

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WITHDRAWN (Y/N)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

1 Committee/Subcommittee hearing bill: Natural Resources &
2 Disasters Subcommittee

3 Representative Shoaf offered the following:

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 **Section 1. Subsections (7) and (8) are added to section**

8 **403.0855, Florida Statutes, to read:**

9 403.0855 Biosolids management.—

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

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

270477 - h1245- strike.docx

Published On: 1/27/2026 4:50:41 PM

Amendment No.

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

270477 - h1245- strike.docx

Published On: 1/27/2026 4:50:41 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1245 (2026)

Amendment No.

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

46 (b) Class AA biosolids compost products, if their labeling
47 does not claim any plant nutrients or beneficial plant growth
48 properties, are not required to be distributed or marketed as a
49 soil amendment or a fertilizer, as those terms are defined in s.
50 576.011, if the Class AA biosolids compost products are enrolled
51 and certified under the U.S. Composting Council's Seal of
52 Testing Assurance program.

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

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

Amendment No.

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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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

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1245 (2026)

Amendment No.

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.