

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1245 (2026)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT _____ (Y/N)

WITHDRAWN _____ (Y/N)

OTHER _____

Committee/Subcommittee hearing bill: Natural Resources &
Disasters Subcommittee

Representative Shoaf offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

**Section 1. Subsections (7) and (8) are added to section
403.0855, Florida Statutes, to read:**

403.0855 Biosolids management.—

(7) The land application of bulk Class AA biosolids
fertilizer and compost products may not exceed the appropriate
agronomic rate. Application records must be maintained by the
land application site operator.

(8) The University of Florida's Institute of Food and
Agricultural Sciences shall, on a biennial basis, publish and
make publicly available the recommended agronomic rates for the

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17 beneficial reuse of bulk Class AA biosolids fertilizer and
18 compost products based on predominant application practices.

19 **Section 2. Effective July 1, 2028, subsections (9) through**
20 **(13) are added to section 403.0855, Florida Statutes, as amended**
21 **by this act, to read:**

22 403.0855 Biosolids management.—

23 (9) (a) Bulk Class AA biosolids or biosolids products may
24 be distributed or marketed as fertilizer in accordance with
25 chapter 576 and may be land applied if such biosolids and
26 products are transferred pursuant to a bona fide sale as
27 fertilizer and meet all applicable labeling and registration
28 requirements.

29 (b) As used in this section, the term "bona fide sale"
30 means a sale in which monetary consideration is paid for the
31 biosolids fertilizer or biosolids compost product, and the
32 amount paid bears a reasonable relationship to the fair market
33 value of comparable marketable fertilizer or soil-amendment
34 products. A nominal charge, an exchange arrangement, a transfer
35 made to offset disposal costs, or a transfer in which the
36 biosolids treatment facility compensates the recipient does not
37 constitute a bona fide sale. A transaction does not constitute a
38 bona fide sale if its price, structure, or associated payments
39 are arranged for the purpose of avoiding compliance with
40 paragraph (a) or subsection (10).

41 (10) (a) Bulk Class AA biosolids compost products may be

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distributed or marketed as soil amendments in accordance with chapter 576 and may be land applied if such products are transferred pursuant to a bona fide sale and meet all applicable labeling and registration requirements.

(b) Class AA biosolids compost products, if their labeling does not claim any plant nutrients or beneficial plant growth properties, are not required to be distributed or marketed as a soil amendment or a fertilizer, as those terms are defined in s. 576.011, if the Class AA biosolids compost products are enrolled and certified under the U.S. Composting Council's Seal of Testing Assurance program.

(11) Bulk Class AA biosolids compost and fertilizer products that are not distributed, marketed, or sold through a bona fide sale as a fertilizer or soil amendment may be land applied only at land application sites expressly approved by the Department of Environmental Protection. This subsection does not apply to Class AA biosolids compost products enrolled and certified under the U.S. Composting Council's Seal of Testing Assurance program.

(12) The requirement for a bona fide sale does not apply to biosolids treatment facilities that own or control the land where the bulk Class AA fertilizer or compost biosolids products are being land applied; however, bulk Class AA products that are land applied on land owned or controlled by a biosolids treatment facility must still meet all applicable registration

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67 and labeling requirements before land application.

68 (13) Subsections (9), (10), and (11) do not apply to sales
69 or exchanges between importers, manufacturers, or licensees
70 under s. 576.141.

71 **Section 3.** Except as otherwise expressly provided in this
72 act, this act shall take effect July 1, 2026.

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74

75 **T I T L E A M E N D M E N T**

76 Remove everything before the enacting clause and insert:

77 A bill to be entitled

78 An act relating to biosolids management; amending s.
79 403.0855, F.S.; prohibiting the land application of
80 Class AA biosolids fertilizer and compost products
81 from exceeding the appropriate agronomic rate;
82 requiring the land application site operator to
83 maintain application records; requiring the University
84 of Florida's Institute of Food and Agricultural
85 Sciences to publish and make publicly available
86 recommended agronomic rates for the reuse of bulk
87 Class AA biosolids fertilizer and compost products,
88 based on certain criteria; authorizing bulk Class AA
89 biosolids or biosolids products to be distributed or
90 marketed as fertilizer and land applied if specified
91 requirements are met; defining the term "bona fide

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92 sale"; authorizing bulk Class AA biosolids compost
93 products to be distributed or marketed as soil
94 amendments and land applied if specified requirements
95 are met; providing an exception; requiring that
96 certain bulk Class AA biosolids compost and fertilizer
97 products be land applied at land application sites
98 approved by the Department of Environmental
99 Protection; providing applicability; requiring certain
100 bulk Class AA products that are land applied on
101 certain lands meet certain requirements before land
102 application; providing applicability; providing
103 effective dates.