautions necessary to safeguard life, health, and  
1491 property in the conducting of pest control and the application  
1492 of pesticides.

1493 3. Pests, their habits, recognition of the damage they  
1494 cause, and identification of them by accepted common name.

1495 4. Current accepted industry practices in the conducting of  
1496 fumigation, termites and other wood-destroying organisms pest  
1497 control, lawn and ornamental pest control, and household pest  
1498 control.

1499 5. How to read labels, a review of current state and  
1500 federal laws on labeling, and a review of changes in or  
1501 additions to labels used in pest control.

1502 6. Integrated pest management.

1503 (b) The certificateholder must submit with her or his  
1504 application for renewal a statement certifying that she or he  
1505 has completed the required number of hours of continuing  
1506 education. The statement must be on a form prescribed by the  
1507 department and must identify at least the date, location,  
1508 provider, and subject of the training and must provide such

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1509 other information as required by the department.

1510 (c) The department shall charge the same fee for  
1511 examination as provided in s. 482.141(2).

1512 Section 34. Subsection (1) of section 482.141, Florida  
1513 Statutes, is amended to read:

1514 482.141 Examinations.—

1515 (1) Each individual seeking certification must  
1516 satisfactorily pass an examination which must be written but  
1517 ~~which~~ may include practical demonstration. The department shall  
1518 provide in-person and remote testing through a third-party  
1519 vendor. A third-party vendor may collect and retain a  
1520 convenience fee ~~held at least two examinations each year.~~ An  
1521 applicant may seek certification in one or more categories.

1522 Section 35. Paragraph (b) of subsection (1) of section  
1523 482.155, Florida Statutes, is amended to read:

1524 482.155 Limited certification for governmental pesticide  
1525 applicators or private applicators.—

1526 (1)

1527 (b) A person seeking limited certification under this  
1528 subsection must pass an examination that the department shall  
1529 provide in person and remotely through a third-party vendor. The  
1530 third-party vendor may collect and retain a convenience fee  
1531 ~~given or approved by the department.~~ Each application for  
1532 examination must be accompanied by an examination fee set by the  
1533 department, in an amount of not more than \$150 or less than \$50;  
1534 and a recertification fee of \$25 every 4 years. Until rules  
1535 setting these fees are adopted by the department, the  
1536 examination fee is \$50. Application for recertification must be  
1537 accompanied by proof of having completed 4 classroom hours of

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1538 acceptable continuing education. The limited certificate expires  
1539 4 years after the date of issuance. If the certificateholder  
1540 fails to renew his or her certificate and provide proof of  
1541 completion of the required continuing education units within 60  
1542 days after the expiration date, the certificateholder may be  
1543 recertified only after reexamination. The department shall make  
1544 available ~~provide~~ the appropriate reference material ~~and make~~  
1545 ~~the examination readily accessible and available to all~~  
1546 ~~applicants at least quarterly or as necessary in each county.~~

1547 Section 36. Subsection (2) of section 482.156, Florida  
1548 Statutes, is amended to read:

1549 482.156 Limited certification for commercial landscape  
1550 maintenance personnel.—

1551 (2) (a) A person seeking limited certification under this  
1552 section must pass an examination that the department shall  
1553 provide in person and remotely through a third-party vendor. The  
1554 third-party vendor may collect and retain a convenience fee  
1555 ~~given by the department~~. Each application for examination must  
1556 be accompanied by an examination fee set by rule of the  
1557 department, in an amount of not more than \$150 or less than \$50.  
1558 Before the department issues a limited certification under this  
1559 section, each person applying for the certification must furnish  
1560 proof of having a certificate of insurance which states that the  
1561 employer meets the requirements for minimum financial  
1562 responsibility for bodily injury and property damage required by  
1563 s. 482.071(4).

1564 (b) The department shall make available ~~provide~~ the  
1565 appropriate reference materials for the examination and provide  
1566 in-person and remote testing through a third-party vendor. A

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1567 third-party vendor may collect and retain a convenience fee ~~make~~  
1568 ~~the examination readily accessible and available to applicants~~  
1569 ~~at least quarterly or as necessary in each county.~~

1570 Section 37. Subsection (2) of section 482.157, Florida  
1571 Statutes, is amended to read:

1572 482.157 Limited certification for commercial wildlife  
1573 management personnel.—

1574 (2) The department shall issue a limited certificate to an  
1575 applicant who:

1576 (a) Submits an application and examination fee of at least  
1577 \$150, but not more than \$300, as prescribed by the department by  
1578 rule;

1579 (b) Passes an examination that the department shall provide  
1580 in person and remotely through a third-party vendor. The third-  
1581 party vendor may collect and retain a convenience fee  
1582 ~~administered by the department.~~ The department shall make  
1583 available ~~provide~~ the appropriate study materials for the  
1584 examination ~~and make the examination readily available to~~  
1585 ~~applicants in each county as necessary, but not less frequently~~  
1586 ~~than quarterly;~~ and

1587 (c) Provides proof, including a certificate of insurance,  
1588 that the applicant has met the minimum bodily injury and  
1589 property damage insurance requirements in s. 482.071(4).

1590 Section 38. Paragraph (m) is added to subsection (1) of  
1591 section 482.161, Florida Statutes, to read:

1592 482.161 Disciplinary grounds and actions; reinstatement.—

1593 (1) The department may issue a written warning to or impose  
1594 a fine against, or deny the application for licensure or  
1595 licensure renewal of, a licensee, certified operator, limited

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1596 certificateholder, identification cardholder, or special  
1597 identification cardholder or any other person, or may suspend,  
1598 revoke, or deny the issuance or renewal of any license,  
1599 certificate, limited certificate, identification card, or  
1600 special identification card that is within the scope of this  
1601 chapter, in accordance with chapter 120, upon any of the  
1602 following grounds:

1603 (m) Issuance of a final order imposing civil penalties  
1604 under subsection 14(a) of the Federal Insecticide, Fungicide,  
1605 and Rodenticide Act (FIFRA) or a criminal conviction under  
1606 subsection 14(b) of FIFRA.

1607 Section 39. Subsection (2) of section 487.044, Florida  
1608 Statutes, is amended to read:

1609 487.044 Certification; examination.—

1610 (2) The department shall require each applicant for a  
1611 certified applicator's license to demonstrate competence by a  
1612 written or oral examination in which the applicant must  
1613 demonstrate adequate knowledge concerning the proper use and  
1614 application of restricted-use pesticides in each classification  
1615 for which application for license is made. The department shall  
1616 provide in-person and remote testing through a third-party  
1617 vendor. A third-party vendor may collect and retain a  
1618 convenience fee. The examination may be prepared, administered,  
1619 and evaluated by the department. Each applicant for a certified  
1620 applicator's license must ~~shall~~ demonstrate minimum competence  
1621 as to:

1622 (a) The proper use of the equipment.

1623 (b) The environmental hazards that may be involved in  
1624 applying restricted-use pesticides.

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1625 (c) Calculating the concentration of restricted-use  
1626 pesticides to be used in particular circumstances.

1627 (d) Identification of common pests to be controlled and the  
1628 damages caused by such pests.

1629 (e) Protective clothing and respiratory equipment required  
1630 during the handling and application of restricted-use  
1631 pesticides.

1632 (f) General precautions to be followed in the disposal of  
1633 containers, as well as the cleaning and decontamination of the  
1634 equipment which the applicant proposes to use.

1635 (g) Applicable state and federal pesticide laws, rules, and  
1636 regulations.

1637 (h) General safety precautions.

1638 Section 40. Subsection (6) is added to section 487.175,  
1639 Florida Statutes, to read:

1640 487.175 Penalties; administrative fine; injunction.—

1641 (6) Licensure may be suspended, revoked, or denied by the  
1642 department, upon the issuance of a final order to a licensee  
1643 imposing civil penalties under subsection 14(a) of the Federal  
1644 Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a  
1645 criminal conviction under subsection 14(b) of FIFRA.

1646 Section 41. Present subsections (13) through (28) of  
1647 section 496.404, Florida Statutes, are redesignated as  
1648 subsections (15) through (30), respectively, and new subsections  
1649 (13) and (14) are added to that section, to read:

1650 496.404 Definitions.—As used in ss. 496.401-496.424, the  
1651 term:

1652 (13) "Foreign country of concern" has the same meaning as  
1653 in s. 286.101(1)(b).

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1654 (14) "Foreign source of concern" means any of the  
1655 following:

1656 (a) The government or any official of the government of a  
1657 foreign country of concern;

1658 (b) A political party or member of a political party or any  
1659 subdivision of a political party in a foreign country of  
1660 concern;

1661 (c) A partnership, an association, a corporation, an  
1662 organization, or other combination of persons organized under  
1663 the laws of or having its principal place of business in a  
1664 foreign country of concern, or a subsidiary of such entity;

1665 (d) Any person who is domiciled in a foreign country of  
1666 concern and is not a citizen or lawful permanent citizen of the  
1667 United States;

1668 (e) An agent, including a subsidiary or an affiliate of a  
1669 foreign legal entity, acting on behalf of a foreign source of  
1670 concern; or

1671 (f) An entity in which a person, entity, or collection of  
1672 persons or entities described in paragraphs (a)-(e) has a  
1673 controlling interest. As used in this paragraph, the term  
1674 "controlling interest" means the possession of the power to  
1675 direct or cause the direction of the management or policies of  
1676 an entity, whether through ownership of securities, by contract,  
1677 or otherwise. A person or an entity that directly or indirectly  
1678 has the right to vote 25 percent or more of the voting interest  
1679 of the company or is entitled to 25 percent or more of its  
1680 profits is presumed to possess a controlling interest.

1681 Section 42. Present paragraphs (d) through (g) of  
1682 subsection (2) of section 496.405, Florida Statutes, are

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1683 redesignated as paragraphs (f) through (i), respectively, new  
1684 paragraphs (d) and (e) are added to that subsection, subsection  
1685 (11) is added to that section, and subsection (1) and paragraph  
1686 (b) of subsection (7) of that section are amended, to read:

1687       496.405 Registration statements by charitable organizations  
1688 and sponsors.—

1689       (1) A charitable organization or sponsor, unless exempted  
1690 pursuant to s. 496.406, which intends to solicit contributions  
1691 in or from this state by any means or have funds solicited on  
1692 its behalf by any other person, charitable organization,  
1693 sponsor, commercial co-venturer, or professional solicitor, or  
1694 that participates in a charitable sales promotion or sponsor  
1695 sales promotion, must, before engaging in any of these  
1696 activities, file an initial registration statement, which  
1697 includes an attestation statement, and a renewal statement  
1698 annually thereafter, with the department.

1699       (a) Except as provided in paragraph (b), any changes in the  
1700 information submitted on the initial registration statement or  
1701 the last renewal statement must be updated annually on a renewal  
1702 statement provided by the department on or before the date that  
1703 marks 1 year after the date the department approved the initial  
1704 registration statement as provided in this section. The  
1705 department shall annually provide a renewal statement to each  
1706 registrant by mail or by electronic mail at least 30 days before  
1707 the renewal date.

1708       (b) Any changes to the information submitted to the  
1709 department pursuant to paragraph (2) (f) ~~(2) (d)~~ on the initial  
1710 registration statement, which includes an attestation statement,  
1711 or the last renewal statement must be reported to the department

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1712 on a form prescribed by the department within 10 days after the  
1713 change occurs.

1714 (c) A charitable organization or sponsor that is required  
1715 to file an initial registration statement or annual renewal  
1716 statement may not, before approval of its statement by the  
1717 department in accordance with subsection (7), solicit  
1718 contributions or have contributions solicited on its behalf by  
1719 any other person, charitable organization, sponsor, commercial  
1720 co-venturer, or professional solicitor or participate in a  
1721 charitable sales promotion or sponsor sales promotion.

1722 (d) The registration of a charitable organization or  
1723 sponsor may not continue in effect and shall expire without  
1724 further action of the department under either of the following  
1725 circumstances:

1726 1. After the date the charitable organization or sponsor  
1727 should have filed, but failed to file, its renewal statement in  
1728 accordance with this section.

1729 2. For failure to provide a financial statement within any  
1730 extension period provided under s. 496.407.

1731 (2) The initial registration statement must be submitted on  
1732 a form prescribed by the department, signed by an authorized  
1733 official of the charitable organization or sponsor who shall  
1734 certify that the registration statement is true and correct, and  
1735 include the following information or material:

1736 (d) An attestation statement, which must be submitted on a  
1737 form prescribed by the department and signed by an authorized  
1738 official of the charitable organization who shall certify and  
1739 attest that the charitable organization, if engaged in  
1740 activities that would require registration pursuant to chapter

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1741 106, is registered with the Department of State, pursuant to  
1742 chapter 106.

1743 (e) An attestation statement on a form prescribed by the  
1744 department, signed by an authorized official of the charitable  
1745 organization who shall certify and attest that the charitable  
1746 organization, if prohibited by applicable federal or state law,  
1747 is not engaged in activities that would require registration  
1748 with the Department of State pursuant to chapter 106.

1749 (7)

1750 (b) If a charitable organization or sponsor discloses  
1751 information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~  
1752 in the initial registration statement or annual renewal  
1753 statement, the time limits set forth in paragraph (a) are  
1754 waived, and the department shall process such initial  
1755 registration statement or annual renewal statement in accordance  
1756 with the time limits set forth in chapter 120. The registration  
1757 of a charitable organization or sponsor shall be automatically  
1758 suspended for failure to disclose any information specified in  
1759 subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the  
1760 required information is submitted to the department.

1761 (11) The department may investigate and refer a charitable  
1762 organization or sponsor to the Florida Elections Commission for  
1763 investigation of violations pursuant to chapters 104 and 106.

1764 Section 43. Subsection (20) is added to section 496.415,  
1765 Florida Statutes, to read:

1766 496.415 Prohibited acts.—It is unlawful for any person in  
1767 connection with the planning, conduct, or execution of any  
1768 solicitation or charitable or sponsor sales promotion to:

1769 (20) Solicit or accept contributions or anything of value

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1770 from a foreign source of concern.

1771 (a) For a first violation of this subsection, this  
1772 prohibited act is considered involuntary, and shall result in no  
1773 punitive action from the department if the charitable  
1774 organization satisfies all of the following requirements:

1775 1. Provides the department with a solicitation or  
1776 contribution form containing an attestation from such foreign  
1777 source or country of concern in which the person, country, or  
1778 entity falsely certifies that they are not a foreign country of  
1779 concern as defined in s. 496.404(13) or a foreign source of  
1780 concern as defined in s. 496.404(14);

1781 2. Provides the department with a copy of a refund to the  
1782 foreign source or country of concern within 30 days after  
1783 notification by the department of the prohibited act; and

1784 3. Provides the department with a plan of action to prevent  
1785 the acceptance of contributions from a foreign country or source  
1786 of concern in future solicitation activities by the charitable  
1787 organization.

1788 (b) A second or subsequent violation of this subsection is  
1789 considered voluntary, and the charitable organization or sponsor  
1790 is subject to the penalties specified in s. 496.419(5) at the  
1791 discretion of the department.

1792 Section 44. Section 496.417, Florida Statutes, is amended  
1793 to read:

1794 496.417 Criminal penalties.—Except as otherwise provided in  
1795 ss. 496.401-496.424, and in addition to any administrative or  
1796 civil penalties, any person who willfully and knowingly violates  
1797 ss. 496.401-496.424 commits a felony of the third degree,  
1798 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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1799 For a second or subsequent conviction, such violation  
1800 constitutes a felony of the second degree, punishable as  
1801 provided in s. 775.082, s. 775.083, or s. 775.084. The  
1802 department may also investigate and refer a charitable  
1803 organization or sponsor to the Florida Elections Commission for  
1804 investigation of violations pursuant to chapters 104 and 106.

1805 Section 45. Subsection (11) is added to section 496.419,  
1806 Florida Statutes, to read:

1807 496.419 Powers of the department.—

1808 (11) A charitable organization or sponsor whose  
1809 registration is denied or revoked for submitting a false  
1810 attestation required pursuant to s. 496.405(2)(d) or (2)(e) is  
1811 subject to the penalties specified in subsection (5) at the  
1812 discretion of the department.

1813 Section 46. Section 496.431, Florida Statutes, is created  
1814 to read:

1815 496.431 Honest Services Registry.—

1816 (1) The department shall create the Honest Services  
1817 Registry to provide the residents of this state with the  
1818 information necessary to make an informed choice when deciding  
1819 which charitable organizations to support.

1820 (2) To be included on the Honest Services Registry, a  
1821 charitable organization must, at a minimum, submit to the  
1822 department an attestation statement on a form prescribed by the  
1823 department, verified as provided in s. 92.525, attesting to all  
1824 of the following:

1825 (a) That the organization does not solicit or accept,  
1826 directly or indirectly, contributions, funding, support, or  
1827 services from a foreign source of concern.

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1828           (b) That the organization's messaging and content are not  
1829 directly or indirectly produced or influenced by a foreign  
1830 source of concern.

1831           (3) The department shall publish the Honest Services  
1832 Registry on the department's website.

1833           (4) The department shall adopt rules to implement this  
1834 section.

1835           Section 47. Paragraph (j) of subsection (1) of section  
1836 500.03, Florida Statutes, is amended to read:

1837           500.03 Definitions; construction; applicability.—

1838           (1) For the purpose of this chapter, the term:

1839           (j) "Cottage food product" means food that is not time or  
1840 temperature controlled for safety or a potentially hazardous  
1841 food as defined by department rule which is sold by a cottage  
1842 food operation in accordance with s. 500.80.

1843           Section 48. Paragraphs (a) and (b) of subsection (1) of  
1844 section 500.12, Florida Statutes, are amended to read:

1845           500.12 Food permits; building permits.—

1846           (1)(a) A food permit from the department is required of any  
1847 person or business that ~~who~~ operates a food establishment,  
1848 except:

1849           1. Persons or businesses operating minor food outlets that  
1850 sell food that is commercially prepackaged, not potentially  
1851 hazardous, not age restricted, and not time or temperature  
1852 controlled for safety, if the shelf space for those items does  
1853 not exceed 12 total linear feet and no other food is sold by the  
1854 person or business minor food outlet.

1855           2. Persons subject to continuous, onsite federal or state  
1856 inspection.

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1857 3. Persons selling only legumes in the shell, either  
1858 parched, roasted, or boiled.

1859 4. Persons selling sugar cane or sorghum syrup that has  
1860 been boiled and bottled on a premise located within this state.  
1861 Such bottles must contain a label listing the producer's name  
1862 and street address, all added ingredients, the net weight or  
1863 volume of the product, and a statement that reads, "This product  
1864 has not been produced in a facility permitted by the Florida  
1865 Department of Agriculture and Consumer Services."

1866 (b) Each food establishment regulated under this chapter  
1867 must apply for and receive a food permit before operation  
1868 begins. An application for a food permit from the department  
1869 must be accompanied by a fee in an amount determined by  
1870 department rule. The department shall adopt by rule a schedule  
1871 of fees to be paid by each food establishment as a condition of  
1872 issuance or renewal of a food permit. Such fees may not exceed  
1873 \$650 and must be used solely for the recovery of costs for the  
1874 services provided, except that the fee accompanying an  
1875 application for a food permit for operating a bottled water  
1876 plant may not exceed \$1,000 and the fee accompanying an  
1877 application for a food permit for operating a packaged ice plant  
1878 may not exceed \$250. The fee for operating a bottled water plant  
1879 or a packaged ice plant must be set by rule of the department.  
1880 Food permits are not transferable from one person or physical  
1881 location to another. Food permits must be renewed in accordance  
1882 with subparagraphs 1.-3. If an application for renewal of a food  
1883 permit is not received by the department on or before its due  
1884 date, a late fee not exceeding \$100 must be paid in addition to  
1885 the food permit fee before the department may issue the food

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1886 permit. The moneys collected must be deposited in the General  
1887 Inspection Trust Fund.

1888 1. A food permit issued to a new food establishment ~~on or~~  
1889 ~~after September 1, 2023,~~ is valid for 1 calendar year after the  
1890 date of issuance and must be renewed annually on or before that  
1891 date thereafter.

1892 2. ~~Effective January 1, 2024,~~ A food permit issued before  
1893 September 1, 2023, expires on the month and day the initial  
1894 permit was issued to the food establishment and must be renewed  
1895 annually on or before that date thereafter. The department may  
1896 charge a prorated permit fee for purposes of this subparagraph.

1897 3. The department may establish a single permit renewal  
1898 date for multiple food establishments owned by the same entity  
1899 ~~The owner of 100 or more permitted food establishment locations~~  
1900 ~~may elect to set the expiration of food permits for such~~  
1901 ~~establishments as December 31 of each calendar year.~~

1902 Section 49. Section 500.166, Florida Statutes, is amended  
1903 to read:

1904 500.166 Records of interstate shipment.—For the purpose of  
1905 enforcing this chapter, carriers engaged in interstate commerce  
1906 and persons receiving food in interstate commerce shall retain  
1907 all records for 3 years from the date of the record showing the  
1908 movement in interstate commerce of any food, and the quantity,  
1909 shipper and consignee thereof and, upon the request by an  
1910 officer or employee duly designated by the department, permit  
1911 the officer or employee to have access to and to copy all  
1912 records showing the movement in interstate commerce of any food,  
1913 and the quantity, shipper, and consignee thereof.

1914 Section 50. Subsection (1) of section 500.172, Florida

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1915 Statutes, is amended to read:

1916       500.172 Embargoing, detaining, destroying of food, food  
1917 processing equipment, or areas that are in violation.-

1918       (1) When the department, or its duly authorized agent who  
1919 has received appropriate education and training regarding the  
1920 legal requirements of this chapter, finds or has probable cause  
1921 to believe that any food, food processing equipment, food  
1922 processing area, or food storage area is in violation of this  
1923 chapter or any rule adopted under this chapter so as to be  
1924 dangerous, unwholesome, mislabeled, fraudulent, or insanitary  
1925 within the meaning of this chapter, an agent of the department  
1926 may issue and enforce a stop-sale, stop-use, removal, or hold  
1927 order, which order gives notice that such article, processing  
1928 equipment, processing area, or storage area is or is suspected  
1929 of being in violation and has been detained or embargoed and  
1930 which order warns all persons not to remove, use, or dispose of  
1931 such article, processing equipment, processing area, or storage  
1932 area by sale or otherwise until permission for removal, use, or  
1933 disposal is given by the department or the court. The department  
1934 is authorized to enter into a written agreement with the owner  
1935 of such food, food processing equipment, food processing area,  
1936 or food storage area, or otherwise facilitate the destruction of  
1937 any article found or suspected by the department to be in  
1938 violation of this section. A person may not remove, use, or  
1939 dispose of such detained or embargoed article, processing  
1940 equipment, processing area, or storage area by sale or otherwise  
1941 without such permission from or in accordance with a written  
1942 agreement with the department.

1943       Section 51. Section 500.75, Florida Statutes, is created to

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1944 read:

1945 500.75 Mushroom spores and mycelium; offenses.—It is  
1946 unlawful to transport or offer to transport, import into this  
1947 state, sell or offer for sale, furnish, or give away spores or  
1948 mycelium capable of producing mushrooms or other material which  
1949 will contain a controlled substance, including psilocybin or  
1950 psilocyn, during its lifecycle. A person who violates this  
1951 section commits a misdemeanor of the first degree, punishable as  
1952 provided in s. 775.082 or s. 775.083.

1953 Section 52. Section 500.93, Florida Statutes, is created to  
1954 read:

1955 500.93 Mislabeling of plant-based products as milk, meat,  
1956 or poultry.—

1957 (1) As used in this section, the term:

1958 (a) "Egg" or "egg product" has the same meaning as in 21  
1959 U.S.C. s. 1033 and the Egg Products Inspection Act.

1960 (b) "FDA" means the United States Food and Drug  
1961 Administration.

1962 (c) "Meat" has the same meaning as in 9 C.F.R. s. 301.2 and  
1963 the Federal Meat Inspection Act.

1964 (d) "Milk" has the same meaning as in 21 C.F.R. s. 131.110  
1965 and the Grade "A" pasteurized milk ordinance.

1966 (e) "Poultry" or "poultry product" has the same meaning as  
1967 in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

1968 (2) (a) In accordance with the established standard of  
1969 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade  
1970 "A" pasteurized milk ordinance, the department shall adopt rules  
1971 to enforce the FDA's standard of identity for milk, as adopted  
1972 in state law, to prohibit the sale of plant-based products

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1973 mislabeled as milk in this state.

1974 (b) This subsection is effective upon the enactment into  
1975 law of a mandatory labeling requirement to prohibit the sale of  
1976 plant-based products mislabeled as milk that is consistent with  
1977 this section by any 11 of the group of 14 states composed of  
1978 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,  
1979 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,  
1980 Texas, Virginia, and West Virginia.

1981 (3) (a) In accordance with the established standard of  
1982 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal  
1983 Meat Inspection Act, and both poultry and poultry products  
1984 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection  
1985 Act, the department shall adopt rules to enforce the FDA's  
1986 standard of identity for meat, poultry, and poultry products as  
1987 adopted in this section, to prohibit the sale of plant-based  
1988 products mislabeled as meat, poultry, or poultry products in  
1989 this state.

1990 (b) This subsection is effective upon the enactment into  
1991 law of a mandatory labeling requirement to prohibit the sale of  
1992 plant-based products mislabeled as meat, poultry, or poultry  
1993 products which is consistent with this section by any 11 of the  
1994 group of 14 states composed of Alabama, Arkansas, Florida,  
1995 Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,  
1996 South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1997 (4) (a) In accordance with the established standard of  
1998 identity for eggs and egg products as defined in 21 U.S.C. s.  
1999 1033 and the Egg Products Inspection Act, the department shall  
2000 adopt rules to enforce the FDA's standard of identity for eggs  
2001 and egg products, as adopted in state law, to prohibit the sale

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2002 of plant-based products mislabeled as egg or egg products in  
2003 this state.

2004 (b) This subsection is effective upon the enactment into  
2005 law of a mandatory labeling requirement to prohibit the sale of  
2006 plant-based products mislabeled as egg or egg products that is  
2007 consistent with this section by any 11 of the group of 14 states  
2008 composed of Alabama, Arkansas, Florida, Georgia, Kentucky,  
2009 Louisiana, Maryland, Mississippi, Oklahoma, South Carolina,  
2010 Tennessee, Texas, Virginia, and West Virginia.

2011 (5) The Department of Agriculture and Consumer Services  
2012 shall notify the Division of Law Revision upon the enactment  
2013 into law by any 11 of the group of 14 states composed of  
2014 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,  
2015 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,  
2016 Texas, Virginia, and West Virginia of the mandatory labeling  
2017 requirements pursuant to subsections (2) and (3).

2018 (6) The department shall adopt rules to implement this  
2019 section.

2020 (7) This section may not be construed to limit the  
2021 department's authority to enforce laws and regulations.

2022 Section 53. Section 501.135, Florida Statutes, is repealed.

2023 Section 54. Subsection (1) of section 501.912, Florida  
2024 Statutes, is amended to read:

2025 501.912 Definitions.—As used in ss. 501.91-501.923:

2026 (1) "Antifreeze" means any substance or preparation,  
2027 including, but not limited to, coolant, antifreeze-coolant,  
2028 antifreeze and summer coolant, or summer coolant, that is sold,  
2029 distributed, or intended for use:

2030 (a) As the cooling liquid, or to be added to the cooling

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2031 liquid, in the cooling system of ~~internal combustion engines of~~  
2032 motor vehicles to prevent freezing of the cooling liquid or to  
2033 lower its freezing point; or

2034 (b) To raise the boiling point of water, aid in vehicle  
2035 component cooling, or for the prevention of engine overheating,  
2036 whether or not the liquid is used as a year-round cooling system  
2037 fluid.

2038 Section 55. Section 525.19, Florida Statutes, is created to  
2039 read:

2040 525.19 Petroleum registration.-

2041 (1) The department shall create an annual petroleum  
2042 registration program for petroleum owners or operators and shall  
2043 adopt rules detailing the requirements for such registration  
2044 that include, at minimum:

2045 (a) The name of the petroleum owner or operator;

2046 (b) The address of the petroleum owner or operator;

2047 (c) The phone number of the petroleum owner or operator;

2048 (d) The e-mail address of the petroleum owner or operator;

2049 (e) Requirements for the transfer switch;

2050 (f) Fuel and petroleum infrastructure; and

2051 (g) Fuel and petroleum inventory and delivery information.

2052 (2) The registration program must be free for all  
2053 registrants.

2054 (3) The department has the authority to require registrants  
2055 to provide updates related to the status of infrastructure,  
2056 inventory, and delivery information during a state of emergency  
2057 as declared by an executive order issued by the Governor.

2058 Section 56. Section 526.147, Florida Statutes, is created  
2059 to read:

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2060           526.147 Florida Retail Fuel Transfer Switch Modernization  
2061 Grant Program.—

2062           (1)(a) There is created, subject to appropriation, the  
2063 Florida Retail Fuel Transfer Switch Modernization Grant Program  
2064 within the Department of Agriculture and Consumer Services.

2065           (b) The grant program shall provide grant funds, not to  
2066 exceed \$10,000 per retail fuel facility, to be used for  
2067 installation and equipment costs related to installing or  
2068 modernizing transfer switch infrastructure at retail fuel  
2069 facilities to allow for the continuity of fueling operations  
2070 under generated power.

2071           (c) The department shall award funds based upon the  
2072 following criteria:

2073           1. Up to \$10,000, of costs for transfer switch purchase and  
2074 installation for retail fuel locations in fiscally constrained  
2075 counties as designated under s. 218.67(1).

2076           2. Up to \$5,000, of costs for transfer switch purchase and  
2077 installation for all other retail fuel locations.

2078           (d) Retail fuel facilities which are awarded grant funds  
2079 must comply with s. 526.143 and must install a transfer switch  
2080 capable of operating all fuel pumps, dispensing equipment, life  
2081 safety systems, and payment acceptance equipment using an  
2082 alternative generated power source.

2083           (e) Before being awarded funding from the department,  
2084 retail fuel facilities must provide documentation on transfer  
2085 switch installation and required generator sizing to the  
2086 department.

2087           (f) Marinas and fueling facilities with fewer than four  
2088 fueling positions are excluded from being awarded funding

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2089 through this program.

2090 (g) Fueling facilities subject to s. 526.143(2) are  
2091 excluded from being awarded funding through this program.

2092 (2) The department, in consultation with the Division of  
2093 Emergency Management, shall adopt rules to implement and  
2094 administer this section, including establishing grant  
2095 application processes for the Florida Retail Fuel Transfer  
2096 Switch Modernization Grant Program. The rules must include  
2097 application deadlines and establish the supporting documentation  
2098 necessary to be provided to the department.

2099 Section 57. Section 531.48, Florida Statutes, is amended to  
2100 read:

2101 531.48 Declarations of unit price on random packages.—In  
2102 addition to the declarations required by s. 531.47, any package  
2103 being one of a lot containing random weights of the same  
2104 commodity must and ~~bearing the total selling price of the~~  
2105 ~~package shall~~ bear on the outside of the package a plain and  
2106 conspicuous declaration of the price per single unit of weight  
2107 and the total retail price of the package, as defined by  
2108 department rule.

2109 Section 58. Section 531.49, Florida Statutes, is amended to  
2110 read:

2111 531.49 Advertising packages for sale.—~~Whenever~~ A packaged  
2112 commodity ~~is advertised in any manner with the retail price~~  
2113 ~~stated, there shall be~~ closely and conspicuously associated with  
2114 the retail price must have a declaration of quantity as is  
2115 required by law or rule to appear on the package.

2116 Section 59. Subsection (10) of section 564.06, Florida  
2117 Statutes, is amended to read:

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2118 564.06 Excise taxes on wines and beverages.—

2119 (10) Fifty percent of all revenues collected from the  
2120 excise taxes imposed by this section on wine produced by  
2121 manufacturers in this state from products grown in the state  
2122 must be deposited into the Florida Wine ~~Viticulture~~ Trust Fund  
2123 established pursuant to s. 599.012.

2124 Section 60. Present subsections (44), (45), and (46) of  
2125 section 570.07, Florida Statutes, are redesignated as  
2126 subsections (47), (48), and (49), respectively, and new  
2127 subsections (44), (45), and (46) are added to that section, to  
2128 read:

2129 570.07 Department of Agriculture and Consumer Services;  
2130 functions, powers, and duties.—The department shall have and  
2131 exercise the following functions, powers, and duties:

2132 (44) (a) To foster and encourage the employment and  
2133 retention of qualified veterinary pathologists. The department  
2134 may reimburse the educational expenses of qualified veterinary  
2135 pathologists who enter into an agreement with the department to  
2136 retain employment for a specified period of time.

2137 (b) The department shall adopt rules to administer this  
2138 subsection.

2139 (45) Subject to appropriation, to extend state and national  
2140 Future Farmers of America opportunities to any public school  
2141 student enrolled in agricultural education, at little or no cost  
2142 to the student or school district, and to support statewide  
2143 Future Farmers of America programming that helps such students  
2144 develop their potential for premier leadership, personal growth,  
2145 and career success.

2146 (46) (a) Notwithstanding ss. 287.042 and 287.057, to use

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2147 contracts procured by another agency.

2148 (b) As used in this subsection, the term "agency" has the  
2149 same meaning as provided in s. 287.012.

2150 Section 61. Subsection (2) of section 570.544, Florida  
2151 Statutes, is amended to read:

2152 570.544 Division of Consumer Services; director; powers;  
2153 processing of complaints; records.—

2154 (2) The director shall supervise, direct, and coordinate  
2155 the activities of the division and shall, under the direction of  
2156 the department, enforce the provisions of ss. 366.94 and ~~ss.~~  
2157 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526,  
2158 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

2159 Section 62. Section 570.546, Florida Statutes, is created  
2160 to read:

2161 570.546 Licensing.—

2162 (1) The department is authorized to:

2163 (a) Create a process for the bulk renewal of licenses which  
2164 will allow licensees the ability, upon request, to submit all  
2165 license applications of the same type, notwithstanding any  
2166 provisions of law applicable to each application process.

2167 (b) Create a process that will allow licensees, upon  
2168 request, to align the expiration dates of licenses within a  
2169 statutory program.

2170 (c) Change the expiration dates for current licensees for  
2171 the purpose of reducing large numbers of license expirations  
2172 that occur during the same month.

2173 (2) The department shall prorate any licensing fee for  
2174 which the term of the license was reduced for the purposes of  
2175 alignment.

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2176 (3) The department shall adopt rules to implement this  
2177 section.

2178 Section 63. Section 570.694, Florida Statutes, is created  
2179 to read:

2180 570.694 Florida Aquaculture Foundation.—

2181 (1) The Florida Aquaculture Foundation is established as a  
2182 direct-support organization within the Department of Agriculture  
2183 and Consumer Services. The purpose of the foundation is to:

2184 (a) Conduct programs and activities related to the  
2185 assistance, promotion, and furtherance of aquaculture and  
2186 aquaculture producers in this state.

2187 (b) Identify and pursue methods to provide statewide  
2188 resources and materials for these programs.

2189 (2) The foundation shall be governed by s. 570.691.

2190 (3) The department is authorized to appoint an advisory  
2191 committee adjunct to the foundation pursuant to s. 570.232.

2192 Section 64. Section 570.822, Florida Statutes, is amended  
2193 to read:

2194 570.822 Agriculture and Aquaculture Producers Emergency  
2195 ~~Natural Disaster~~ Recovery Loan Program.—

2196 (1) DEFINITIONS.—As used in this section, the term:

2197 (a) "Bona fide farm operation" means a farm operation  
2198 engaged in a good faith commercial agricultural use of land on  
2199 land classified as agricultural pursuant to s. 193.461 or on  
2200 sovereign submerged land that is leased to the applicant by the  
2201 department pursuant to s. 597.010 and that produces agricultural  
2202 products within the definition of agriculture under s. 570.02.

2203 (b) "Declared emergency natural disaster" means an  
2204 emergency ~~a natural disaster~~ for which a state of emergency is

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2205 declared pursuant to s. 252.36 or s. 570.07(21).

2206 (c) "Department" means the Department of Agriculture and  
2207 Consumer Services.

2208 (d) "Essential physical property" means fences; equipment;  
2209 structural production facilities, such as shade houses and  
2210 greenhouses; or other agriculture or aquaculture facilities or  
2211 infrastructure.

2212 (e) "Program" means the Agriculture and Aquaculture  
2213 Producers Emergency ~~Natural Disaster~~ Recovery Loan Program.

2214 (2) USE OF LOAN FUNDS; LOAN TERMS.—

2215 (a) The program is established within the department to  
2216 make loans to agriculture and aquaculture producers that have  
2217 experienced damage or destruction from a declared emergency  
2218 ~~natural disaster~~. Loan funds may be used to restore, repair, or  
2219 replace essential physical property or remove vegetative debris  
2220 from essential physical property, or restock aquaculture. A  
2221 structure or building constructed using loan proceeds must  
2222 comply with storm-hardening standards for nonresidential farm  
2223 buildings as defined in s. 604.50(2). The department shall adopt  
2224 such standards by rule.

2225 (b) The department may make a low-interest or interest-free  
2226 loan to an eligible applicant. The maximum amount that an  
2227 applicant may receive during the application period for a loan  
2228 is \$500,000. An applicant may not receive more than one loan per  
2229 application period and no more than two loans per year or no  
2230 more than five loans in any 3-year period. A loan term is 10  
2231 years.

2232 (3) ELIGIBLE APPLICANTS.—To be eligible for the program, an  
2233 applicant must:

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2234 (a) Own or lease a bona fide farm operation that is located  
2235 in a county named in a declared emergency ~~natural disaster~~ and  
2236 that was damaged or destroyed as a result of such declared  
2237 emergency ~~natural disaster~~.

2238 (b) Maintain complete and acceptable farm records, pursuant  
2239 to criteria published by the department, and present them as  
2240 proof of production levels and bona fide farm operations.

2241 (4) LOAN APPLICATION AND AGREEMENT.—

2242 (a) Requests for loans must be made by application to the  
2243 department. Upon a determination that funding for loans is  
2244 available, the department shall publicly notice an application  
2245 period for the declared emergency ~~natural disaster~~, beginning  
2246 within 60 days after the date of the declared emergency ~~natural~~  
2247 ~~disaster~~ and running up to 1 year after the date of the declared  
2248 emergency ~~natural disaster~~ or until all available loan funds are  
2249 exhausted, whichever occurs first. The application period may be  
2250 renewed upon a determination from the department and pursuant to  
2251 an active declared emergency.

2252 (b) An applicant must demonstrate the need for financial  
2253 assistance and an ability to repay or meet a standard credit  
2254 rating determined by the department.

2255 (c) Loans must be made pursuant to written agreements  
2256 specifying the terms and conditions agreed to by the approved  
2257 applicant and the department. The loan agreement must specify  
2258 that the loan is due upon sale if the property or other  
2259 collateral for the loan is sold.

2260 (d) An approved applicant must agree to stay in production  
2261 for the duration of the loan. A loan is not assumable.

2262 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured

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2263 by a lien, subordinate only to any mortgage held by a financial  
2264 institution as defined in s. 655.005, on property or other  
2265 collateral as set forth in the loan agreement. The specific type  
2266 of collateral required may vary depending upon the loan purpose,  
2267 repayment ability, and the particular circumstances of the  
2268 applicant. The department shall record the lien in public  
2269 records in the county where the property is located and, in the  
2270 case of personal property, perfect the security interest by  
2271 filing appropriate Uniform Commercial Code forms with the  
2272 Florida Secured Transaction Registry as required pursuant to  
2273 chapter 679.

2274 (6) LOAN REPAYMENT.—

2275 (a) A loan is due and payable in accordance with the terms  
2276 of the loan agreement.

2277 (b) The department shall defer payments for the first 3  
2278 years of the loan. After 3 years, the department shall reduce  
2279 the principal balance annually through the end of the loan term  
2280 such that the original principal balance is reduced by 30  
2281 percent. If the principal balance is repaid before the end of  
2282 the 10th year, the applicant may not be required to pay more  
2283 than 70 percent of the original principal balance. The approved  
2284 applicant must continue to be actively engaged in production in  
2285 order to receive the original principal balance reductions and  
2286 must continue to meet the loan agreement terms to the  
2287 satisfaction of the department.

2288 (c) An approved applicant may make payments on the loan at  
2289 any time without penalty. Early repayment is encouraged as other  
2290 funding sources or revenues become available to the approved  
2291 applicant.

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2292 (d) All repayments of principal and interest, if  
2293 applicable, received by the department in a fiscal year must be  
2294 returned to the loan fund and made available for loans to other  
2295 applicants in the next application period.

2296 (e) The department may periodically review an approved  
2297 applicant to determine whether he or she continues to be in  
2298 compliance with the terms of the loan agreement. If the  
2299 department finds that an applicant is no longer in production or  
2300 has otherwise violated the loan agreement, the department may  
2301 seek repayment of the full original principal balance  
2302 outstanding, including any interest or costs, as applicable, and  
2303 excluding any applied or anticipated original principal balance  
2304 reductions.

2305 (f) The department may defer or waive loan payments if at  
2306 any time during the repayment period of a loan, the approved  
2307 applicant experiences a significant hardship such as crop loss  
2308 from a weather-related event or from impacts from a natural  
2309 disaster or declared emergency.

2310 (7) ADMINISTRATION.—

2311 (a) The department shall create and maintain a separate  
2312 account in the General Inspection Trust Fund as a fund for the  
2313 program. All repayments must be returned to the loan fund and  
2314 made available as provided in this section. Notwithstanding s.  
2315 216.301, funds appropriated for the loan program are not subject  
2316 to reversion. The department shall manage the fund, establishing  
2317 loan practices that must include, but are not limited to,  
2318 procedures for establishing loan interest rates, uses of  
2319 funding, application procedures, and application review  
2320 procedures. The department is authorized to contract with a

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2321 third-party administrator to administer the program and manage  
2322 the loan fund. A contract for a third-party administrator that  
2323 includes management of the loan fund must, at a minimum, require  
2324 maintenance of the loan fund to ensure that the program may  
2325 operate in a revolving manner.

2326 (b) The department shall coordinate with other state  
2327 agencies and other entities to ensure to the greatest extent  
2328 possible that agriculture and aquaculture producers in this  
2329 state have access to the maximum financial assistance available  
2330 following a declared emergency ~~natural disaster~~. The  
2331 coordination must endeavor to ensure that there is no  
2332 duplication of financial assistance between the loan program and  
2333 other funding sources, such as any federal or other state  
2334 programs, including public assistance requests to the Federal  
2335 Emergency Management Agency or financial assistance from the  
2336 United States Department of Agriculture, which could render the  
2337 approved applicant ineligible for other financial assistance.

2338 (8) PUBLIC RECORDS EXEMPTION.—

2339 (a) The following information held by the department  
2340 pursuant to its administration of the program is exempt from s.  
2341 119.07(1) and s. 24(a), Art. I of the State Constitution:

2342 1. Tax returns.

2343 2. Credit history information, credit reports, and credit  
2344 scores.

2345 (b) This subsection does not prohibit the disclosure of  
2346 information held by the department pursuant to its  
2347 administration of the program in an aggregated and anonymized  
2348 format.

2349 (c) This subsection is subject to the Open Government

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2350 Sunset Review Act in accordance with s. 119.15 and shall stand  
2351 repealed on October 2, 2029, unless reviewed and saved from  
2352 repeal through reenactment by the Legislature.

2353 (9) RULES.—The department shall adopt rules to implement  
2354 this section.

2355 (10) REPORTS.—By December 1, 2024, and each December 1  
2356 thereafter, the department shall provide a report on program  
2357 activities during the previous fiscal year to the President of  
2358 the Senate and the Speaker of the House of Representatives. The  
2359 report must include information on noticed application periods,  
2360 the number and value of loans awarded under the program for each  
2361 application period, the number and value of loans outstanding,  
2362 the number and value of any loan repayments received, and an  
2363 anticipated repayment schedule for all loans.

2364 (11) SUNSET.—This section expires July 1, 2043, unless  
2365 reviewed and saved from repeal through reenactment by the  
2366 Legislature.

2367 Section 65. Section 570.823, Florida Statutes, is created  
2368 to read:

2369 570.823 Silviculture emergency recovery program.—

2370 (1) DEFINITIONS.—As used in this section, the term:

2371 (a) "Bona fide farm operation" means a farm operation  
2372 engaged in a good faith commercial agricultural use of land on  
2373 land classified as agricultural pursuant to s. 193.461 that  
2374 produces agricultural products within the definition of  
2375 agriculture under s. 570.02.

2376 (b) "Declared emergency" means an emergency for which a  
2377 state of emergency is declared pursuant to s. 252.36 or s.  
2378 570.07(21).

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2379 (c) "Department" means the Department of Agriculture and  
2380 Consumer Services.

2381 (d) "Program" means the silviculture emergency recovery  
2382 program.

2383 (2) USE OF GRANT FUNDS; GRANT TERMS.—

2384 (a) The silviculture emergency recovery program is  
2385 established within the department to administer a grant program  
2386 to assist timber landowners whose timber land was damaged as a  
2387 result of a declared emergency. Grants provided to eligible  
2388 timber landowners must be used for:

2389 1. Timber stand restoration, including downed tree removal  
2390 on land which will retain the existing trees on site which are  
2391 lightly or completely undamaged;

2392 2. Site preparation, and tree replanting; or

2393 3. Road and trail clearing on private timber lands to  
2394 provide emergency access and facilitate salvage operations.

2395 (b) Only timber land located on lands classified as  
2396 agricultural lands under s. 193.461 are eligible for the  
2397 program.

2398 (c) The department shall coordinate with state agencies and  
2399 other entities to ensure to the greatest extent possible that  
2400 timber landowners have access to the maximum financial  
2401 assistance available following a specified declared emergency.  
2402 The coordination must endeavor to ensure that there is no  
2403 duplication of financial assistance between these funds and  
2404 other funding sources, such as any federal or other state  
2405 programs, including public assistance requests to the Federal  
2406 Emergency Management Agency or financial assistance from the  
2407 United States Department of Agriculture, which would render the

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2408 approved applicant ineligible for other financial assistance.

2409 (d) The department is authorized to adopt rules to  
2410 implement this section, including emergency rules.

2411 Notwithstanding any other provision of law, emergency rules  
2412 adopted pursuant to this subsection are effective for 6 months  
2413 after adoption and may be renewed during the pendency of  
2414 procedures to adopt permanent rules addressing the subject of  
2415 the emergency rules.

2416 Section 66. Section 570.831, Florida Statutes, is created  
2417 to read:

2418 570.831 Florida beef marketing program.—The Cattle  
2419 Enhancement Board, Inc., in coordination with the department,  
2420 shall, subject to appropriation, establish a Florida beef  
2421 marketing program to conduct research designed to expand the  
2422 uses of beef and beef products and strengthen the market  
2423 position of Florida's cattle industry through marketing  
2424 campaigns and promotions within this state and the nation.

2425 Section 67. Subsections (2) and (5) of section 581.1843,  
2426 Florida Statutes, are amended to read:

2427 581.1843 Citrus nursery stock propagation and production  
2428 and the establishment of regulated areas around citrus  
2429 nurseries.—

2430 (2) Effective January 1, 2007, it is unlawful for any  
2431 person to propagate for sale or movement any citrus nursery  
2432 stock that was not propagated or grown on a site and within a  
2433 protective structure approved by the department ~~and that is not~~  
2434 ~~at least 1 mile away from commercial citrus groves. A citrus~~  
2435 ~~nursery registered with the department prior to April 1, 2006,~~  
2436 ~~shall not be required to comply with the 1-mile setback from~~

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2437 ~~commercial citrus groves while continuously operating at the~~  
2438 ~~same location for which it was registered.~~ However, the nursery  
2439 shall be required to propagate citrus within a protective  
2440 structure approved by the department. Effective January 1, 2008,  
2441 it is ~~shall be~~ unlawful to distribute any citrus nursery stock  
2442 that was not produced in a protective structure approved by the  
2443 department.

2444 ~~(5) The department shall establish regulated areas around~~  
2445 ~~the perimeter of commercial citrus nurseries that were~~  
2446 ~~established on sites after April 1, 2006, not to exceed a radius~~  
2447 ~~of 1 mile. The planting of citrus in an established regulated~~  
2448 ~~area is prohibited. The planting of citrus within a 1-mile~~  
2449 ~~radius of commercial citrus nurseries that were established on~~  
2450 ~~sites prior to April 1, 2006, must be approved by the~~  
2451 ~~department. Citrus plants planted within a regulated area prior~~  
2452 ~~to the establishment of the regulated area may remain in the~~  
2453 ~~regulated area unless the department determines the citrus~~  
2454 ~~plants to be infected or infested with citrus canker or citrus~~  
2455 ~~greening. The department shall require the removal of infected~~  
2456 ~~or infested citrus, nonapproved planted citrus, and citrus that~~  
2457 ~~has sprouted by natural means in regulated areas. The property~~  
2458 ~~owner shall be responsible for the removal of citrus planted~~  
2459 ~~without proper approval. Notice of the removal of citrus trees,~~  
2460 ~~by immediate final order of the department, shall be provided to~~  
2461 ~~the owner of the property on which the trees are located. An~~  
2462 ~~immediate final order issued by the department under this~~  
2463 ~~section shall notify the property owner that the citrus trees,~~  
2464 ~~which are the subject of the immediate final order, must be~~  
2465 ~~removed and destroyed unless the property owner, no later than~~

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2466 ~~10 days after delivery of the immediate final order, requests~~  
2467 ~~and obtains a stay of the immediate final order from the~~  
2468 ~~district court of appeal with jurisdiction to review such~~  
2469 ~~requests. The property owner shall not be required to seek a~~  
2470 ~~stay from the department of the immediate final order prior to~~  
2471 ~~seeking a stay from the district court of appeal.~~

2472       Section 68. Sections 593.101, 593.102, 593.103, 593.104,  
2473 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,  
2474 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116,  
2475 and 593.117, Florida Statutes, are repealed.

2476       Section 69. Subsection (11) of section 595.404, Florida  
2477 Statutes, is amended to read:

2478       595.404 School food and other nutrition programs; powers  
2479 and duties of the department.—The department has the following  
2480 powers and duties:

2481       (11) To adopt and implement an appeal process by rule, as  
2482 required by federal regulations, for applicants and participants  
2483 under the programs implemented pursuant to this chapter,  
2484 notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss.~~  
2485 ~~120.569 and 120.57-120.595.~~

2486       Section 70. Section 599.002, Florida Statutes, is amended  
2487 to read:

2488       599.002 Florida Wine Viticulture ~~Viticulture~~ Advisory Council.—

2489       (1) There is created within the Department of Agriculture  
2490 and Consumer Services the Florida Wine Viticulture ~~Viticulture~~ Advisory  
2491 Council, to be composed ~~consist~~ of eight members as follows: the  
2492 president of the Florida Wine and Grape Growers Association  
2493 ~~Florida Grape Growers' Association~~ or a designee thereof; a  
2494 representative from the Institute of Food and Agricultural

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2495 Sciences; a representative from the viticultural science program  
2496 at Florida Agricultural and Mechanical University; and five  
2497 additional commercial members, to be appointed for a 2-year term  
2498 each by the Commissioner of Agriculture, including a wine  
2499 producer, a fresh fruit producer, a nonwine product (juice,  
2500 jelly, pie fillings, etc.) producer, and a viticultural nursery  
2501 operator.

2502 (2) The meetings, powers and duties, procedures, and  
2503 recordkeeping of the Florida Wine ~~Viticulture~~ Advisory Council  
2504 shall be pursuant to s. 570.232.

2505 (3) The primary responsibilities of the Florida Wine  
2506 ~~Viticulture~~ Advisory Council are to submit to the Commissioner  
2507 of Agriculture, annually, the industry's recommendations for  
2508 wine and viticultural research, promotion, and education and, as  
2509 necessary, the industry's recommendations for revisions to the  
2510 State Wine ~~Viticulture~~ Plan.

2511 Section 71. Section 599.003, Florida Statutes, is amended  
2512 to read:

2513 599.003 State Wine ~~Viticulture~~ Plan.—

2514 (1) The Commissioner of Agriculture, in consultation with  
2515 the Florida Wine ~~Viticulture~~ Advisory Council, shall develop and  
2516 coordinate the implementation of the State Wine ~~Viticulture~~  
2517 Plan, which shall identify problems and constraints of the wine  
2518 and viticulture industry, propose possible solutions to those  
2519 problems, and develop planning mechanisms for the orderly growth  
2520 of the industry, including:

2521 (a) Criteria for wine and viticultural research, service,  
2522 and management priorities.

2523 (b) Additional proposed legislation that may be required.

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2524 (c) Plans and goals to improve research and service  
2525 capabilities at Florida Agricultural and Mechanical University  
2526 and the University of Florida in their efforts to address  
2527 current and future needs of the industry.

2528 (d) The potential for viticulture products in terms of  
2529 market and needs for development.

2530 (e) Evaluation of wine policy alternatives, including, but  
2531 not limited to, continued improvement in wine quality, blending  
2532 considerations, promotion and advertising, labeling and vineyard  
2533 designations, and development of production and marketing  
2534 strategies.

2535 (f) Evaluation of production and fresh fruit policy  
2536 alternatives, including, but not limited to, setting minimum  
2537 grades and standards, promotion and advertising, development of  
2538 production and marketing strategies, and setting minimum  
2539 standards on types and quality of nursery plants.

2540 (g) Evaluation of policy alternatives for nonwine processed  
2541 products, including, but not limited to, setting minimum quality  
2542 standards and development of production and marketing  
2543 strategies.

2544 (h) Research and service priorities for further development  
2545 of the wine and viticulture industry.

2546 (i) The identification of state agencies and public and  
2547 private institutions concerned with research, education,  
2548 extension, services, planning, promotion, and marketing  
2549 functions related to wine and viticultural development and the  
2550 delineation of contributions and responsibilities.

2551 (j) Business planning, investment potential, financial  
2552 risks, and economics of production and utilization.

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2553           (2) A revision and update of the State Wine Viticulture  
2554 Plan must ~~shall~~ be submitted biennially to the President of the  
2555 Senate, the Speaker of the House of Representatives, and the  
2556 chairs of appropriate committees of the Senate and House of  
2557 Representatives, and a progress report and budget request must  
2558 ~~shall~~ be submitted annually.

2559           Section 72. Paragraph (a) of subsection (2) and subsection  
2560 (3) of section 599.004, Florida Statutes, are amended, and  
2561 paragraph (d) is added to subsection (2) of that section, to  
2562 read:

2563           599.004 Florida Farm Winery Program; registration; logo;  
2564 fees.—

2565           (2) (a) The department, in coordination with the Florida  
2566 Wine Viticulture Advisory Council, shall develop and designate  
2567 by rule a Florida Farm Winery logo, emblem, and directional sign  
2568 to guide the public to certified Florida Farm Wineries Winery  
2569 ~~tourist attractions~~. The logo and emblem of certified Florida  
2570 Farm Winery signs must ~~shall~~ be uniform.

2571           (d) Wineries that fail to recertify annually or pay the  
2572 licensing fee required in paragraph (c) are subject to having  
2573 the signs referenced in paragraph (b) removed and will be  
2574 responsible for all costs incurred by the Department of  
2575 Transportation in connection with the removal.

2576           (3) All fees collected, except as otherwise provided by  
2577 this section, shall be deposited into the Florida Wine  
2578 Viticulture Trust Fund and used to develop consumer information  
2579 on the native characteristics and proper use of wines.

2580           Section 73. Section 599.012, Florida Statutes, is amended  
2581 to read:

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2582           599.012 Florida Wine ~~Viticulture~~ Trust Fund; creation.—

2583           (1) There is established the Florida Wine ~~Viticulture~~ Trust  
2584 Fund within the Department of Agriculture and Consumer Services.  
2585 The department shall use the moneys deposited in the trust fund  
2586 pursuant to subsection (2) to do all the following:

2587           (a) Develop and coordinate the implementation of the State  
2588 Viticulture Plan.

2589           (b) Promote viticulture products manufactured from products  
2590 grown in the state.

2591           (c) Provide grants for viticultural research.

2592           (2) Fifty percent of the revenues collected from the excise  
2593 taxes imposed under s. 564.06 on wine produced by manufacturers  
2594 in this state from products grown in the state will be deposited  
2595 in the Florida Wine ~~Viticulture~~ Trust Fund in accordance with  
2596 that section.

2597           Section 74. Subsection (1) of section 616.12, Florida  
2598 Statutes, is amended to read:

2599           616.12 Licenses upon certain shows; distribution of fees;  
2600 exemptions.—

2601           (1) Each person who operates any traveling show,  
2602 exhibition, amusement enterprise, carnival, vaudeville, exhibit,  
2603 ~~minstrel~~, rodeo, theatrical, game or test of skill, riding  
2604 device, dramatic repertoire, other show or amusement, or  
2605 concession, including a concession operating in a tent,  
2606 enclosure, or other temporary structure, within the grounds of,  
2607 and in connection with, any annual public fair held by a fair  
2608 association shall pay the license taxes provided by law.

2609 However, if the association satisfies the requirements of this  
2610 chapter, including securing the required fair permit from the

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2611 department, the license taxes and local business tax authorized  
2612 in chapter 205 are waived and the department shall issue a tax  
2613 exemption certificate. The department shall adopt the proper  
2614 forms and rules to administer this section, including the  
2615 necessary tax exemption certificate, showing that the fair  
2616 association has met all requirements and that the traveling  
2617 show, exhibition, amusement enterprise, carnival, vaudeville,  
2618 exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill,  
2619 riding device, dramatic repertoire, other show or amusement, or  
2620 concession is exempt.

2621 Section 75. Section 687.16, Florida Statutes, is created to  
2622 read:

2623 687.16 Florida Farmer Financial Protection Act.—

2624 (1) SHORT TITLE.—This section may be cited as the “Florida  
2625 Farmer Financial Protection Act.”

2626 (2) DEFINITIONS.—As used in this section, the term:

2627 (a) “Agriculture producer” means a person or company  
2628 authorized to do business in this state and engaged in the  
2629 production of goods derived from plants or animals, including,  
2630 but not limited to, the growing of crops, silviculture, animal  
2631 husbandry, or the production of livestock or dairy products.

2632 (b) “Agritourism activity” has the same meaning as provided  
2633 in s. 570.86.

2634 (c) “Commissioner” means the Commissioner of Agriculture.

2635 (d) “Company” means a for-profit organization, association,  
2636 corporation, partnership, joint venture, sole proprietorship,  
2637 limited partnership, limited liability partnership, or limited  
2638 liability company, including a wholly owned subsidiary,  
2639 majority-owned subsidiary, parent company, or affiliate of those

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2640 entities or business associations authorized to do business in  
2641 this state.

2642 (e) "Denies or restricts" means refusing to provide  
2643 services, terminating existing services, or restricting or  
2644 burdening the scope or nature of services offered or provided.

2645 (f) "Discriminate in the provision of financial services"  
2646 means to deny or restrict services and thereby decline to  
2647 provide financial services.

2648 (g) "ESG factor" means any factor or consideration that is  
2649 collateral to or not reasonably likely to affect or impact  
2650 financial risk and includes the promotion, furtherance, or  
2651 achievement of environmental, social, or political goals,  
2652 objectives, or outcomes, which may include the agriculture  
2653 producer's greenhouse gas emissions, use of fossil-fuel derived  
2654 fertilizer, or use of fossil-fuel powered machinery.

2655 (h) "Farm" means the land, buildings, support facilities,  
2656 machinery, and other appurtenances used in the production of  
2657 farm or aquaculture products.

2658 (i) "Financial institution" means a company defined under  
2659 s. 655.005(1)(h) and (i), which has total assets of more than  
2660 \$100 million. A financial institution includes any affiliate as  
2661 defined in s. 655.005(1)(a) or subsidiary company as defined in  
2662 s. 655.005(1)(x), even if such affiliate or subsidiary company  
2663 is also a financial institution.

2664 (j) "Financial service" means any product or service that  
2665 is of a financial nature and is offered by a financial  
2666 institution.

2667 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.-

2668 (a) A financial institution may not discriminate in the

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2669 provision of financial services to an agriculture producer  
2670 based, in whole or in part, upon an ESG factor.

2671 (b) If a financial institution has made any ESG commitment  
2672 related to agriculture, there is an inference that the  
2673 institution's denial or restriction of a financial service to an  
2674 agriculture producer violates paragraph (a).

2675 (c) A financial institution may overcome the inference in  
2676 paragraph (b) by demonstrating that its denial or restriction of  
2677 a financial service was based solely on documented risk  
2678 analysis, and not on any ESG factor.

2679 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney  
2680 General, in consultation with the Office of Financial  
2681 Regulation, is authorized to enforce subsection (3). Any  
2682 violation of subsection (3) constitutes an unfair trade practice  
2683 under part II of chapter 501 and the Attorney General is  
2684 authorized to investigate and seek remedies as provided in  
2685 general law. Actions for damages may be sought by an aggrieved  
2686 party.

2687 Section 76. Paragraph (a) of subsection (3) of section  
2688 741.0305, Florida Statutes, is amended to read:

2689 741.0305 Marriage fee reduction for completion of  
2690 premarital preparation course.—

2691 (3) (a) All individuals electing to participate in a  
2692 premarital preparation course shall choose from the following  
2693 list of qualified instructors:

- 2694 1. A psychologist licensed under chapter 490.
- 2695 2. A clinical social worker licensed under chapter 491.
- 2696 3. A marriage and family therapist licensed under chapter  
2697 491.

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2698 4. A mental health counselor licensed under chapter 491.

2699 5. An official representative of a religious institution  
2700 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the  
2701 representative has relevant training.

2702 6. Any other provider designated by a judicial circuit,  
2703 including, but not limited to, school counselors who are  
2704 certified to offer such courses. Each judicial circuit may  
2705 establish a roster of area course providers, including those who  
2706 offer the course on a sliding fee scale or for free.

2707 Section 77. Paragraph (h) of subsection (2), subsection  
2708 (3), paragraph (c) of subsection (6), and subsection (10) of  
2709 section 790.06, Florida Statutes, are amended to read:

2710 790.06 License to carry concealed weapon or concealed  
2711 firearm.—

2712 (2) The Department of Agriculture and Consumer Services  
2713 shall issue a license if the applicant:

2714 (h) Demonstrates competence with a firearm by any one of  
2715 the following:

2716 1. Completion of any hunter education or hunter safety  
2717 course approved by the Fish and Wildlife Conservation Commission  
2718 or a similar agency of another state;

2719 2. Completion of any National Rifle Association firearms  
2720 safety or training course;

2721 3. Completion of any firearms safety or training course or  
2722 class available to the general public offered by a law  
2723 enforcement agency, junior college, college, or private or  
2724 public institution or organization or firearms training school,  
2725 using instructors certified by the National Rifle Association,  
2726 Criminal Justice Standards and Training Commission, or the

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2727 Department of Agriculture and Consumer Services;

2728 4. Completion of any law enforcement firearms safety or  
2729 training course or class offered for security guards,  
2730 investigators, special deputies, or any division or subdivision  
2731 of a law enforcement agency or security enforcement;

2732 5. Presents evidence of equivalent experience with a  
2733 firearm through participation in organized shooting competition  
2734 or United States military service;

2735 6. Is licensed or has been licensed to carry a concealed  
2736 weapon or concealed firearm in this state or a county or  
2737 municipality of this state, unless such license has been revoked  
2738 for cause; or

2739 7. Completion of any firearms training or safety course or  
2740 class conducted by a state-certified or National Rifle  
2741 Association certified firearms instructor;

2742

2743 A photocopy of a certificate of completion of any of the courses  
2744 or classes; an affidavit from the instructor, school, club,  
2745 organization, or group that conducted or taught such course or  
2746 class attesting to the completion of the course or class by the  
2747 applicant; or a copy of any document that shows completion of  
2748 the course or class or evidences participation in firearms  
2749 competition shall constitute evidence of qualification under  
2750 this paragraph. A person who conducts a course pursuant to  
2751 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as  
2752 an instructor, attests to the completion of such courses, must  
2753 maintain records certifying that he or she observed the student  
2754 safely handle and discharge the firearm in his or her physical  
2755 presence and that the discharge of the firearm included live

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2756 fire using a firearm and ammunition as defined in s. 790.001;

2757 (3) (a) The Department of Agriculture and Consumer Services

2758 shall deny a license if the applicant has been found guilty of,

2759 had adjudication of guilt withheld for, or had imposition of

2760 sentence suspended for one or more crimes of violence

2761 constituting a misdemeanor, unless 3 years have elapsed since

2762 probation or any other conditions set by the court have been

2763 fulfilled or the record has been sealed or expunged. The

2764 Department of Agriculture and Consumer Services shall revoke a

2765 license if the licensee has been found guilty of, had

2766 adjudication of guilt withheld for, or had imposition of

2767 sentence suspended for one or more crimes of violence within the

2768 preceding 3 years. The department shall, upon notification by a

2769 law enforcement agency, a court, clerk's office, or the Florida

2770 Department of Law Enforcement ~~and subsequent written~~

2771 ~~verification~~, temporarily suspend a license or the processing of

2772 an application for a license if the licensee or applicant is

2773 arrested or formally charged with a crime that would disqualify

2774 such person from having a license under this section, until

2775 final disposition of the case. The department shall suspend a

2776 license or the processing of an application for a license if the

2777 licensee or applicant is issued an injunction that restrains the

2778 licensee or applicant from committing acts of domestic violence

2779 or acts of repeat violence. The department shall notify the

2780 licensee or applicant suspended under this section of his or her

2781 right to a hearing pursuant to chapter 120. If the criminal case

2782 or injunction results in a nondisqualifying disposition and the

2783 applicant or licensee is otherwise eligible, the suspension

2784 shall end. The department must issue an order confirming the end

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2785 of the suspension within 90 days after the applicant or  
2786 licensee's submission to the department of a copy of the final  
2787 resolution of the criminal case or injunction. The copy provided  
2788 to the department must be sent through electronic or certified  
2789 mail to a location that shall be specified on the notice of  
2790 suspension received by the licensee or applicant. If the  
2791 criminal case or injunction results in a disqualifying  
2792 disposition, the suspension must remain in effect and the  
2793 department must proceed with denial or revocation proceedings  
2794 pursuant to chapter 120.

2795 (b) This subsection may not be construed to limit,  
2796 restrict, or inhibit the constitutional right to bear arms and  
2797 carry a concealed weapon in this state. The Legislature finds it  
2798 a matter of public policy and public safety that it is necessary  
2799 to ensure that potentially disqualifying information about an  
2800 applicant or licensee is investigated and processed in a timely  
2801 manner by the department pursuant to this section. The  
2802 Legislature intends to clarify that suspensions pursuant to this  
2803 section are temporary, and the department has the duty to make  
2804 an eligibility determination and issue a license in the time  
2805 frame prescribed in this subsection.

2806 (6)

2807 (c) The Department of Agriculture and Consumer Services  
2808 shall, within 90 days after the date of receipt of the items  
2809 listed in subsection (5):

2810 1. Issue the license; or

2811 2. Deny the application based solely on the ground that the  
2812 applicant fails to qualify under the criteria listed in  
2813 subsection (2) or subsection (3). If the Department of

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2814 Agriculture and Consumer Services denies the application, it  
2815 shall notify the applicant in writing, stating the ground for  
2816 denial and informing the applicant of any right to a hearing  
2817 pursuant to chapter 120.

2818         3. In the event the result of the criminal history  
2819 screening identifies ~~department receives~~ criminal history  
2820 information related to a crime that may disqualify the applicant  
2821 but does not contain with no final disposition of the crime or  
2822 lacks sufficient information to make an eligibility  
2823 determination on a crime which may disqualify the applicant, the  
2824 time limitation prescribed by this paragraph may be extended for  
2825 up to an additional 45 days after the receipt of the information  
2826 suspended until receipt of the final disposition or proof of  
2827 restoration of civil and firearm rights. The department may make  
2828 a request for information to the jurisdiction where the criminal  
2829 history information originated but must issue a license if it  
2830 does not obtain a disposition or sufficient information to make  
2831 an eligibility determination within the additional 45 days if  
2832 the applicant is otherwise eligible. The department may take any  
2833 action authorized in this section if it receives disqualifying  
2834 criminal history information during the additional 45-day review  
2835 period or after issuance of a license.

2836         (10) A license issued under this section must ~~shall~~ be  
2837 temporarily suspended as provided for in subparagraph (6)(c)3.,  
2838 or revoked pursuant to chapter 120 if the license was issued in  
2839 error or if the licensee:

2840             (a) Is found to be ineligible under the criteria set forth  
2841 in subsection (2);

2842             (b) Develops or sustains a physical infirmity which

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2843 prevents the safe handling of a weapon or firearm;

2844 (c) Is convicted of a felony which would make the licensee  
2845 ineligible to possess a firearm pursuant to s. 790.23;

2846 (d) Is found guilty of a crime under chapter 893, or  
2847 similar laws of any other state, relating to controlled  
2848 substances;

2849 (e) Is committed as a substance abuser under chapter 397,  
2850 or is deemed a habitual offender under s. 856.011(3), or similar  
2851 laws of any other state;

2852 (f) Is convicted of a second violation of s. 316.193, or a  
2853 similar law of another state, within 3 years after a first  
2854 conviction of such section or similar law of another state, even  
2855 though the first violation may have occurred before the date on  
2856 which the application was submitted;

2857 (g) Is adjudicated an incapacitated person under s.  
2858 744.331, or similar laws of any other state; or

2859 (h) Is committed to a mental institution under chapter 394,  
2860 or similar laws of any other state.

2861  
2862 Notwithstanding s. 120.60(5), service of a notice of the  
2863 suspension or revocation of a concealed weapon or concealed  
2864 firearm license must be given by either certified mail, return  
2865 receipt requested, to the licensee at his or her last known  
2866 mailing address furnished to the Department of Agriculture and  
2867 Consumer Services, or by personal service. If a notice given by  
2868 certified mail is returned as undeliverable, a second attempt  
2869 must be made to provide notice to the licensee at that address,  
2870 by either first-class mail in an envelope, postage prepaid,  
2871 addressed to the licensee at his or her last known mailing

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2872 address furnished to the department, or, if the licensee has  
2873 provided an e-mail address to the department, by e-mail. Such  
2874 mailing by the department constitutes notice, and any failure by  
2875 the licensee to receive such notice does not stay the effective  
2876 date or term of the suspension or revocation. A request for  
2877 hearing must be filed with the department within 21 days after  
2878 notice is received by personal delivery, or within 26 days after  
2879 the date the department deposits the notice in the United States  
2880 mail (21 days plus 5 days for mailing). The department shall  
2881 document its attempts to provide notice, and such documentation  
2882 is admissible in the courts of this state and constitutes  
2883 sufficient proof that notice was given.

2884 Section 78. Subsection (2) of section 812.0151, Florida  
2885 Statutes, is amended to read:

2886 812.0151 Retail fuel theft.—

2887 (2) (a) A person commits a felony of the third degree,  
2888 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
2889 if he or she willfully, knowingly, and without authorization:

2890 1. Breaches a retail fuel dispenser or accesses any  
2891 internal portion of a retail fuel dispenser; or

2892 2. Possesses any device constructed for the purpose of  
2893 fraudulently altering, manipulating, or interrupting the normal  
2894 functioning of a retail fuel dispenser.

2895 (b) A person commits a felony of the second degree,  
2896 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
2897 if he or she willfully, knowingly, and without authorization:

2898 1. Physically tampers with, manipulates, removes, replaces,  
2899 or interrupts any mechanical or electronic component located on  
2900 ~~within~~ the internal or external portion of a retail fuel

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2901 dispenser; or

2902 2. Uses any form of electronic communication to  
2903 fraudulently alter, manipulate, or interrupt the normal  
2904 functioning of a retail fuel dispenser.

2905 (c) A person commits a felony of the third degree,  
2906 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
2907 if he or she:

2908 1. Obtains fuel as a result of violating paragraph (a) or  
2909 paragraph (b); ~~or~~

2910 2. Modifies a vehicle's factory installed fuel tank or  
2911 possesses any item used to hold fuel which was not fitted to a  
2912 vehicle or conveyance at the time of manufacture with the intent  
2913 to use such fuel tank or item to hold or transport fuel obtained  
2914 as a result of violating paragraph (a) or paragraph (b); or

2915 3. Possesses or uses any form of a payment instrument that  
2916 can be used, alone or in conjunction with another access device,  
2917 to authorize a fuel transaction or obtain fuel, including, but  
2918 not limited to, a plastic payment card with a magnetic stripe or  
2919 a chip encoded with account information or both, with the intent  
2920 to defraud the fuel retailer, the authorized payment instrument  
2921 financial account holder, or the banking institution that issued  
2922 the payment instrument financial account.

2923 Section 79. Section 812.136, Florida Statutes, is created  
2924 to read:

2925 812.136 Mail theft.—

2926 (1) As used in this section, unless the context otherwise  
2927 requires:

2928 (a) "Mail" means any letter, postal card, parcel, envelope,  
2929 package, bag, or any other sealed article addressed to another,

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2930 along with its contents.

2931 (b) "Mail depository" means a mail box, letter box, mail  
2932 route, or mail receptacle of a postal service, an office of a  
2933 postal service, or mail carrier of a postal service, or a  
2934 vehicle of a postal service or any other authorized receptacle.

2935 (c) "Postal service" means the United States Postal Service  
2936 or its contractors, or any commercial courier that delivers  
2937 mail.

2938 (2) Any of the following acts constitutes mail theft:

2939 (a) Knowingly removing mail from a mail depository or  
2940 taking mail from a mail carrier of a postal service with an  
2941 intent to either temporarily or permanently:

2942 1. Deprive the intended recipient of such mail of his or  
2943 her right to the mail.

2944 2. Appropriate the mail to his or her own use or the use of  
2945 any person not entitled to the use of such mail.

2946 (b) Knowingly obtaining custody of mail by fraud or  
2947 deception with an intent to either temporarily or permanently:

2948 1. Deprive the intended recipient of such mail of his or  
2949 her right to the mail.

2950 2. Appropriate the mail to his or her own use or the use of  
2951 any person not entitled to the use of the mail.

2952 (c) Selling, receiving, possessing, transferring, buying,  
2953 or concealing mail in violation of paragraph (a) or paragraph

2954 (b) of this subsection, while knowing or having reason to know  
2955 the mail was obtained illegally.

2956 (3) Any of the following constitutes theft of or  
2957 unauthorized reproduction of a mail depository key or lock:

2958 (a) Knowingly obtaining or using, or endeavoring to obtain

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2959 or use, any key or lock used by a postal service for a mail  
2960 depository with the intent to either temporarily or permanently:

2961 1. Deprive the owner of such key or lock of his or her  
2962 right to such key or lock.

2963 2. Appropriate the key or lock to his or her own use or the  
2964 use of any person not entitled to the use of such key or lock.

2965 (b) Knowingly and unlawfully making, forging, or  
2966 counterfeiting any such key or possessing any such key or lock  
2967 adopted by a postal service with the intent to unlawfully or  
2968 improperly use, sell, or otherwise dispose of the key or lock,  
2969 or to cause the key or lock to be unlawfully or improperly used,  
2970 sold, or otherwise disposed.

2971 (c) Selling, receiving, possessing, transferring, buying,  
2972 or concealing a key or lock obtained in violation of paragraph  
2973 (a) or paragraph (b) while knowing or having reason to know such  
2974 key or lock was obtained illegally.

2975 (4) (a) Except as provided in paragraph (b), a violation of  
2976 this section is a misdemeanor of the first degree, punishable as  
2977 provided in s. 775.082 or s. 775.083.

2978 (b) A second or subsequent violation of this section is a  
2979 felony of the third degree, punishable as provided in s. 775.082  
2980 or s. 775.084.

2981 Section 80. Paragraph (i) of subsection (4) of section  
2982 934.50, Florida Statutes, is amended, and a new paragraph (q) is  
2983 added to that subsection, to read:

2984 934.50 Searches and seizure using a drone.—

2985 (4) EXCEPTIONS.—This section does not prohibit the use of a  
2986 drone:

2987 ~~(i) By a person or an entity engaged in a business or~~

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2988 ~~profession licensed by the state, or by an agent, employee, or~~  
2989 ~~contractor thereof, if the drone is used only to perform~~  
2990 ~~reasonable tasks within the scope of practice or activities~~  
2991 ~~permitted under such person's or entity's license. However, this~~  
2992 ~~exception does not apply to a profession in which the licensee's~~  
2993 ~~authorized scope of practice includes obtaining information~~  
2994 ~~about the identity, habits, conduct, movements, whereabouts,~~  
2995 ~~affiliations, associations, transactions, reputation, or~~  
2996 ~~character of any society, person, or group of persons.~~

2997 (q) By a local governmental entity, or a person under  
2998 contract with or acting under the direction of such entity, for  
2999 the purpose of managing and eradicating plant or animal diseases  
3000 or activities consistent with chapters 369, 388, and 487.

3001 Section 81. Section 1013.373, Florida Statutes, is created  
3002 to read:

3003 1013.373 Educational facilities used for agricultural  
3004 education.—

3005 (1) Notwithstanding any other provision of law, a local  
3006 government may not adopt any ordinance, regulation, rule, or  
3007 policy to prohibit, restrict, regulate, or otherwise limit any  
3008 activities of public educational facilities and auxiliary  
3009 facilities constructed by a board for agricultural education,  
3010 for Future Farmers of America or 4-H activities, or the storage  
3011 of any animal or equipment therein.

3012 (2) Lands used for agricultural education or for Future  
3013 Farmers of America or 4-H activities are considered agricultural  
3014 lands pursuant to s. 193.461 and subject to s. 823.14.

3015 Section 82. For the purpose of incorporating the amendment  
3016 made by this act to section 110.205, Florida Statutes, in a

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3017 reference thereto, paragraph (a) of subsection (5) of section  
3018 295.07, Florida Statutes, is reenacted to read:

3019 295.07 Preference in appointment and retention.—

3020 (5) The following positions are exempt from this section:

3021 (a) Those positions that are exempt from the state Career  
3022 Service System under s. 110.205(2); however, all positions under  
3023 the University Support Personnel System of the State University  
3024 System as well as all Career Service System positions under the  
3025 Florida College System and the School for the Deaf and the  
3026 Blind, or the equivalent of such positions at state  
3027 universities, Florida College System institutions, or the School  
3028 for the Deaf and the Blind, are not exempt.

3029 Section 83. For the purpose of incorporating the amendment  
3030 made by this act to section 388.271, Florida Statutes, in a  
3031 reference thereto, paragraph (a) of subsection (1) of section  
3032 189.062, Florida Statutes, is reenacted to read:

3033 189.062 Special procedures for inactive districts.—

3034 (1) The department shall declare inactive any special  
3035 district in this state by documenting that:

3036 (a) The special district meets one of the following  
3037 criteria:

3038 1. The registered agent of the district, the chair of the  
3039 governing body of the district, or the governing body of the  
3040 appropriate local general-purpose government notifies the  
3041 department in writing that the district has taken no action for  
3042 2 or more years;

3043 2. The registered agent of the district, the chair of the  
3044 governing body of the district, or the governing body of the  
3045 appropriate local general-purpose government notifies the

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3046 department in writing that the district has not had a governing  
3047 body or a sufficient number of governing body members to  
3048 constitute a quorum for 2 or more years;

3049 3. The registered agent of the district, the chair of the  
3050 governing body of the district, or the governing body of the  
3051 appropriate local general-purpose government fails to respond to  
3052 an inquiry by the department within 21 days;

3053 4. The department determines, pursuant to s. 189.067, that  
3054 the district has failed to file any of the reports listed in s.  
3055 189.066;

3056 5. The district has not had a registered office and agent  
3057 on file with the department for 1 or more years;

3058 6. The governing body of a special district provides  
3059 documentation to the department that it has unanimously adopted  
3060 a resolution declaring the special district inactive. The  
3061 special district is responsible for payment of any expenses  
3062 associated with its dissolution;

3063 7. The district is an independent special district or a  
3064 community redevelopment district created under part III of  
3065 chapter 163 that has reported no revenue, no expenditures, and  
3066 no debt under s. 189.016(9) or s. 218.32 for at least 5  
3067 consecutive fiscal years beginning no earlier than October 1,  
3068 2018. This subparagraph does not apply to a community  
3069 development district established under chapter 190 or to any  
3070 independent special district operating pursuant to a special act  
3071 that provides that any amendment to chapter 190 to grant  
3072 additional powers constitutes a power of that district; or

3073 8. For a mosquito control district created pursuant to  
3074 chapter 388, the department has received notice from the

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3075 Department of Agriculture and Consumer Services that the  
3076 district has failed to file a tentative work plan and tentative  
3077 detailed work plan budget as required by s. 388.271.

3078 Section 84. For the purpose of incorporating the amendment  
3079 made by this act to section 482.161, Florida Statutes, in a  
3080 reference thereto, paragraph (b) of subsection (3) of section  
3081 482.072, Florida Statutes, is reenacted to read:

3082 482.072 Pest control customer contact centers.—

3083 (3)

3084 (b) Notwithstanding any other provision of this section:

3085 1. A customer contact center licensee is subject to  
3086 disciplinary action under s. 482.161 for a violation of this  
3087 section or a rule adopted under this section committed by a  
3088 person who solicits pest control services or provides customer  
3089 service in a customer contact center.

3090 2. A pest control business licensee may be subject to  
3091 disciplinary action under s. 482.161 for a violation of this  
3092 section or a rule adopted under this section committed by a  
3093 person who solicits pest control services or provides customer  
3094 service in a customer contact center operated by a licensee if  
3095 the licensee participates in the violation.

3096 Section 85. For the purpose of incorporating the amendment  
3097 made by this act to section 482.161, Florida Statutes, in a  
3098 reference thereto, section 482.163, Florida Statutes, is  
3099 reenacted to read:

3100 482.163 Responsibility for pest control activities of  
3101 employee.—Proper performance of pest control activities by a  
3102 pest control business employee is the responsibility not only of  
3103 the employee but also of the certified operator in charge, and

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3104 the certified operator in charge may be disciplined pursuant to  
3105 the provisions of s. 482.161 for the pest control activities of  
3106 an employee. A licensee may not automatically be considered  
3107 responsible for violations made by an employee. However, the  
3108 licensee may not knowingly encourage, aid, or abet violations of  
3109 this chapter.

3110 Section 86. For the purpose of incorporating the amendment  
3111 made by this act to section 487.044, Florida Statutes, in a  
3112 reference thereto, section 487.156, Florida Statutes, is  
3113 reenacted to read:

3114 487.156 Governmental agencies.—All governmental agencies  
3115 shall be subject to the provisions of this part and rules  
3116 adopted under this part. Public applicators using or supervising  
3117 the use of restricted-use pesticides shall be subject to  
3118 examination as provided in s. 487.044.

3119 Section 87. For the purpose of incorporating the amendment  
3120 made by this act to section 496.405, Florida Statutes, in a  
3121 reference thereto, subsection (2) of section 496.4055, Florida  
3122 Statutes, is reenacted to read:

3123 496.4055 Charitable organization or sponsor board duties.—

3124 (2) The board of directors, or an authorized committee  
3125 thereof, of a charitable organization or sponsor required to  
3126 register with the department under s. 496.405 shall adopt a  
3127 policy regarding conflict of interest transactions. The policy  
3128 shall require annual certification of compliance with the policy  
3129 by all directors, officers, and trustees of the charitable  
3130 organization. A copy of the annual certification shall be  
3131 submitted to the department with the annual registration  
3132 statement required by s. 496.405.

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3133           Section 88. For the purpose of incorporating the amendment  
3134 made by this act to section 496.405, Florida Statutes, in  
3135 references thereto, subsections (2) and (4) of section 496.406,  
3136 Florida Statutes, are reenacted to read:

3137           496.406 Exemption from registration.—

3138           (2) Before soliciting contributions, a charitable  
3139 organization or sponsor claiming to be exempt from the  
3140 registration requirements of s. 496.405 under paragraph (1)(d)  
3141 must submit annually to the department, on forms prescribed by  
3142 the department:

3143           (a) The name, street address, and telephone number of the  
3144 charitable organization or sponsor, the name under which it  
3145 intends to solicit contributions, the purpose for which it is  
3146 organized, and the purpose or purposes for which the  
3147 contributions to be solicited will be used.

3148           (b) The tax exempt status of the organization.

3149           (c) The date on which the organization's fiscal year ends.

3150           (d) The names, street addresses, and telephone numbers of  
3151 the individuals or officers who have final responsibility for  
3152 the custody of the contributions and who will be responsible for  
3153 the final distribution of the contributions.

3154           (e) A financial statement of support, revenue, and expenses  
3155 and a statement of functional expenses that must include, but  
3156 not be limited to, expenses in the following categories:

3157 program, management and general, and fundraising. In lieu of the  
3158 financial statement, a charitable organization or sponsor may  
3159 submit a copy of its Internal Revenue Service Form 990 and all  
3160 attached schedules or Internal Revenue Service Form 990-EZ and  
3161 Schedule O.

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3162 (4) Exemption from the registration requirements of s.  
3163 496.405 does not limit the applicability of other provisions of  
3164 this section to a charitable organization or sponsor.

3165 Section 89. For the purpose of incorporating the amendment  
3166 made by this act to section 500.12, Florida Statutes, in a  
3167 reference thereto, paragraph (a) of subsection (1) of section  
3168 500.80, Florida Statutes, is reenacted to read:

3169 500.80 Cottage food operations.—

3170 (1)(a) A cottage food operation must comply with the  
3171 applicable requirements of this chapter but is exempt from the  
3172 permitting requirements of s. 500.12 if the cottage food  
3173 operation complies with this section and has annual gross sales  
3174 of cottage food products that do not exceed \$250,000.

3175 Section 90. For the purpose of incorporating the amendment  
3176 made by this act to section 500.172, Florida Statutes, in a  
3177 reference thereto, subsection (6) of section 500.121, Florida  
3178 Statutes, is reenacted to read:

3179 500.121 Disciplinary procedures.—

3180 (6) If the department determines that a food offered in a  
3181 food establishment is labeled with nutrient claims that are in  
3182 violation of this chapter, the department shall retest or  
3183 reexamine the product within 90 days after notification to the  
3184 manufacturer and to the firm at which the product was collected.  
3185 If the product is again found in violation, the department shall  
3186 test or examine the product for a third time within 60 days  
3187 after the second notification. The product manufacturer shall  
3188 reimburse the department for the cost of the third test or  
3189 examination. If the product is found in violation for a third  
3190 time, the department shall exercise its authority under s.

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3191 500.172 and issue a stop-sale or stop-use order. The department  
3192 may impose additional sanctions for violations of this  
3193 subsection.

3194 Section 91. For the purpose of incorporating the amendment  
3195 made by this act to section 790.06, Florida Statutes, in a  
3196 reference thereto, section 790.061, Florida Statutes, is  
3197 reenacted to read:

3198 790.061 Judges and justices; exceptions from licensure  
3199 provisions.—A county court judge, circuit court judge, district  
3200 court of appeal judge, justice of the supreme court, federal  
3201 district court judge, or federal court of appeals judge serving  
3202 in this state is not required to comply with the provisions of  
3203 s. 790.06 in order to receive a license to carry a concealed  
3204 weapon or firearm, except that any such justice or judge must  
3205 comply with the provisions of s. 790.06(2)(h). The Department of  
3206 Agriculture and Consumer Services shall issue a license to carry  
3207 a concealed weapon or firearm to any such justice or judge upon  
3208 demonstration of competence of the justice or judge pursuant to  
3209 s. 790.06(2)(h).

3210 Section 92. Except as otherwise expressly provided in this  
3211 act, this act shall take effect July 1, 2025.