

1 A bill to be entitled
2 An act relating to biosolids management; amending s.
3 403.0855, F.S.; prohibiting the land application of
4 Class AA biosolids fertilizer and compost products
5 from exceeding the appropriate agronomic rate;
6 requiring the land application site operator to
7 maintain application records; requiring the University
8 of Florida's Institute of Food and Agricultural
9 Sciences to publish and make publicly available
10 recommended agronomic rates for the reuse of bulk
11 Class AA biosolids fertilizer and compost products,
12 based on certain criteria; authorizing bulk Class AA
13 biosolids or biosolids products to be distributed or
14 marketed as fertilizer and land applied if specified
15 requirements are met; defining the term "bona fide
16 sale"; authorizing bulk Class AA biosolids compost
17 products to be distributed or marketed as soil
18 amendments and land applied if specified requirements
19 are met; providing an exception; requiring that
20 certain bulk Class AA biosolids compost and fertilizer
21 products be land applied at land application sites
22 approved by the Department of Environmental
23 Protection; providing applicability; requiring certain
24 bulk Class AA products that are land applied on
25 certain lands meet certain requirements before land

26 application; providing applicability; providing
27 effective dates.

28
29 Be It Enacted by the Legislature of the State of Florida:

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31 **Section 1. Subsections (7) and (8) are added to section**
32 **403.0855, Florida Statutes, to read:**

33 403.0855 Biosolids management.—

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

38 (8) The University of Florida's Institute of Food and
39 Agricultural Sciences shall, on a biennial basis, publish and
40 make publicly available the recommended agronomic rates for the
41 beneficial reuse of bulk Class AA biosolids fertilizer and
42 compost products based on predominant application practices.

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

46 403.0855 Biosolids management.—

47 (9) (a) Bulk Class AA biosolids or biosolids products may
48 be distributed or marketed as fertilizer in accordance with
49 chapter 576 and may be land applied if such biosolids and
50 products are transferred pursuant to a bona fide sale as

51 fertilizer and meet all applicable labeling and registration
52 requirements.

53 (b) As used in this section, the term "bona fide sale"
54 means a sale in which monetary consideration is paid for the
55 biosolids fertilizer or biosolids compost product, and the
56 amount paid bears a reasonable relationship to the fair market
57 value of comparable marketable fertilizer or soil-amendment
58 products. A nominal charge, an exchange arrangement, a transfer
59 made to offset disposal costs, or a transfer in which the
60 biosolids treatment facility compensates the recipient does not
61 constitute a bona fide sale. A transaction does not constitute a
62 bona fide sale if its price, structure, or associated payments
63 are arranged for the purpose of avoiding compliance with
64 paragraph (a) or subsection (10).

65 (10)(a) Bulk Class AA biosolids compost products may be
66 distributed or marketed as soil amendments in accordance with
67 chapter 576 and may be land applied if such products are
68 transferred pursuant to a bona fide sale and meet all applicable
69 labeling and registration requirements.

70 (b) Class AA biosolids compost products, if their labeling
71 does not claim any plant nutrients or beneficial plant growth
72 properties, are not required to be distributed or marketed as a
73 soil amendment or a fertilizer, as those terms are defined in s.
74 576.011, if the Class AA biosolids compost products are enrolled
75 and certified under the U.S. Composting Council's Seal of

76 Testing Assurance program.

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

85 (12) The requirement for a bona fide sale does not apply
86 to biosolids treatment facilities that own or control the land
87 where the bulk Class AA fertilizer or compost biosolids products
88 are being land applied; however, bulk Class AA products that are
89 land applied on land owned or controlled by a biosolids
90 treatment facility must still meet all applicable registration
91 and labeling requirements before land application.

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

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