

By the Committees on Fiscal Policy; and Agriculture; and Senator Truenow

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1 A bill to be entitled
2 An act relating to the Department of Agriculture and
3 Consumer Services; creating s. 125.489, F.S.; defining
4 the terms "gasoline-powered farm equipment" and
5 "gasoline-powered landscape equipment"; prohibiting
6 counties from enacting or enforcing any law that
7 restricts or prohibits the use of gasoline-powered
8 farm equipment or gasoline-powered landscape equipment
9 or that distinguishes such equipment from any other
10 equipment under certain circumstances; providing
11 construction; amending s. 163.3164, F.S.; defining the
12 terms "ecologically significant parcel" and "low-
13 density municipality"; amending s. 163.3202, F.S.;
14 prohibiting an application for a development on an
15 ecologically significant parcel in a low-density
16 municipality from being administratively approved
17 without an attestation provided by the developer;
18 specifying requirements for such attestation;
19 providing applicability; specifying requirements for
20 the attestation included in certain applications;
21 providing for a waiver; creating s. 166.063, F.S.;
22 defining the terms "gasoline-powered farm equipment"
23 and "gasoline-powered landscape equipment";
24 prohibiting municipalities from enacting or enforcing
25 any law that restricts or prohibits the use of
26 gasoline-powered farm equipment or gasoline-powered
27 landscape equipment or that distinguishes such
28 equipment from any other equipment under certain
29 circumstances; providing construction; amending s.

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30 212.055, F.S.; conforming a cross-reference; making a
31 technical change; amending s. 253.0341, F.S.;
32 requiring the Acquisition and Restoration Council to
33 determine whether certain surplus lands are suitable
34 for bona fide agricultural purposes; prohibiting a
35 local governmental entity from transferring future
36 development rights for surplus lands determined to
37 be suitable for bona fide agricultural purposes;
38 requiring the Department of Environmental Protection,
39 in coordination with the Department of Agriculture and
40 Consumer Services, to determine whether certain state-
41 owned conservation lands are suitable for bona fide
42 agricultural purposes; authorizing the Department of
43 Environmental Protection to surplus certain state-
44 owned lands determined to be suitable for bona fide
45 agricultural purposes; requiring the Department of
46 Environmental Protection to retain a rural-lands-
47 protection easement for such surplus lands;
48 requiring that all proceeds from the sale of such
49 surplus lands be deposited in the Department of
50 Agriculture and Consumer Services' Incidental Trust
51 Fund for less than fee simple; requiring the
52 Department of Environmental Protection to annually
53 provide a report of such surplus lands to the Board
54 of Trustees of the Internal Improvement Trust Fund;
55 prohibiting certain lands from being surplus;
56 amending s. 259.1053, F.S.; deleting provisions
57 relating to the Babcock Ranch Advisory Group; amending
58 s. 287.1351, F.S.; revising circumstances under which

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59 a vendor is prohibited from submitting a bid,
60 proposal, or reply to an agency or from entering into
61 or renewing any contract to provide goods or services
62 to an agency; amending s. 322.12, F.S.; providing
63 penalties for an applicant for a commercial driver
64 license who receives unauthorized assistance on
65 certain portions of the examination; amending s.
66 322.36, F.S.; prohibiting a person from knowingly or
67 willfully providing unauthorized assistance to an
68 applicant for the examination required to hold a
69 commercial driver license; repealing ss. 377.71,
70 377.711, and 377.712, F.S., relating to definitions
71 and the Southern States Energy Compact, Florida as
72 party to the Southern States Energy Compact, and
73 Florida's participation in the Southern States Energy
74 Board, respectively; amending s. 403.0855, F.S.;
75 deleting a provision relating to legislative approval
76 of certain rules adopted by the Department of
77 Environmental Protection; revising requirements for
78 permittees of biosolids land application sites;
79 revising the date by which permits must comply with
80 specified provisions; amending s. 482.071, F.S.;
81 requiring certain persons applying for a pest control
82 business license or renewal to provide the department
83 with a certificate of insurance; specifying
84 requirements for such certificate of insurance;
85 amending s. 482.161, F.S.; revising the severity of an
86 administrative fine for violations of certain
87 provisions; amending s. 482.165, F.S.; revising civil

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88 penalties; amending s. 489.105, F.S.; defining the
89 terms "subcontractor" and "supplier"; creating s.
90 489.1295, F.S.; prohibiting licensed contractors or
91 persons holding themselves out as such from failing to
92 pay their subcontractor or supplier within a specified
93 timeframe without reasonable cause after receiving
94 payment for the services the subcontractor or supplier
95 performed; providing penalties; amending s. 500.04,
96 F.S.; revising the list of prohibited acts related to
97 the prevention of fraud, harm, adulteration,
98 misbranding, or false advertising in the preparation,
99 production, manufacture, storage, or sale of food;
100 repealing s. 500.81, F.S., relating to the Healthy
101 Food Financing Initiative; amending s. 500.93, F.S.;
102 making a technical change; amending s. 501.013, F.S.;
103 authorizing the Department of Agriculture and Consumer
104 Services to provide an exemption from certain health
105 studio regulations; creating s. 501.062, F.S.;
106 providing legislative intent; defining the terms
107 "commercial solicitation" and "dwelling"; prohibiting
108 a person from engaging in commercial solicitation
109 under certain circumstances; specifying requirements
110 for certain signage to be displayed on a property;
111 providing penalties; amending s. 570.07, F.S.;
112 authorizing the Department of Agriculture and Consumer
113 Services to reorganize departmental units upon the
114 approval of the Commissioner of Agriculture; amending
115 s. 570.822, F.S.; providing additional eligibility
116 requirements for the Agriculture and Aquaculture

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117 Producers Emergency Recovery Loan Program; creating s.
118 570.832, F.S.; requiring the Florida Wildflower
119 Foundation, in coordination with the Department of
120 Agriculture and Consumer Services, to establish the
121 Florida Native Seed Research and Marketing Program,
122 subject to legislative appropriation; providing the
123 purpose of the program; creating s. 570.846, F.S.;
124 establishing the Florida Food Animal Veterinary
125 Medicine Loan Repayment Program; providing the purpose
126 of the program; defining terms; providing eligibility
127 requirements for the program; authorizing the
128 Department of Agriculture and Consumer Services to
129 make loan principal repayments on behalf of eligible
130 candidates up to a certain amount for a specified
131 timeframe, subject to legislative appropriation;
132 providing construction; authorizing the Department of
133 Agriculture and Consumer Services to adopt rules;
134 amending s. 570.85, F.S.; prohibiting a local
135 government from requiring a property owner to obtain a
136 rural event venue permit or license; amending s.
137 570.86, F.S.; defining "rural event venue"; amending
138 s. 583.01, F.S.; revising the definition of the term
139 "dealer"; amending s. 590.02, F.S.; revising the
140 Florida Forest Service's powers, authority, and
141 duties; authorizing the Florida Forest Service to
142 manage the Welaka Training Center; conforming
143 provisions to changes made by the act; authorizing the
144 Withlacoochee and Welaka Training Centers to assess
145 certain fees as determined by the Florida Forest

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146 Service, regardless of where certain training occurs;
147 renaming the Bonifay Forestry Station as the John
148 Michael Mathis Forestry Station to honor the late John
149 Michael Mathis; creating s. 595.421, F.S.;

150 establishing the Farmers Feeding Florida Program for
151 specified purposes; requiring Feeding Florida to take
152 certain actions to implement the program; prohibiting
153 the food purchased by Feeding Florida through such
154 program from reentering the wholesale, retail, or
155 secondary market; prohibiting a candidate for elective
156 office from hosting a food distribution event under
157 certain circumstances; providing applicability;

158 amending s. 597.004, F.S.; making a technical change;
159 prohibiting the Department of Agriculture and Consumer
160 Services from renewing a certificate of registration
161 for a noncompliant facility unless certain
162 documentation is provided with the renewal
163 application; prohibiting entities whose certificate of
164 registration have been revoked from reapplying for a
165 specified period of time; amending s. 597.010, F.S.;

166 authorizing rather than requiring the periodic
167 adjustment of the annual rental fee charged for
168 certain leases; amending s. 599.012, F.S.; making
169 technical changes; amending s. 616.001, F.S.; revising
170 and deleting definitions relating to public fairs and
171 expositions; amending s. 616.01, F.S.; revising
172 application requirements for a proposed charter for an
173 association to conduct a public fair or exposition;
174 requiring the Department of Agriculture and Consumer

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175 Services to provide an applicant for a proposed
176 charter with specified information upon the denial of
177 a proposed charter; revising requirements for
178 information that must be included in the proposed
179 charter; amending s. 616.02, F.S.; limiting the number
180 of incorporated state fair associations per county;
181 providing construction; authorizing the Department of
182 Agriculture and Consumer Services to waive certain
183 requirements at the discretion of the commissioner;
184 authorizing fair associations incorporated before a
185 certain date to conduct their affairs; deleting
186 provisions relating to requirements for a proposed
187 charter; amending s. 616.03, F.S.; revising
188 requirements for the approval and recordation of the
189 charter; amending s. 616.05, F.S.; revising the
190 process by which a proposed charter amendment is
191 incorporated into the original charter; amending s.
192 616.051, F.S.; revising the circumstances under which
193 a circuit judge is authorized to dissolve an
194 association and order the distribution of its
195 remaining assets; requiring that such assets be
196 distributed to certain counties; amending s. 616.07,
197 F.S.; deleting provisions relating to distribution of
198 public funds after the dissolution of an association;
199 amending s. 616.101, F.S.; specifying the basis for
200 annual public fair attendance records; requiring a
201 fair association to review its charter every 5 years
202 and submit an updated copy of the charter to the
203 Department of Agriculture and Consumer Services;

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204 requiring a designated member of the association to
205 make an attestation; amending s. 616.15, F.S.; making
206 a technical change; revising the information that an
207 applicant must submit to the Department of Agriculture
208 and Consumer Services for the department to issue a
209 permit for an association to conduct a fair; revising
210 the timeframe within which the Department of
211 Agriculture and Consumer Services is required to issue
212 the permit upon the receipt of specified information;
213 making technical changes; amending s. 616.251, F.S.;
214 exempting the Florida State Fair Authority from
215 specified provisions; amending s. 843.085, F.S.;
216 prohibiting a person from wearing or displaying an
217 item that displays the words "concealed weapon permit"
218 or "concealed weapon permit holder" with the intent to
219 mislead another to believe that the person is
220 authorized to wear or display such item; reordering
221 and amending s. 865.065, F.S.; revising definitions;
222 conforming provisions to changes made by the act;
223 amending s. 934.02, F.S.; defining the term, "signal
224 jamming device"; creating s. 934.51, F.S.; prohibiting
225 the possession, manufacture, sale, importation,
226 distribution, or use of a signal jamming device;
227 providing exceptions; providing criminal penalties;
228 amending s. 288.1175, F.S.; conforming cross-
229 references; reenacting ss. 287.056(4) and 287.138(5),
230 F.S., relating to disqualification for state term
231 contract eligibility, and contracting with entities of
232 foreign countries of concern prohibited, respectively,

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233 to incorporate the amendment made to s. 287.1351,
234 F.S., in references thereto; reenacting s. 500.177(1),
235 F.S., relating to penalties for dissemination of a
236 false advertisement, to incorporate the amendment made
237 to s. 500.04, F.S., in a reference thereto; reenacting
238 s. 212.08(13), F.S., relating to taxation and
239 specified exemptions, to incorporate the amendment
240 made to s. 616.07, F.S., in a reference thereto;
241 reenacting s. 616.185, F.S., relating to trespass upon
242 grounds or facilities of a public fair, to incorporate
243 the amendment made to s. 616.15, F.S., in a reference
244 thereto; providing an effective date.

245
246 Be It Enacted by the Legislature of the State of Florida:

247
248 Section 1. Section 125.489, Florida Statutes, is created to
249 read:

250 125.489 Preemption of restrictions on gasoline-powered farm
251 equipment or gasoline-powered landscape equipment.-

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

253 (a) "Gasoline-powered farm equipment" means any machine
254 powered by an internal combustion engine or motor that uses
255 gasoline, diesel, or a blend of gasoline and oil which is used
256 on a farm or used to transport farm products.

257 (b) "Gasoline-powered landscape equipment" means any
258 machine powered by an internal combustion engine or motor that
259 uses gasoline, diesel, or a blend of gasoline and oil which is
260 used to provide landscape management or maintenance or to move
261 leaves, dirt, grass, or other debris off of sidewalks,

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262 driveways, lawns, or other surfaces.

263 (2) A county may not enact or enforce a resolution, an
264 ordinance, a rule, a code, or a policy or take any action that
265 restricts or prohibits the use of gasoline-powered farm
266 equipment or gasoline-powered landscape equipment and may not
267 create differing standards for such equipment or distinguish
268 such equipment from any electric or similar equipment in a
269 retail, manufacturer, or distributor setting.

270 (3) This section does not prohibit or limit a county from
271 encouraging the use of alternative farm or landscape equipment,
272 such as battery-powered farm or landscape equipment.

273 Section 2. Present subsections (18) through (30) and (31)
274 through (54) of section 163.3164, Florida Statutes, are
275 redesignated as subsections (19) through (31) and (33) through
276 (56), respectively, and new subsections (18) and (32) are added
277 to that section, to read:

278 163.3164 Community Planning Act; definitions.—As used in
279 this act:

280 (18) "Ecologically significant parcel" means a parcel of
281 land located within the boundaries of a low-density municipality
282 which is currently undeveloped and has been designated as either
283 rural, conservation, agricultural, or greenspace as provided by
284 a local government comprehensive plan developed pursuant to s.
285 163.3177.

286 (32) "Low-density municipality" means a municipality
287 existing on or before January 1, 2025, which is less than 2,500
288 acres in total size and contains a population of 5,000 or fewer
289 legal residents.

290 Section 3. Present subsection (7) of section 163.3202,

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291 Florida Statutes, is redesignated as subsection (8), and a new
292 subsection (7) is added to that section, to read:

293 163.3202 Land development regulations.-

294 (7) (a) Notwithstanding any ordinance to the contrary, an
295 application for a development on an ecologically significant
296 parcel in a low-density municipality may not be administratively
297 approved without an attestation provided by the developer, under
298 penalty of perjury, to the low-density municipality which states
299 that the development will not exceed a maximum density of 1
300 residential unit per 20 acres.

301 (b) This subsection does not apply to applications for the
302 construction of residential units on an ecologically significant
303 parcel for the express purpose of providing housing for family
304 members of the applicant. However, the applicant must provide an
305 attestation, under penalty of perjury, to the low-density
306 municipality which states that the residential units being
307 constructed will be used for such express purpose before the
308 administrative approval of an application for development.

309 (c) The density requirements provided in this subsection
310 may be waived upon a resolution approved by a unanimous vote of
311 the commission or council of the low-density municipality.

312 Section 4. Section 166.063, Florida Statutes, is created to
313 read:

314 166.063 Preemption of restrictions on gasoline-powered farm
315 equipment or gasoline-powered landscape equipment.-

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

317 (a) "Gasoline-powered farm equipment" means a machine
318 powered by an internal combustion engine or motor that uses
319 gasoline, diesel, or a blend of gasoline and oil which is used

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320 on a farm or used to transport farm products.

321 (b) "Gasoline-powered landscape equipment" means any
322 machine powered by an internal combustion engine or motor that
323 uses gasoline, diesel, or a blend of gasoline and oil which is
324 used to provide landscape management or maintenance or to move
325 leaves, dirt, grass, or other debris off of sidewalks,
326 driveways, lawns, or other surfaces.

327 (2) A municipality may not enact or enforce a resolution,
328 an ordinance, a rule, a code, or a policy or take any action
329 that restricts or prohibits the use of gasoline-powered farm
330 equipment or gasoline-powered landscape equipment and may not
331 create differing standards for such equipment or distinguish
332 such equipment from any electric or similar equipment in a
333 retail, manufacturer, or distributor setting.

334 (3) This section does not prohibit or limit a municipality
335 from encouraging the use of alternative farm or landscape
336 equipment, such as battery-powered farm or landscape equipment.

337 Section 5. Paragraph (d) of subsection (2) of section
338 212.055, Florida Statutes, is amended to read:

339 212.055 Discretionary sales surtaxes; legislative intent;
340 authorization and use of proceeds.—It is the legislative intent
341 that any authorization for imposition of a discretionary sales
342 surtax shall be published in the Florida Statutes as a
343 subsection of this section, irrespective of the duration of the
344 levy. Each enactment shall specify the types of counties
345 authorized to levy; the rate or rates which may be imposed; the
346 maximum length of time the surtax may be imposed, if any; the
347 procedure which must be followed to secure voter approval, if
348 required; the purpose for which the proceeds may be expended;

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349 and such other requirements as the Legislature may provide.
350 Taxable transactions and administrative procedures shall be as
351 provided in s. 212.054.

352 (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

353 (d) The proceeds of the surtax authorized by this
354 subsection and any accrued interest shall be expended by the
355 school district, within the county and municipalities within the
356 county, or, in the case of a negotiated joint county agreement,
357 within another county, to finance, plan, and construct
358 infrastructure; to acquire any interest in land for public
359 recreation, conservation, or protection of natural resources or
360 to prevent or satisfy private property rights claims resulting
361 from limitations imposed by the designation of an area of
362 critical state concern; to provide loans, grants, or rebates to
363 residential or commercial property owners who make energy
364 efficiency improvements to their residential or commercial
365 property, if a local government ordinance authorizing such use
366 is approved by referendum; or to finance the closure of county-
367 owned or municipally owned solid waste landfills that have been
368 closed or are required to be closed by order of the Department
369 of Environmental Protection. Any use of the proceeds or interest
370 for purposes of landfill closure before July 1, 1993, is
371 ratified. The proceeds and any interest may not be used for the
372 operational expenses of infrastructure, except that a county
373 that has a population of fewer than 75,000 and that is required
374 to close a landfill may use the proceeds or interest for long-
375 term maintenance costs associated with landfill closure.
376 Counties, as defined in s. 125.011, and charter counties may, in
377 addition, use the proceeds or interest to retire or service

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378 indebtedness incurred for bonds issued before July 1, 1987, for
379 infrastructure purposes, and for bonds subsequently issued to
380 refund such bonds. Any use of the proceeds or interest for
381 purposes of retiring or servicing indebtedness incurred for
382 refunding bonds before July 1, 1999, is ratified.

383 1. For the purposes of this paragraph, the term
384 "infrastructure" means:

385 a. Any fixed capital expenditure or fixed capital outlay
386 associated with the construction, reconstruction, or improvement
387 of public facilities that have a life expectancy of 5 or more
388 years, any related land acquisition, land improvement, design,
389 and engineering costs, and all other professional and related
390 costs required to bring the public facilities into service. For
391 purposes of this sub-subparagraph, the term "public facilities"
392 has the same meaning ~~means facilities as defined in s.~~

393 163.3164(43) ~~s. 163.3164(41)~~, s. 163.3221(13), or s. 189.012(5),
394 and includes facilities that are necessary to carry out
395 governmental purposes, including, but not limited to, fire
396 stations, general governmental office buildings, and animal
397 shelters, regardless of whether the facilities are owned by the
398 local taxing authority or another governmental entity.

399 b. A fire department vehicle, an emergency medical service
400 vehicle, a sheriff's office vehicle, a police department
401 vehicle, or any other vehicle, and the equipment necessary to
402 outfit the vehicle for its official use or equipment that has a
403 life expectancy of at least 5 years.

404 c. Any expenditure for the construction, lease, or
405 maintenance of, or provision of utilities or security for,
406 facilities, as defined in s. 29.008.

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407 d. Any fixed capital expenditure or fixed capital outlay
408 associated with the improvement of private facilities that have
409 a life expectancy of 5 or more years and that the owner agrees
410 to make available for use on a temporary basis as needed by a
411 local government as a public emergency shelter or a staging area
412 for emergency response equipment during an emergency officially
413 declared by the state or by the local government under s.
414 252.38. Such improvements are limited to those necessary to
415 comply with current standards for public emergency evacuation
416 shelters. The owner must enter into a written contract with the
417 local government providing the improvement funding to make the
418 private facility available to the public for purposes of
419 emergency shelter at no cost to the local government for a
420 minimum of 10 years after completion of the improvement, with
421 the provision that the obligation will transfer to any
422 subsequent owner until the end of the minimum period.

423 e. Any land acquisition expenditure for a residential
424 housing project in which at least 30 percent of the units are
425 affordable to individuals or families whose total annual
426 household income does not exceed 120 percent of the area median
427 income adjusted for household size, if the land is owned by a
428 local government or by a special district that enters into a
429 written agreement with the local government to provide such
430 housing. The local government or special district may enter into
431 a ground lease with a public or private person or entity for
432 nominal or other consideration for the construction of the
433 residential housing project on land acquired pursuant to this
434 sub-subparagraph.

435 f. Instructional technology used solely in a school

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436 district's classrooms. As used in this sub-subparagraph, the
437 term "instructional technology" means an interactive device that
438 assists a teacher in instructing a class or a group of students
439 and includes the necessary hardware and software to operate the
440 interactive device. The term also includes support systems in
441 which an interactive device may mount and is not required to be
442 affixed to the facilities.

443 2. For the purposes of this paragraph, the term "energy
444 efficiency improvement" means any energy conservation and
445 efficiency improvement that reduces consumption through
446 conservation or a more efficient use of electricity, natural
447 gas, propane, or other forms of energy on the property,
448 including, but not limited to, air sealing; installation of
449 insulation; installation of energy-efficient heating, cooling,
450 or ventilation systems; installation of solar panels; building
451 modifications to increase the use of daylight or shade;
452 replacement of windows; installation of energy controls or
453 energy recovery systems; installation of electric vehicle
454 charging equipment; installation of systems for natural gas fuel
455 as defined in s. 206.9951; and installation of efficient
456 lighting equipment.

457 3. Notwithstanding any other provision of this subsection,
458 a local government infrastructure surtax imposed or extended
459 after July 1, 1998, may allocate up to 15 percent of the surtax
460 proceeds for deposit into a trust fund within the county's
461 accounts created for the purpose of funding economic development
462 projects having a general public purpose of improving local
463 economies, including the funding of operational costs and
464 incentives related to economic development. The ballot statement

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465 must indicate the intention to make an allocation under the
466 authority of this subparagraph.

467 4. Surtax revenues that are shared with eligible charter
468 schools pursuant to paragraph (c) shall be allocated among such
469 schools based on each school's proportionate share of total
470 school district capital outlay full-time equivalent enrollment
471 as adopted by the education estimating conference established in
472 s. 216.136. Surtax revenues must be expended by the charter
473 school in a manner consistent with the allowable uses provided
474 in s. 1013.62(4). All revenues and expenditures shall be
475 accounted for in a charter school's monthly or quarterly
476 financial statement pursuant to s. 1002.33(9). If a school's
477 charter is not renewed or is terminated and the school is
478 dissolved under the provisions of law under which the school was
479 organized, any unencumbered funds received under this paragraph
480 shall revert to the sponsor.

481 Section 6. Present subsection (19) of section 253.0341,
482 Florida Statutes, is redesignated as subsection (21), and new
483 subsections (19) and (20) are added to that section, to read:

484 253.0341 Surplus of state-owned lands.—

485 (19) The Acquisition and Restoration Council shall
486 determine whether any lands surplused by a local governmental
487 entity, as defined in s. 218.72, on or after January 1, 2024,
488 are suitable for bona fide agricultural purposes, as defined in
489 s. 193.461(3)(b). A local governmental entity may not transfer
490 future development rights for any surplused lands determined to
491 be suitable for bona fide agricultural purposes on or after
492 January 1, 2024.

493 (20) The Department of Environmental Protection, in

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494 coordination with the Department of Agriculture and Consumer
495 Services, shall determine whether any state-owned conservation
496 lands acquired on or after January 1, 2024, are suitable for
497 bona fide agricultural purposes, as defined in s. 193.461(3)(b).

498 (a) Notwithstanding any other law or rule, the Department
499 of Environmental Protection may surplus state-owned conservation
500 lands acquired on or after January 1, 2024, determined to be
501 suitable for bona fide agricultural purposes.

502 (b) For all state-owned conservation lands determined to be
503 suitable for bona fide agricultural production and surplus by
504 the Department of Environmental Protection, the department shall
505 retain a rural-lands-protection easement pursuant to s.
506 570.71(3). All proceeds from the sale of such surplus lands
507 must be deposited into the Incidental Trust Fund within the
508 Department of Agriculture and Consumer Services for less than
509 fee simple land acquisition pursuant to ss. 570.71 and 570.715.

510 (c) By January 1, 2027, and each January 1 thereafter, the
511 Department of Environmental Protection shall provide a report of
512 state-owned conversation lands surplus pursuant to this
513 subsection to the Board of Trustees of the Internal Improvement
514 Trust Fund.

515 (d) Designated state forest lands, state park lands, or
516 wildlife management areas may not be surplus pursuant to this
517 subsection.

518 Section 7. Section 259.1053, Florida Statutes, is amended
519 to read:

520 259.1053 Babcock Ranch Preserve; ~~Babcock Ranch Advisory~~
521 ~~Group.~~-

522 (1) SHORT TITLE.—This section may be cited as the "Babcock

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523 Ranch Preserve Act."

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

525 (a) "Babcock Ranch Preserve" and "preserve" mean the lands
526 and facilities acquired in the purchase of the Babcock Crescent
527 B Ranch, as provided in s. 259.1052.

528 (b) "Commission" means the Fish and Wildlife Conservation
529 Commission.

530 (c) "Commissioner" means the Commissioner of Agriculture.

531 (d) "Department" means the Department of Agriculture and
532 Consumer Services.

533 (e) "Executive director" means the Executive Director of
534 the Fish and Wildlife Conservation Commission.

535 (f) "Financially self-sustaining" means having management
536 and operation expenditures not more than the revenues collected
537 from fees and other receipts for resource use and development
538 and from interest and invested funds.

539 (g) "Florida Forest Service" means the Florida Forest
540 Service of the Department of Agriculture and Consumer Services.

541 (h) "Multiple use" means the management of all of the
542 renewable surface resources of the Babcock Ranch Preserve to
543 best meet the needs of the public, including the use of the land
544 for some or all of the renewable surface resources or related
545 services over areas large enough to allow for periodic
546 adjustments in use to conform to the changing needs and
547 conditions of the preserve while recognizing that a portion of
548 the land will be used for some of the renewable surface
549 resources available on that land. The goal of multiple use is
550 the harmonious and coordinated management of the renewable
551 surface resources without impairing the productivity of the land

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552 and considering the relative value of the renewable surface
553 resources, and not necessarily a combination of uses to provide
554 the greatest monetary return or the greatest unit output.

555 (i) "Sustained yield of the renewable surface resources"
556 means the achievement and maintenance of a high level of annual
557 or regular periodic output of the various renewable surface
558 resources of the preserve without impairing the productivity of
559 the land.

560 (3) CREATION OF BABCOCK RANCH PRESERVE.—

561 (a) Upon the date of acquisition of the Babcock Crescent B
562 Ranch, there is created the Babcock Ranch Preserve, which shall
563 be managed in accordance with the purposes and requirements of
564 this section.

565 (b) The preserve is established to protect and preserve the
566 environmental, agricultural, scientific, scenic, geologic,
567 watershed, fish, wildlife, historic, cultural, and recreational
568 values of the preserve, and to provide for the multiple use and
569 sustained yield of the renewable surface resources within the
570 preserve consistent with this section.

571 (c) This section does not preclude the use of common
572 varieties of mineral materials such as sand, stone, and gravel
573 for construction and maintenance of roads and facilities within
574 the preserve.

575 (d) This section does not affect the constitutional
576 responsibilities of the commission in the exercise of its
577 regulatory and executive power with respect to wild animal life
578 and freshwater aquatic life, including the regulation of
579 hunting, fishing, and trapping within the preserve.

580 (e) This section does not interfere with or prevent the

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581 implementation of agricultural practices authorized by the
582 agricultural land use designations established in the local
583 comprehensive plans of either Charlotte County or Lee County as
584 those plans apply to the Babcock Ranch Preserve.

585 (f) This section does not preclude the maintenance and use
586 of roads and trails or the relocation of roads in existence on
587 the effective date of this section, or the construction,
588 maintenance, and use of new trails, or any motorized access
589 necessary for the administration of the land contained within
590 the preserve, including motorized access necessary for
591 emergencies involving the health or safety of persons within the
592 preserve.

593 ~~(4) BABCOCK RANCH ADVISORY GROUP.—~~

594 ~~(a) The purpose of the Babcock Ranch Advisory Group is to~~
595 ~~assist the department by providing guidance and advice~~
596 ~~concerning the management and stewardship of the Babcock Ranch~~
597 ~~Preserve.~~

598 ~~(b) The Babcock Ranch Advisory Group shall be comprised of~~
599 ~~nine members appointed to 5-year terms. Based on recommendations~~
600 ~~from the Governor and Cabinet, the commission, and the governing~~
601 ~~boards of Charlotte County and Lee County, the commissioner~~
602 ~~shall appoint members as follows:~~

603 ~~1. One member with experience in sustainable management of~~
604 ~~forest lands for commodity purposes.~~

605 ~~2. One member with experience in financial management,~~
606 ~~budget and program analysis, and small business operations.~~

607 ~~3. One member with experience in management of game and~~
608 ~~nongame wildlife and fish populations, including hunting,~~
609 ~~fishing, and other recreational activities.~~

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610 ~~4. One member with experience in domesticated livestock~~
611 ~~management, production, and marketing, including range~~
612 ~~management and livestock business management.~~

613 ~~5. One member with experience in agriculture operations or~~
614 ~~forestry management.~~

615 ~~6. One member with experience in hunting, fishing, nongame~~
616 ~~species management, or wildlife habitat management, restoration,~~
617 ~~and conservation.~~

618 ~~7. One member with experience in public outreach and~~
619 ~~education.~~

620 ~~8. One member who is a resident of Lee County, to be~~
621 ~~designated by the Board of County Commissioners of Lee County.~~

622 ~~9. One member who is a resident of Charlotte County, to be~~
623 ~~designated by the Board of County Commissioners of Charlotte~~
624 ~~County.~~

625
626 ~~Vacancies will be filled in the same manner in which the~~
627 ~~original appointment was made. A member appointed to fill a~~
628 ~~vacancy shall serve for the remainder of that term.~~

629 ~~(c) Members of the Babcock Ranch Advisory Group shall:~~

630 ~~1. Elect a chair and vice chair from among the group~~
631 ~~members.~~

632 ~~2. Meet regularly as determined by the chair.~~

633 ~~3. Serve without compensation but shall receive~~
634 ~~reimbursement for travel and per diem expenses as provided in s.~~
635 ~~112.061.~~

636 (4) ~~(5)~~ MANAGEMENT OF PRESERVE; FEES.—

637 (a) The department shall assume all authority provided by
638 this section to manage and operate the preserve as a working

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639 ranch upon the termination or expiration of the management
640 agreement attached as Exhibit "E" to that certain agreement for
641 sale and purchase approved by the Board of Trustees of the
642 Internal Improvement Trust Fund on November 22, 2005, and by Lee
643 County on November 20, 2005.

644 (b) Upon assuming management and operation of the preserve,
645 the department shall:

646 1. Manage and operate the preserve and the uses thereof,
647 including, but not limited to, the activities necessary to
648 administer and operate the preserve as a working ranch; the
649 activities necessary for the preservation and development of the
650 land and renewable surface resources of the preserve; the
651 activities necessary for interpretation of the history of the
652 preserve on behalf of the public; the activities necessary for
653 the management, public use, and occupancy of facilities and
654 lands within the preserve; and the maintenance, rehabilitation,
655 repair, and improvement of property within the preserve.

656 2. Develop programs and activities relating to the
657 management of the preserve as a working ranch.

658 3. Establish procedures for entering into lease agreements
659 and other agreements for the use and occupancy of the facilities
660 of the preserve. The procedures shall ensure reasonable
661 competition and set guidelines for determining reasonable fees,
662 terms, and conditions for such agreements.

663 4. Assess reasonable fees for admission to, use of, and
664 occupancy of the preserve to offset costs of operating the
665 preserve as a working ranch. These fees are independent of fees
666 assessed by the commission for the privilege of hunting,
667 fishing, or pursuing outdoor recreational activities within the

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668 preserve, and shall be deposited into the Incidental Trust Fund
669 of the Florida Forest Service, subject to appropriation by the
670 Legislature.

671 (c) The commission, in cooperation with the department,
672 shall:

673 1. Establish and implement public hunting and other fish
674 and wildlife management activities. Tier I and Tier II public
675 hunting opportunities shall be provided consistent with the
676 management plan and the recreation master plan. Tier I public
677 hunting shall provide hunting opportunities similar to those
678 offered on wildlife management areas with an emphasis on youth
679 and family-oriented hunts. Tier II public hunting shall be
680 provided specifically by fee-based permitting to ensure
681 compatibility with livestock grazing and other essential
682 agricultural operations on the preserve.

683 2. Establish and administer permit fees for Tier II public
684 hunting to capitalize on the value of hunting on portions of the
685 preserve and to help ensure the preserve is financially self-
686 sufficient. The fees shall be deposited into the State Game
687 Trust Fund of the Fish and Wildlife Conservation Commission to
688 be used to offset the costs of providing public hunting and to
689 support fish and wildlife management and other land management
690 activities on the preserve.

691 (d) The Board of Trustees of the Internal Improvement Trust
692 Fund or its designated agent may:

693 1. Negotiate directly with and enter into such agreements,
694 leases, contracts, and other arrangements with any person, firm,
695 association, organization, corporation, or governmental entity,
696 including entities of federal, state, and local governments, as

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697 are necessary and appropriate to carry out the purposes and
698 activities authorized by this section.

699 2. Grant privileges, leases, concessions, and permits for
700 the use of land for the accommodation of visitors to the
701 preserve, provided no natural curiosities or objects of interest
702 shall be granted, leased, or rented on such terms as shall deny
703 or interfere with free access to them by the public. Such
704 grants, leases, and permits may be made and given without
705 advertisement or securing competitive bids. Such grants, leases,
706 or permits may not be assigned or transferred by any grantee
707 without consent of the Board of Trustees of the Internal
708 Improvement Trust Fund or its designated agent.

709 (5)~~(6)~~ DISSOLUTION OF BABCOCK RANCH, INC.—Upon dissolution
710 of the Babcock Ranch, Inc., all statutory powers, duties,
711 functions, records, personnel, property, and unexpended balances
712 of appropriations, allocations, and other funds of the
713 corporation shall be transferred to the Department of
714 Agriculture and Consumer Services unless otherwise provided by
715 law. Any cash balances of funds shall revert to the Incidental
716 Trust Fund of the Florida Forest Service.

717 Section 8. Paragraph (a) of subsection (2) of section
718 287.1351, Florida Statutes, is amended, and subsection (3) of
719 that section is republished, to read:

720 287.1351 Suspended vendors; state contracts.—

721 (2) (a) A vendor that is in default on any contract with an
722 agency, has failed to timely compensate its subcontractors or
723 suppliers, or has otherwise repeatedly demonstrated a recent
724 inability to fulfill the terms and conditions of previous state
725 contracts or to adequately perform its duties under those

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726 contracts may not submit a bid, proposal, or reply to an agency
727 or enter into or renew a contract to provide any goods or
728 services to an agency after its placement, pursuant to this
729 section, on the suspended vendor list.

730 (3) An agency shall notify the department of any vendor
731 that has met the grounds for suspension described in paragraph
732 (2) (a). The agency must provide documentation to the department
733 evidencing the vendor's default or other grounds for suspension.
734 The department shall review the documentation provided and
735 determine whether good cause exists to remove the vendor from
736 the vendor list and to place it on the suspended vendor list. If
737 good cause exists, the department must notify the vendor in
738 writing of its intent to remove the vendor from the vendor list
739 and of the vendor's right to an administrative hearing and the
740 applicable procedures and time requirements for any such
741 hearing. If the vendor does not request an administrative
742 hearing, the department must enter a final order removing the
743 vendor from the vendor list. A vendor may not be removed from
744 the vendor list without receiving an individual notice of intent
745 from the department.

746 Section 9. Paragraph (c) is added to subsection (4) of
747 section 322.12, Florida Statutes, to read:

748 322.12 Examination of applicants.—

749 (4) The examination for an applicant for a commercial
750 driver license shall include a test of the applicant's eyesight
751 given by a driver license examiner designated by the department
752 or by a licensed ophthalmologist, optometrist, or physician and
753 a test of the applicant's hearing given by a driver license
754 examiner or a licensed physician. The examination shall also

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755 include a test of the applicant's ability to read and understand
756 highway signs regulating, warning, and directing traffic; his or
757 her knowledge of the traffic laws of this state pertaining to
758 the class of motor vehicle which he or she is applying to be
759 licensed to operate, including laws regulating driving under the
760 influence of alcohol or controlled substances, driving with an
761 unlawful blood-alcohol level, and driving while intoxicated; his
762 or her knowledge of the effects of alcohol and controlled
763 substances and the dangers of driving a motor vehicle after
764 having consumed alcohol or controlled substances; and his or her
765 knowledge of any special skills, requirements, or precautions
766 necessary for the safe operation of the class of vehicle which
767 he or she is applying to be licensed to operate. In addition,
768 the examination shall include an actual demonstration of the
769 applicant's ability to exercise ordinary and reasonable control
770 in the safe operation of a motor vehicle or combination of
771 vehicles of the type covered by the license classification which
772 the applicant is seeking, including an examination of the
773 applicant's ability to perform an inspection of his or her
774 vehicle.

775 (c) An applicant for a commercial driver license who
776 receives unauthorized assistance from another person in
777 completing the portion of the examination which tests the
778 applicant's ability to read and understand highway signs
779 regulating, warning, and directing traffic or his or her
780 knowledge of the traffic laws of this state pertaining to the
781 class of motor vehicle for which he or she is applying to be
782 licensed to operate, including laws regulating driving under the
783 influence of alcohol or controlled substances, driving with an

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784 unlawful blood-alcohol level, and driving while intoxicated,
785 commits a misdemeanor of the second degree, punishable as
786 provided in s. 775.082 or s. 775.083.

787 Section 10. Section 322.36, Florida Statutes, is amended to
788 read:

789 322.36 Permitting unauthorized operator to drive.—

790 (1) A person may not authorize or knowingly permit a motor
791 vehicle owned by him or her or under his or her dominion or
792 control to be operated upon any highway or public street except
793 by a person who is duly authorized to operate a motor vehicle
794 under this chapter.

795 (2) A person may not knowingly or willfully provide
796 unauthorized assistance to an applicant for the examination
797 required to hold a commercial driver license pursuant to s.
798 322.12(4).

799 (3) A ~~Any~~ person who violates this section commits a
800 misdemeanor of the second degree, punishable as provided in s.
801 775.082 or s. 775.083. If a person violates this section by
802 knowingly loaning a vehicle to a person whose driver license is
803 suspended and if that vehicle is involved in an accident
804 resulting in bodily injury or death, the driver license of the
805 person violating this section must ~~shall~~ be suspended for 1
806 year.

807 Section 11. Section 377.71, Florida Statutes, is repealed.

808 Section 12. Section 377.711, Florida Statutes, is repealed.

809 Section 13. Section 377.712, Florida Statutes, is repealed.

810 Section 14. Present paragraphs (a) and (b) of subsection
811 (3) of section 403.0855, Florida Statutes, are redesignated as
812 paragraphs (b) and (c), respectively, a new paragraph (a) is

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813 added to that subsection, and subsections (2) and (4) of that
814 section are amended, to read:

815 403.0855 Biosolids management.—

816 (2) The department shall adopt rules for biosolids
817 management. ~~Rules adopted by the department pursuant to this~~
818 ~~section may not take effect until ratified by the Legislature.~~

819 (3) For a new land application site permit or a permit
820 renewal issued after July 1, 2020, the permittee of a biosolids
821 land application site shall:

822 (a) Ensure that only Class AA biosolids are applied to the
823 soil.

824 (4) All permits shall comply with the requirements of
825 paragraph (3) (a) subsection (3) by July 1, 2028 ~~July 1, 2022.~~

826 Section 15. Present subsection (5) of section 482.071,
827 Florida Statutes, is redesignated as subsection (6), and a new
828 subsection (5) is added to that section, to read:

829 482.071 Licenses.—

830 (5) Each person applying for a pest control business
831 license or renewal thereof who will offer and perform
832 fumigations as a part of his or her regular business operations
833 must furnish to the department a certificate of insurance that
834 meets the requirement for minimum financial responsibility for
835 bodily injury and property damage, consisting of:

836 (a) Bodily injury coverage of \$1 million per person and \$2
837 million per occurrence; and property damage coverage of \$1
838 million per occurrence and \$2 million in the aggregate; or

839 (b) Combined single-limit coverage of \$2 million in the
840 aggregate.

841 Section 16. Subsection (7) of section 482.161, Florida

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842 Statutes, is amended to read:

843 482.161 Disciplinary grounds and actions; reinstatement.—

844 (7) The department, pursuant to chapter 120, in addition to
845 or in lieu of any other remedy provided by state or local law,
846 may impose an administrative fine in the Class III ~~II~~ category
847 pursuant to s. 570.971 for a violation of this chapter or of the
848 rules adopted pursuant to this chapter. In determining the
849 amount of fine to be levied for a violation, the following
850 factors shall be considered:

851 (a) The severity of the violation, including the
852 probability that the death, or serious harm to the health or
853 safety, of any person will result or has resulted; the severity
854 of the actual or potential harm; and the extent to which this
855 chapter or the rules adopted pursuant to this chapter were
856 violated;

857 (b) Any actions taken by the licensee or certified operator
858 in charge, or limited certificateholder, to correct the
859 violation or to remedy complaints;

860 (c) Any previous violations of this chapter or of the rules
861 adopted pursuant to this chapter; and

862 (d) The cost to the department of investigating the
863 violation.

864 Section 17. Subsections (3) and (5) of section 482.165,
865 Florida Statutes, are amended to read:

866 482.165 Unlicensed practice of pest control; cease and
867 desist order; injunction; civil suit and penalty.—

868 (3) In addition to or in lieu of any remedy provided under
869 subsection (2), the department may institute a civil suit in
870 circuit court to recover a civil penalty for any violation for

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871 which the department may issue a notice to cease and desist
 872 under subsection (2). The civil penalty shall be in the Class
 873 III ~~II~~ category pursuant to s. 570.971 for each offense. The
 874 court may also award to the prevailing party court costs and
 875 reasonable attorney fees.

876 (5) In addition to or in lieu of any remedy provided under
 877 subsections (2) and (3), the department may, even in the case of
 878 a first offense, impose a fine not less than twice the cost of a
 879 pest control business license, but not more than a fine in the
 880 Class III ~~II~~ category pursuant to s. 570.971, upon a
 881 determination by the department that a person is in violation of
 882 subsection (1). For the purposes of this subsection, the lapse
 883 of a previously issued license for a period of less than 1 year
 884 is not considered a violation.

885 Section 18. Subsections (20) and (21) are added to section
 886 489.105, Florida Statutes, to read:

887 489.105 Definitions.—As used in this part:

888 (20) "Subcontractor" has the same meaning as in s. 558.002.

889 (21) "Supplier" has the same meaning as in s. 558.002.

890 Section 19. Section 489.1295, Florida Statutes, is created
 891 to read:

892 489.1295 Theft of subcontractor or supplier services.—

893 (1) A person licensed as a contractor or who otherwise
 894 holds himself or herself out to be a contractor may not
 895 knowingly or willfully fail to compensate his or her
 896 subcontractors or suppliers without reasonable cause within 30
 897 days after receiving payment for the services performed by the
 898 subcontractor or supplier.

899 (2) A person licensed as a contractor or who otherwise

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900 holds himself or herself out to be a contractor and who violates
901 this section commits a misdemeanor of the first degree,
902 punishable as provided in s. 775.082 or s. 775.083.

903 (3) If a person licensed as a contractor or who otherwise
904 holds himself or herself out to be a contractor violates this
905 section and the services performed by the subcontractor or
906 supplier are valued at \$20,000 or more, such person commits a
907 felony of the third degree, punishable as provided in s.
908 775.082, s. 775.083, or s. 775.084.

909 Section 20. Subsection (6) of section 500.04, Florida
910 Statutes, is amended to read:

911 500.04 Prohibited acts.—The following acts and the causing
912 thereof within the state are prohibited:

913 (6) The obstruction of or refusal to permit entry or
914 inspection, or to permit the taking of a sample, as authorized
915 by s. 500.147.

916 Section 21. Section 500.81, Florida Statutes, is repealed.

917 Section 22. Subsection (5) of section 500.93, Florida
918 Statutes, is amended to read:

919 500.93 Mislabeling of plant-based products as milk, meat,
920 or poultry.—

921 (5) The Department of Agriculture and Consumer Services
922 shall notify the Division of Law Revision upon the enactment
923 into law by any 11 of the group of 14 states composed of
924 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
925 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
926 Texas, Virginia, and West Virginia of the mandatory labeling
927 requirements pursuant to paragraphs (2)(a), (3)(a), and (4)(a)
928 ~~subsections (2) and (3).~~

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929 Section 23. Section 501.013, Florida Statutes, is amended
930 to read:

931 501.013 Health studios; exemptions.—

932 (1) The following businesses or activities may be declared
933 exempt from ~~the provisions of~~ ss. 501.012-501.019 upon the
934 filing of an affidavit with the department establishing that the
935 stated qualifications are met:

936 (a)~~(1)~~ A bona fide nonprofit organization which has been
937 granted tax-exempt status by the Internal Revenue Service.

938 (b)~~(2)~~ A gymnastics school which engages only in
939 instruction and training and in which exercise is only
940 incidental to such instruction and training.

941 (c)~~(3)~~ A golf, tennis, or racquetball club in which sports
942 play is the only activity offered by the club. If the facility
943 offers the use of physical exercise equipment, this exemption
944 shall not apply.

945 (d)~~(4)~~ A program or facility which is offered and used
946 solely for the purpose of dance, aerobic exercise, or martial
947 arts, and which utilizes no physical exercise equipment.

948 (e)~~(5)~~ A country club that has as its primary function the
949 provision of a social life and recreational amenities to its
950 members, and for which a program of physical exercise is merely
951 incidental to membership. As used in this paragraph ~~subsection~~,
952 the term "country club" means a facility that offers its members
953 a variety of services that may include, but need not be limited
954 to, social activities; dining, banquet, catering, and lounge
955 facilities; swimming; yachting; golf; tennis; card games such as
956 bridge and canasta; and special programs for members' children.
957 Upon the filing of an affidavit with the department establishing

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958 that the stated qualifications of this paragraph subsection were
959 met before July 1, 1997, this paragraph subsection will apply
960 retroactively to the date that the country club met these
961 qualifications.

962 (f)(6) A program or facility that is offered by an
963 organization for the exclusive use of its employees and their
964 family members.

965 (2) In addition to the businesses and activities listed in
966 subsection (1), the department may exempt any other business or
967 activity not in existence as of July 1, 2026, from ss. 501.012-
968 501.019.

969 Section 24. Section 501.062, Florida Statutes, is created
970 to read:

971 501.062 Unauthorized commercial solicitation; legislative
972 intent; definitions; prohibited acts; penalties.-

973 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature
974 to protect, preserve, and promote the safety, welfare, and peace
975 of the citizens of this state by adopting measures to reduce the
976 threat to private property rights, including the right to
977 exclude and to be free from trespass of unauthorized commercial
978 solicitation on private property when noticed by the property
979 owner. It is the intent of this section to protect such private
980 property rights by creating a uniform standard for notifying
981 individuals or groups of individuals that commercial
982 solicitation is prohibited on private property.

983 (2) DEFINITIONS.-As used in this section, the term:

984 (a) "Commercial solicitation" means the act of attempting
985 to sell goods or services, or to raise funds for a commercial
986 purpose, through direct or indirect contact with individuals,

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987 including, but not limited to, using words, body gestures, or
988 signs, on behalf of a business or commercial entity.

989 (b) "Dwelling" has the same meaning as in s. 810.011(2).

990 (3) PROHIBITED ACTS.—A person may not engage in commercial
991 solicitation on any dwelling that clearly and prominently
992 displays a sign that is no less than 8.5 by 11 inches, is
993 visible to any person approaching the dwelling, and clearly
994 displays a statement which identifies the dwelling as private
995 property on which commercial solicitation is prohibited, in
996 substantially the following manner with letters at least 1 inch
997 in height:

998
999 THIS DWELLING IS DESIGNATED PRIVATE PROPERTY. NO
1000 COMMERCIAL SOLICITATION IS PERMITTED PURSUANT TO
1001 SECTION 501.062, FLORIDA STATUTES.

1002
1003 (4) PENALTIES.—A person who violates subsection (3) commits
1004 a noncriminal violation, punishable as provided in s. 775.083. A
1005 person who commits a second or subsequent violation commits a
1006 misdemeanor of the second degree, punishable as provided in s.
1007 775.082 or s. 775.083.

1008 Section 25. Subsection (50) is added to section 570.07,
1009 Florida Statutes, to read:

1010 570.07 Department of Agriculture and Consumer Services;
1011 functions, powers, and duties.—The department shall have and
1012 exercise the following functions, powers, and duties:

1013 (50) Notwithstanding s. 20.04(7), to reorganize
1014 departmental units upon the approval of the commissioner.

1015 Section 26. Paragraph (c) is added to subsection (3) of

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1016 section 570.822, Florida Statutes, to read:

1017 570.822 Agriculture and Aquaculture Producers Emergency
1018 Recovery Loan Program.—

1019 (3) ELIGIBLE APPLICANTS.—To be eligible for the program, an
1020 applicant must:

1021 (c) Be a United States citizen and a legal resident of this
1022 state before or on the date of the declared emergency. If the
1023 applicant is an entity as defined in s. 605.0102, the entity
1024 must be wholly owned and operated in the United States and
1025 possess an active certificate of status issued by the Department
1026 of State pursuant to chapter 605.

1027 Section 27. Section 570.832, Florida Statutes, is created
1028 to read:

1029 570.832 Florida Native Seed Research and Marketing
1030 Program.—The Florida Wildflower Foundation, in coordination with
1031 the department, shall, subject to appropriation, establish the
1032 Florida Native Seed Research and Marketing Program to conduct
1033 research designed to expand the availability and uses of native
1034 seeds and strengthen the market position of this state's native
1035 seed industry through marketing campaigns and promotions in this
1036 state and across the nation.

1037 Section 28. Section 570.846, Florida Statutes, is created
1038 to read:

1039 570.846 Florida Food Animal Veterinary Medicine Loan
1040 Repayment Program.—

1041 (1) PURPOSE.—To encourage specialized and qualified
1042 veterinary professionals to practice in this state, to retain
1043 the employment of such professionals in this state, and to
1044 promote the care and treatment of food animals intended for

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1045 human consumption, there is established the Florida Food Animal
1046 Veterinary Medicine Loan Repayment Program. The purpose of the
1047 program is to authorize the department to make payments that
1048 offset loans incurred, for up to three new eligible candidates
1049 annually, for studies leading to a veterinary degree with a
1050 specialization in food animal veterinary medicine.

1051 (2) DEFINITIONS.—As used in this section, the term:

1052 (a) "Food animal" means a species of animal raised for the
1053 human food supply. Food animal species include cattle, swine,
1054 sheep, goat, poultry, aquaculture, and apiary species.

1055 (b) "Food animal veterinarian" means a veterinarian working
1056 in food animal veterinary medicine who focuses on the management
1057 and health of food animals and who spends a minimum of 20 hours
1058 per week on food animal species care and treatment.

1059 (c) "Food animal veterinary medicine" means a veterinary
1060 medical practice which encompasses medical care, disease
1061 prevention, and consultation on feeding, housing, and overall
1062 herd or flock management of food animals to ensure a safe,
1063 healthy, and sustainable food supply for the public.

1064 (3) ELIGIBILITY.—To be eligible for the program, a
1065 candidate must have graduated from an American Veterinary
1066 Medical Association-accredited college of veterinary medicine,
1067 have received a Florida veterinary medical license, have
1068 obtained a Category II Accreditation from the United States
1069 Department of Agriculture, and be a practicing food animal
1070 veterinarian in this state.

1071 (4) FUNDING.—Subject to legislative appropriation, the
1072 department may make loan principal repayments of up to \$25,000 a
1073 year for up to 5 years on behalf of eligible candidates. All

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1074 repayments are contingent upon continued proof of employment in
1075 this state as a practicing food animal veterinarian.

1076 (5) DUPLICATION OF FINANCIAL ASSISTANCE.—An eligible
1077 candidate receiving financial assistance from the federal
1078 veterinary medicine loan repayment program as established in 7
1079 U.S.C. part 3151a is ineligible to receive financial assistance
1080 from the program under this section.

1081 (6) RULEMAKING.—The department may adopt any rule necessary
1082 for the administration of the program.

1083 Section 29. Subsection (1) of section 570.85, Florida
1084 Statutes, is amended to read:

1085 570.85 Agritourism.—

1086 (1) It is the intent of the Legislature to promote
1087 agritourism as a way to support bona fide agricultural
1088 production by providing a stream of revenue and by educating the
1089 general public about the agricultural industry. It is also the
1090 intent of the Legislature to eliminate duplication of regulatory
1091 authority over agritourism as expressed in this section. Except
1092 as otherwise provided for in this section, and notwithstanding
1093 any other law, a local government may not adopt or enforce a
1094 local ordinance, regulation, rule, or policy that prohibits,
1095 restricts, regulates, or otherwise limits an agritourism
1096 activity on land classified as agricultural land under s.
1097 193.461, and may not require a property owner to obtain a rural
1098 event venue permit or license. This subsection does not limit
1099 the powers and duties of a local government to address
1100 substantial offsite impacts of agritourism activities or an
1101 emergency as provided in chapter 252.

1102 Section 30. Subsection (6) is added to section 570.86,

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1103 Florida Statutes, to read:

1104 570.86 Definitions.—As used in ss. 570.85-570.89, the term:

1105 (6) "Rural event venue" means a venue located on property
1106 classified as agricultural pursuant to s. 193.461 and used for
1107 special functions, such as weddings, receptions, corporate
1108 meetings, or similar gatherings.

1109 Section 31. Subsection (4) of section 583.01, Florida
1110 Statutes, is amended to read:

1111 583.01 Definitions.—For the purpose of this chapter, unless
1112 elsewhere indicated, the term:

1113 (4) "Dealer" means a person, firm, or corporation,
1114 including a producer, processor, retailer, or wholesaler, that
1115 sells, offers for sale, or holds for the purpose of sale in this
1116 state 30 dozen or more eggs or its equivalent in any one week,
1117 or more than 20,000 ~~384~~ dressed birds annually ~~in any one week~~.

1118 Section 32. Section 590.02, Florida Statutes, is amended to
1119 read:

1120 590.02 Florida Forest Service; powers, authority, and
1121 duties; liability; building structures; Withlacoochee and Welaka
1122 Training Centers ~~Center~~.—

1123 (1) The Florida Forest Service has the following powers,
1124 authority, and duties to:

1125 (a) Enforce the provisions of this chapter;

1126 (b) Prevent, detect, and suppress wildfires wherever they
1127 may occur on public or private land in this state and do all
1128 things necessary in the exercise of such powers, authority, and
1129 duties;

1130 (c) Provide firefighting crews, who shall be under the
1131 control and direction of the Florida Forest Service and its

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1132 designated agents;

1133 (d) Appoint center managers, forest area supervisors,
1134 forestry program administrators, a forest protection bureau
1135 chief, a forest protection assistant bureau chief, a field
1136 operations bureau chief, deputy chiefs of field operations,
1137 district managers, forest operations administrators, senior
1138 forest rangers, investigators, forest rangers, firefighter
1139 rotorcraft pilots, and other employees who may, at the Florida
1140 Forest Service's discretion, be certified as forestry
1141 firefighters pursuant to s. 633.408(8). Other law
1142 notwithstanding, center managers, district managers, forest
1143 protection assistant bureau chief, and deputy chiefs of field
1144 operations have Selected Exempt Service status in the state
1145 personnel designation;

1146 (e) Develop a training curriculum for wildland firefighters
1147 which must contain a minimum of 40 hours of structural
1148 firefighter training, a minimum of 40 hours of emergency medical
1149 training, and a minimum of 376 hours of wildfire training;

1150 (f) Pay the cost of the initial commercial driver license
1151 examination fee, and renewal, for those employees whose position
1152 requires them to operate equipment requiring a license. This
1153 paragraph is intended to be an authorization to the department
1154 to pay such costs, not an obligation;

1155 (g) Provide fire management services and emergency response
1156 assistance and set and charge reasonable fees for performance of
1157 those services. Moneys collected from such fees shall be
1158 deposited into the Incidental Trust Fund of the Florida Forest
1159 Service;

1160 (h) Require all state, regional, and local government

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1161 agencies operating aircraft in the vicinity of an ongoing
1162 wildfire to operate in compliance with the applicable state
1163 Wildfire Aviation Plan;

1164 (i) Authorize broadcast burning, prescribed burning, pile
1165 burning, and land clearing debris burning to carry out the
1166 duties of this chapter and the rules adopted thereunder; and

1167 (j) Make rules to accomplish the purposes of this chapter.

1168 (2) The Florida Forest Service's employees, and the
1169 firefighting crews under their control and direction, may enter
1170 upon any lands for the purpose of preventing, detecting, and
1171 suppressing wildfires and investigating smoke complaints or open
1172 burning not in compliance with authorization and to enforce the
1173 provisions of this chapter.

1174 (3) Employees of the Florida Forest Service and of federal,
1175 state, and local agencies, and all other persons and entities
1176 that are under contract or agreement with the Florida Forest
1177 Service to assist in firefighting operations as well as those
1178 entities, called upon by the Florida Forest Service to assist in
1179 firefighting may, in the performance of their duties, set
1180 counterfires, remove fences and other obstacles, dig trenches,
1181 cut firelines, use water from public and private sources, and
1182 carry on all other customary activities in the fighting of
1183 wildfires without incurring liability to any person or entity.
1184 The manner in which the Florida Forest Service monitors a
1185 smoldering wildfire or smoldering prescribed fire or fights any
1186 wildfire are planning level activities for which sovereign
1187 immunity applies and is not waived.

1188 (4) (a) The department may build structures, notwithstanding
1189 chapters 216 and 255, not to exceed a cost of \$50,000 per

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1190 structure from existing resources on forest lands, federal
1191 excess property, and unneeded existing structures. These
1192 structures must meet all applicable building codes.

1193 (b) Notwithstanding s. 553.80(1), the department shall
1194 exclusively enforce the Florida Building Code as it pertains to
1195 wildfire, law enforcement, and other Florida Forest Service
1196 facilities under the jurisdiction of the department.

1197 (5) The Florida Forest Service shall organize its
1198 operational units to most effectively prevent, detect, and
1199 suppress wildfires, and to that end, may employ the necessary
1200 personnel to manage its activities in each unit. The Florida
1201 Forest Service may construct lookout towers, roads, bridges,
1202 firelines, and other facilities and may purchase or fabricate
1203 tools, supplies, and equipment for firefighting. The Florida
1204 Forest Service may reimburse the public and private entities
1205 that it engages to assist in the suppression of wildfires for
1206 their personnel and equipment, including aircraft.

1207 (6) The Florida Forest Service shall undertake
1208 privatization alternatives for fire prevention activities
1209 including constructing fire lines and conducting prescribed
1210 burns and, where appropriate, entering into agreements or
1211 contracts with the private sector to perform such activities.

1212 (7) The Florida Forest Service may organize, staff, equip,
1213 and operate the Withlacoochee and Welaka Training Centers
1214 Center. The centers ~~center~~ shall serve as sites ~~a site~~ where
1215 fire and forest resource managers can obtain current knowledge,
1216 techniques, skills, and theory as they relate to their
1217 respective disciplines, and the centers:-

1218 (a) ~~The center~~ May establish cooperative efforts involving

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1219 federal, state, and local entities; hire appropriate personnel;
1220 and engage others by contract or agreement with or without
1221 compensation to assist in carrying out the training and
1222 operations of the centers ~~center~~.

1223 (b) ~~The center~~ Shall provide wildfire suppression training
1224 opportunities for rural fire departments, volunteer fire
1225 departments, and other local fire response units.

1226 (c) ~~The center~~ Shall focus on curriculum related to, but
1227 not limited to, fuel reduction, an incident management system,
1228 prescribed burning certification, multiple-use land management,
1229 water quality, forest health, environmental education, and
1230 wildfire suppression training for structural firefighters.

1231 (d) ~~The center~~ May assess appropriate fees for food,
1232 lodging, travel, course materials, and supplies in order to meet
1233 their ~~its~~ operational costs and may grant free meals, room, and
1234 scholarships to persons and other entities as determined by the
1235 Florida Forest Service, regardless of whether training occurs at
1236 the Withlacoochee Training Center or Welaka Training Center or
1237 at another location ~~in exchange for instructional assistance.~~

1238 (8) (a) The Cross City Work Center shall be named the L.
1239 Earl Peterson Forestry Station. This is to honor Mr. L. Earl
1240 Peterson, Florida's sixth state forester, whose distinguished
1241 career in state government has spanned 44 years, and who is a
1242 native of Dixie County.

1243 (b) The Madison Forestry Station shall be named the Harvey
1244 Greene Sr. Forestry Station. This is to honor Mr. Harvey Greene
1245 Sr., a World War I veteran and pioneer in forestry in Madison
1246 County. In 1947, Mr. Harvey Greene Sr. offered to give the land
1247 on which the forestry station is located to the state; however,

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1248 at that time, the state could not accept donations of land.
1249 Instead, Mr. Harvey Greene Sr. sold the land to the state and,
1250 with the proceeds of the sale, purchased forestry equipment to
1251 be used by the citizens of Madison County to plant trees and
1252 fight wildfires.

1253 (c) The Bonifay Forestry Station shall be named the John
1254 Michael Mathis Forestry Station. This is to honor the late Mr.
1255 John Michael Mathis, the Chipola Forestry Center manager whose
1256 distinguished career spanned 18 years, and who received many
1257 awards for his service, including commendation for leadership in
1258 wildfire mitigation for his service during Hurricane Michael.
1259 Mr. John Michael Mathis was a proud husband, father, forester,
1260 and friend.

1261 (9) (a) Notwithstanding ss. 273.055 and 287.16, the
1262 department may retain, transfer, warehouse, bid, destroy, scrap,
1263 or otherwise dispose of surplus equipment and vehicles that are
1264 used for wildland firefighting.

1265 (b) All money received from the disposition of state-owned
1266 equipment and vehicles that are used for wildland firefighting
1267 shall be retained by the department. Money received pursuant to
1268 this section is appropriated for and may be disbursed for the
1269 acquisition of exchange and surplus equipment used for wildland
1270 firefighting, and for all necessary operating expenditures
1271 related to such equipment, in the same fiscal year and the
1272 fiscal year following the disposition. The department shall
1273 maintain records of the accounts into which the money is
1274 deposited.

1275 (10) (a) Notwithstanding the provisions of s. 252.38, the
1276 Florida Forest Service has exclusive authority to require and

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1277 issue authorizations for broadcast burning and agricultural and
1278 silvicultural pile burning. An agency, commission, department,
1279 county, municipality, or other political subdivision of the
1280 state may not adopt or enforce laws, regulations, rules, or
1281 policies pertaining to broadcast burning or agricultural and
1282 silvicultural pile burning.

1283 (b) The Florida Forest Service may delegate to a county,
1284 municipality, or special district its authority:

1285 1. As delegated by the Department of Environmental
1286 Protection pursuant to ss. 403.061(29) and 403.081, to manage
1287 and enforce regulations pertaining to the burning of yard trash
1288 in accordance with s. 590.125(6).

1289 2. To manage the open burning of land clearing debris in
1290 accordance with s. 590.125.

1291 Section 33. Section 595.421, Florida Statutes, is created
1292 to read:

1293 595.421 Farmers Feeding Florida Program.—There is
1294 established the Farmers Feeding Florida Program to coordinate
1295 with Feeding Florida, or its successor entity, for the
1296 acquisition, transportation, and distribution of non-Emergency
1297 Food Assistance Program fresh food products for the benefit of
1298 residents who are food insecure due to a lack of local food
1299 resources, accessibility, and affordability.

1300 (1) In order to implement the program, Feeding Florida
1301 shall:

1302 (a) Enter into an agreement with the department to provide,
1303 at a minimum, all of the following services:

1304 1. Transportation of non-Emergency Food Assistance Program
1305 fresh food products using owned vehicles or contracted

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1306 commercial vehicles.

1307 2. Coordination of the purchase and pickup of food from the
1308 purchase location and delivery to the distribution location.

1309 (b) Submit monthly reports to the department, beginning
1310 July 1, 2026, which include, at a minimum, all of the following:

1311 1. A detailed record of the amount of food purchased,
1312 measured per pound and itemized according to its commodity type.

1313 2. Food purchase locations.

1314 3. Food purchase dates.

1315 4. The date of delivery and locations to which the food was
1316 distributed.

1317 (c) Submit quarterly reports, beginning July 1, 2026, to
1318 the chairs of the legislative appropriations committees,
1319 including all of the following information:

1320 1. A detailed record of the amount of food distributed,
1321 measured per pound and itemized according to its commodity type.

1322 2. The distribution locations.

1323 3. An itemized list of the types of commodities
1324 distributed.

1325 (2) Foods purchased by Feeding Florida through the program
1326 are restricted to charitable purposes for hunger relief and may
1327 not reenter the wholesale, retail, or secondary market.

1328 (3) Feeding Florida may not, in implementing this section,
1329 allow a candidate for elective office to host a food
1330 distribution event during the period of time between the last
1331 day of the election qualifying period and the date of the
1332 election if the candidate is opposed for election or reelection
1333 at the time of the event. This subsection does not apply if the
1334 event is in response to a declared state of emergency.

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1335 Section 34. Present paragraph (c) of subsection (7) of
1336 section 597.004, Florida Statutes, is redesignated as paragraph
1337 (d) and amended, a new paragraph (c) is added to that
1338 subsection, and paragraph (a) of subsection (2) of that section
1339 is amended, to read:

1340 597.004 Aquaculture certificate of registration.—

1341 (2) RULES.—

1342 (a) The department, in consultation with the Department of
1343 Environmental Protection, the water management districts,
1344 environmental groups, and representatives from the affected
1345 farming groups, shall adopt rules to:

1346 1. Specify the requirement of best management practices to
1347 be implemented by holders of aquaculture certificates of
1348 registration.

1349 2. Establish procedures for holders of aquaculture
1350 certificates of registration to submit the notice of intent to
1351 comply with best management practices.

1352 3. Establish schedules for implementation of best
1353 management practices, and of interim measures that can be taken
1354 prior to adoption of best management practices. Interim measures
1355 may include the continuation of regulatory requirements in
1356 effect on June 30, 1998.

1357 4. Establish a system to assure the implementation of best
1358 management practices, including recordkeeping requirements.

1359 5. Require any facility that cultures *Micropterus salmoides*
1360 ~~floridanus~~ to maintain stock acquisition documentation or
1361 records of genetic testing.

1362 (7) REGISTRATION AND RENEWALS.—

1363 (c) The department may not renew a certificate of

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1364 registration for a facility that is not compliant with this
1365 section unless documentation of corrective action is provided
1366 with the renewal application.

1367 (d)(e) A Any person whose certificate of registration has
1368 been revoked or suspended must reapply to the department for
1369 certification. A person, a company, or an entity, or a principal
1370 of a company or an entity whose certificate of registration has
1371 been revoked, may not reapply for a period of 3 years.

1372 Section 35. Paragraph (a) of subsection (5) of section
1373 597.010, Florida Statutes, is amended to read:

1374 597.010 Shellfish regulation; leases.—

1375 (5) LEASES IN PERPETUITY; RENT.—

1376 (a) All leases issued previously under ~~the provisions of s.~~
1377 379.2525 shall be enforced under the authority of this chapter,
1378 notwithstanding any other law to the contrary, and shall
1379 continue in perpetuity under such restrictions as stated in the
1380 lease agreement. The annual rental fee charged for all leases
1381 shall consist of the minimum rate of \$15 per acre, or any
1382 fraction of an acre, per year and may ~~shall~~ be adjusted on
1383 January 1, 1995, and every 5 years thereafter, based on the 5-
1384 year average change in the Consumer Price Index. Rent must ~~shall~~
1385 be paid in advance of January 1 of each year or, in the case of
1386 a new lease, at the time of signing, regardless of who holds the
1387 lease.

1388 Section 36. Paragraphs (b) and (c) of subsection (1) of
1389 section 599.012, Florida Statutes, are amended to read:

1390 599.012 Florida Wine Trust Fund; creation.—

1391 (1) There is established the Florida Wine Trust Fund within
1392 the Department of Agriculture and Consumer Services. The

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1393 department shall use the moneys deposited in the trust fund
1394 pursuant to subsection (2) to do all the following:

1395 (b) Promote wine ~~viticulture~~ products manufactured from
1396 products grown in the state.

1397 (c) Provide grants for wine and viticultural research.

1398 Section 37. Section 616.001, Florida Statutes, is amended
1399 to read:

1400 616.001 Definitions.—As used in this chapter, the term:

1401 (1) "Annual public fair" means a ~~community, county,~~
1402 ~~district, regional, or state~~ fair that is held and conducted by
1403 a fair association and permitted by the department pursuant to
1404 s. 616.15.

1405 (2) "Authority" means the Florida State Fair Authority.

1406 (3) ~~"Community fair" means an annual public fair that~~
1407 ~~serves an area of less than an entire county, has exhibits that~~
1408 ~~are in accordance with s. 616.17, and gives premiums or awards~~
1409 ~~to exhibitors. Agricultural products shall be produced in the~~
1410 ~~community the exhibit represents. The majority of the board of~~
1411 ~~directors of the fair shall reside, be employed, or operate a~~
1412 ~~business in the community the fair represents.~~

1413 ~~(4)~~ "Concession" means use by a fair association, or a
1414 grant, lease, or license to a third party, of a portion of the
1415 land under the ownership, custody, or control of a fair
1416 association for specific uses, or the right to enter upon the
1417 land for specific purposes, such as providing rides, games,
1418 food, beverage, merchandise for sale, exhibits, projects,
1419 activities, events, programs, or other uses authorized in this
1420 chapter.

1421 ~~(5) "County fair" means an annual public fair that serves~~

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1422 ~~an entire county and provides exhibitors with premiums or awards~~
1423 ~~for exhibits that are in accordance with s. 616.17. Agricultural~~
1424 ~~products must be typical of those produced in the county the~~
1425 ~~exhibit represents. The majority of the board of directors of~~
1426 ~~the fair shall reside, be employed, or operate a business in the~~
1427 ~~county that the fair association represents.~~

1428 (4)~~(6)~~ "Department" means the Department of Agriculture and
1429 Consumer Services.

1430 ~~(7)~~ "District fair" means ~~an annual public fair that serves~~
1431 ~~at least five counties and has exhibits that meet the~~
1432 ~~requirements of s. 616.17. A district fair shall pay at least~~
1433 ~~\$25,000 in cash premiums or awards to exhibitors. Agricultural~~
1434 ~~products must be typical of those produced in the counties the~~
1435 ~~exhibit represents. Livestock may originate from outside the~~
1436 ~~district, but must be registered in the exhibitor's name at~~
1437 ~~least 30 days before the opening day of the fair. Each county is~~
1438 ~~encouraged to have proportionate exhibits, typical of its~~
1439 ~~respective natural resources. Each county shall have exhibits~~
1440 ~~representing basic resources in agriculture and industry.~~

1441 (5)~~(8)~~ "Entry" means one item entered for competition or
1442 show. An entry may constitute an exhibit, depending upon the
1443 regulations stated in the premium book.

1444 (6)~~(9)~~ "Exhibit" means one or more entries entered for
1445 exhibition and constituting a unit. An exhibit may consist of
1446 one or more entries, depending upon the regulations stated in
1447 the premium book. The term includes parades and displays of
1448 articles or a collection of articles, whether static,
1449 interactive, or dynamic, by a fair association or a third party
1450 contracting with a fair association, such as exhibits of

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1451 animals, art, housewares, or motor vehicles.

1452 (7)~~(10)~~ "Exhibitor" means an individual, a group of
1453 individuals, or a business, including a fair association or
1454 third party contracting with a fair association, which has an
1455 exhibit.

1456 (8)~~(11)~~ "Fair association" or "association" means an
1457 association not for profit incorporated under this chapter for
1458 the purpose of conducting and operating public fairs or
1459 expositions.

1460 (9)~~(12)~~ "Public fair or exposition" means a project,
1461 activity, event, or program, and use by a fair association,
1462 including, but not limited to, the annual public fair, which
1463 serves the purposes specified in s. 616.08 and benefits and
1464 develops the educational, agricultural, horticultural,
1465 livestock, charitable, historical, civic, cultural, scientific,
1466 and other resources of this state, or any county, municipality,
1467 or other community in this state.

1468 ~~(13) "Regional fair" or "interstate fair" means an annual
1469 public fair of this state and other states in which fair
1470 exhibits meet the requirements of s. 616.17. Agricultural
1471 products must be typical of those produced in the area the
1472 exhibit represents.~~

1473 (10)~~(14)~~ "Specialized show" means a show or an exhibition
1474 exhibiting and emphasizing livestock or poultry, or a fruit or
1475 vegetable festival, and must meet the minimum exhibit
1476 requirements specified in s. 616.17. ~~A specialized show may
1477 qualify under one of the definitions in subsections (3), (5),
1478 (7), and (15).~~

1479 (11)~~(15)~~ "State fair" means an annual public fair that

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1480 serves the entire state. ~~Exhibits must comply with s. 616.17,~~
1481 ~~and cash premiums or awards may be given to exhibitors.~~

1482 Section 38. Section 616.01, Florida Statutes, is amended to
1483 read:

1484 616.01 Requirements for ~~Number of persons required;~~
1485 ~~requisites of~~ proposed charter. ~~Twenty-five or more persons who~~
1486 ~~are~~ Residents and qualified electors of the county in which the
1487 annual public fair is to be located, who wish to form an
1488 association not for profit for the purpose of conducting and
1489 operating public fairs or expositions, may become incorporated
1490 in the following manner. The applicant must ~~subscribers shall~~
1491 submit the proposed charter to the department for review and
1492 approval or denial. If the proposed charter is denied, the
1493 department must provide the applicant with a letter sent to the
1494 mailing address provided on the proposed charter and include a
1495 complete listing of all deficiencies, if any, which must be
1496 remedied before resubmittal of the proposed charter for
1497 approval. If the proposed charter is approved, the applicant
1498 must ~~subscribers shall~~ sign and present a notarized copy of the
1499 proposed charter to the judge of the circuit court for the
1500 county in which the principal office of the association will be
1501 located. The proposed charter must specify:

1502 (1) The name of the association and the place where the
1503 principal office is to be located. The name of the association
1504 must ~~shall~~ include the word, "Inc."

1505 (2) The general nature of the objectives and powers of the
1506 association, including a provision that the association is
1507 incorporated for the sole purpose of conducting and operating
1508 public fairs or expositions.

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1509 (3) The qualifications and terms of association members and
1510 criteria for their admission and expulsion. Provision must ~~may~~
1511 be made in the charter for ex officio membership.

1512 (4) The time for which the association is to exist.

1513 (5) The name and residence of each subscriber.

1514 (6) Procedures for the election of and governance by
1515 officers, who may be elected or appointed.

1516 (7) The designation of officers who will manage the affairs
1517 of the association until the first election or appointment under
1518 the charter.

1519 (8) Procedures for the adoption, amendment, or rescission
1520 of bylaws of the association.

1521 (9) The highest amount of indebtedness or liability that
1522 may be accrued by the association.

1523 (10) The name of an elected member of the board of county
1524 commissioners of the county in which the principal office of the
1525 association will be located, who will serve as an ex officio
1526 member of the board of directors of the association.

1527 (11) The official e-mail address of the association which
1528 will be used for the purpose of official communication between
1529 the association and governmental entities.

1530 (12) The language for the oath that will be taken by the
1531 applicant, which must include, but is not limited to, all of the
1532 following:

1533 (a) That the primary objective of the association is for
1534 public service and to hold, conduct, and promote public fairs or
1535 expositions.

1536 (b) That money and other available assets in value
1537 exceeding \$5,000 have been provided for purposes designated by

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1538 the association.

1539 (c) That the association will operate in good faith to
1540 carry out the purposes and objectives set forth in the charter.

1541 Section 39. Section 616.02, Florida Statutes, is amended to
1542 read:

1543 616.02 Fair associations per county ~~Acknowledgment of~~
1544 ~~charter.~~-

1545 (1) Beginning July 1, 2026, there may be only one
1546 incorporated fair association per county in this state,
1547 excluding the state fair, which may be incorporated and
1548 conducted in any county. The department may not approve a
1549 proposed charter incorporating a fair association within the
1550 same county in which a fair association currently exists. The
1551 department may waive this requirement at the discretion of the
1552 Commissioner of Agriculture.

1553 (2) Any fair association incorporated before July 1, 2026,
1554 may conduct public fairs or expositions and exercise the
1555 authority provided to them pursuant to this chapter ~~The proposed~~
1556 ~~charter of a fair association shall be acknowledged by at least~~
1557 ~~three of its subscribers before an officer authorized to make~~
1558 ~~acknowledgment of deeds. Subscribers shall also make and take an~~
1559 ~~oath, which must be attached to the proposed charter, stating~~
1560 ~~that the primary objective of the association is public service~~
1561 ~~and holding, conducting, and promoting public fairs or~~
1562 ~~expositions; that money and other available assets in value~~
1563 ~~exceeding \$5,000 have been provided for the purposes of the~~
1564 ~~association; and that the association will operate in good faith~~
1565 ~~to carry out the purposes and objectives set forth in its~~
1566 ~~charter.~~

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1567 Section 40. Section 616.03, Florida Statutes, is amended to
1568 read:

1569 616.03 ~~Notice of application;~~ Approval and record of
1570 charter. Upon approval by the department, ~~A notice of intention~~
1571 ~~to apply to the circuit court for the charter of a fair~~
1572 ~~association must specify the date that application will be made,~~
1573 ~~shall be sent to the department for approval, and shall be~~
1574 ~~published in a newspaper in the county where the principal~~
1575 ~~office of the association will be located once each week for 4~~
1576 ~~consecutive weeks. The notice must briefly summarize the charter~~
1577 ~~and objectives of the proposed association. the proposed charter~~
1578 must shall be submitted to and approved by the board of county
1579 commissioners of the county in which the principal office of the
1580 association will be located. After approval by the ~~department~~
1581 ~~and the~~ board of county commissioners, the proposed charter and
1582 proof of approval must and publication shall be submitted to the
1583 circuit judge ~~on the date specified in the notice~~. If no cause
1584 is shown to the contrary and the judge finds that the proposed
1585 charter is in proper form and will serve the primary objective
1586 of public service, the judge must shall approve the charter and
1587 issue an order incorporating the applicant subscribers under the
1588 charter for the objectives and purposes specified in the
1589 charter. The charter and order of incorporation must shall be
1590 recorded in the office of the clerk of the circuit court in the
1591 county where the principal office of the association will be
1592 located and provided to the department. After the order is
1593 recorded, the applicant subscribers and any their associates are
1594 incorporated with the objectives and powers established in the
1595 charter and under the name given in the charter. ~~During the~~

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1596 ~~publication period, the proposed charter shall be on file in the~~
1597 ~~office of the clerk of the circuit court.~~ This section does not
1598 preclude a fair association from also filing its duly approved
1599 charter with the Department of State pursuant to chapter 617 for
1600 notice purposes.

1601 Section 41. Subsection (2) of section 616.05, Florida
1602 Statutes, is amended to read:

1603 616.05 Amendment of charter.—A fair association may propose
1604 an amendment to its charter by resolution as provided in its
1605 charter or bylaws.

1606 (2) After the department approves the proposed amendment,
1607 it will be incorporated into the original charter upon:

1608 (a) ~~Publication of notice in the same manner as provided in~~
1609 ~~s. 616.03;~~

1610 ~~(b)~~ Filing the order of the circuit judge approving the
1611 amendment with the office of the clerk of the circuit court and
1612 the department; and

1613 (b) ~~(e)~~ Being recorded in the clerk's office.

1614

1615 If a fair association has filed its charter with the Department
1616 of State pursuant to chapter 617, a copy of any amendment to the
1617 charter must be filed with the Department of State for notice
1618 purposes.

1619 Section 42. Section 616.051, Florida Statutes, is amended
1620 to read:

1621 616.051 Dissolving a charter.—

1622 (1) A fair association may dissolve its charter by
1623 resolution as provided in its charter or bylaws. The proposal
1624 for dissolving the charter shall be submitted to the department

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1625 for approval.

1626 (2) Upon approval by the department and upon presentation
1627 of sufficient evidence demonstrating and publication of notice
1628 ~~and proof~~ that all indebtedness has been paid and no claims are
1629 outstanding against the association, the circuit judge may, by
1630 decree, dissolve the association and order the distribution of
1631 its remaining assets. Such assets must be distributed, by
1632 resolution of the board of directors, to the county in which the
1633 principal office of the association is located unless otherwise
1634 specified by the deed of the property held by the association
1635 ~~its remaining public funds to be distributed as recommended by~~
1636 ~~the board of directors.~~

1637 Section 43. Subsection (3) of section 616.07, Florida
1638 Statutes, is amended, and subsections (1) and (2) of that
1639 section are republished, to read:

1640 616.07 Members not personally liable; property of
1641 association held in trust; exempt from taxation.-

1642 (1) A member, officer, director, or trustee of a fair
1643 association is not personally liable for any of the debts of the
1644 association, and money or property of a fair association may not
1645 be distributed as profits or dividends among its members,
1646 officers, directors, or trustees.

1647 (2) All money and property of the association, except that
1648 necessary for the payment of its just debts and liabilities, are
1649 public property, shall be administered by the association as
1650 trustee, and shall be used exclusively for the legitimate
1651 purpose of the association. So long as they are used for that
1652 purpose, all money and property of the association are exempt
1653 from all forms of taxation, including special assessments, and

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1654 any projects, activities, events, programs, and uses authorized
1655 by this part serve an essential governmental purpose and,
1656 therefore, are not taxable and are not subject to assessments.
1657 This subsection does not apply to chapter 212.

1658 ~~(3) Upon order of the circuit judge, any public funds or~~
1659 ~~property remaining in a fair association when the association is~~
1660 ~~dissolved shall be distributed by resolution of the board of~~
1661 ~~directors to any county or any municipality within the county.~~
1662 ~~The board may designate in the distribution resolution the~~
1663 ~~public project that will benefit from the funds or the manner in~~
1664 ~~which the property will be used. If property has been~~
1665 ~~contributed by a municipality or county, the property shall be~~
1666 ~~reconveyed to the municipality or county that gave the property~~
1667 ~~to the association.~~

1668 Section 44. Section 616.101, Florida Statutes, is amended
1669 to read:

1670 616.101 Annual review of accounts and records; review of
1671 charter.—

1672 (1) The accounts and records of a every fair association
1673 whose annual public fair has an annual attendance of more than
1674 25,000, based upon recorded attendance from the previous year,
1675 must shall be reviewed annually by a qualified accountant
1676 licensed by the state. A fair association whose annual public
1677 fair has an annual attendance of 25,000 or fewer, based upon
1678 recorded attendance from the previous year, or a fair
1679 association that is holding an annual public fair for the first
1680 time, must submit an annual financial statement that has been
1681 signed by an officer of the county. The results of the reviews
1682 must shall be kept in the official records of each association,

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1683 available to all directors of the association. A certified copy
1684 of the review must ~~shall~~ be filed with the department:

1685 (a)(1) On request by the department to certify expenditures
1686 of the premiums awarded to exhibitors of a fair or of building
1687 funds if ~~when~~ there is evidence of a violation of state laws; or

1688 (b)(2) When the association is applying for a fair permit.

1689 (2) A fair association shall, every 5 years beginning July
1690 1, 2026, review its charter and submit to the department a
1691 certified copy of the charter which incorporates any amendment
1692 made during the last 5 years. A designated member of the
1693 association shall attest that the charter is accurate and
1694 factual when submitting the certified copy to the department.

1695 Section 45. Section 616.15, Florida Statutes, is amended to
1696 read:

1697 616.15 Permit from Department of Agriculture and Consumer
1698 Services required.—

1699 (1) An annual public fair may not be conducted by a fair
1700 association without a permit issued by the department. The
1701 association shall present to the department an application for a
1702 permit, signed by an officer of the association, at least 90
1703 calendar days ~~3 months~~ before holding the annual public fair.

1704 The application must ~~shall~~ be accompanied by a fee in an amount
1705 to be determined by the department for processing the
1706 application and making any required investigation. The
1707 application fee must be at least \$183 and may not exceed \$366.
1708 Fees collected under this subsection shall be deposited in the
1709 General Inspection Trust Fund of the State Treasury in a special
1710 account to be known as the "Agricultural and Livestock Fair
1711 Account." A copy of the application must be sent to each fair

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1712 association located within 50 miles of the site of the proposed
1713 annual public fair at the same time the application is sent to
1714 the department. The department may issue a permit if the
1715 applicant provides:

1716 (a) The opening and closing dates of the proposed annual
1717 public fair.

1718 (b) The name and address of the owner of the central
1719 amusement attraction that will operate during the annual public
1720 fair.

1721 (c) An affidavit properly executed by the president or
1722 chief executive officer of the applicant association certifying
1723 the existence of a binding contract entered into by the
1724 association and the owner of the central amusement attraction
1725 covering the period for which the permit from the department is
1726 applied. The contract between the parties must ~~shall~~ be
1727 available for inspection by duly authorized agents of the
1728 department in administering this chapter.

1729 (d) A copy of the association's charter which incorporates
1730 all amendments made ~~A written statement that the main purpose of~~
1731 ~~the association is to conduct and operate a public fair and~~
1732 ~~exposition, including the annual fair, for the benefit and~~
1733 ~~development of the educational, agricultural, horticultural,~~
1734 ~~livestock, charitable, historical, civic, cultural, scientific,~~
1735 ~~and other resources of the geographical area the fair~~
1736 ~~association represents and serves. The statement must be~~
1737 ~~subscribed and acknowledged by an officer of the association~~
1738 ~~before an officer authorized to take acknowledgments.~~

1739 (e) A premium list of the current annual public fair to be
1740 conducted and ~~or~~ a copy of the previous year's premium list

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1741 showing all premiums and awards to be offered to exhibitors in
1742 various departments of the annual public fair, which may
1743 include, but are not limited to, art exhibition, beef cattle,
1744 county exhibits, dairy cattle, horticulture, swine, women's
1745 department, 4-H Club activities, Future Farmers of America
1746 activities, Future Homemakers of America activities, poultry and
1747 egg exhibits, and community exhibits. The premium list, which
1748 may be submitted separately from the application, must be
1749 submitted at least 60 calendar days before the annual public
1750 fair begins operation.

1751 (f) A complete listing of all exhibits required pursuant to
1752 s. 616.17 Proof of liability insurance insuring the association
1753 against liability for injury to persons, in an amount of not
1754 less than \$300,000 per occurrence.

1755 ~~(g) A copy of the most recent review.~~

1756 ~~(h) A list of all current members of the board of directors~~
1757 ~~of the association and their contact information, including home~~
1758 ~~address.~~

1759
1760 The department shall issue the permit within 10 calendar days
1761 after it receives ~~all~~ the information required by this
1762 subsection and the applicant qualifies pursuant to this section.

1763 (2) At least 21 calendar days before holding the annual
1764 public fair, the association shall present the department with
1765 all of the following information:

1766 (a) Proof of liability insurance insuring the association
1767 against liability for injury to persons, in an amount not less
1768 than \$300,000 per occurrence.

1769 (b) A copy of the association's most recent annual

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1770 financial statement pursuant to s. 616.101.

1771 (c) A list of all current members of the board of directors
1772 of the association and their contact information, including
1773 mailing addresses.

1774 (3)-(2) The department shall administer and enforce ~~the~~
1775 ~~provisions of~~ this chapter except as to the regulation of games,
1776 which shall be regulated by local law enforcement agencies. The
1777 department shall adopt rules to administer this chapter,
1778 including rules governing the form and contents of the
1779 application for the permit and any reports that it deems ~~may~~
1780 ~~deem~~ necessary in enforcing the provisions of this chapter.

1781 (4)-(3) Notwithstanding any fair association meeting the
1782 requirements set forth in subsection (1), the department may
1783 order a full investigation to determine if the fair association
1784 meets the requirements of this part ~~s. 616.01~~, and may withhold
1785 a permit from, deny a permit to, or withdraw a permit once
1786 issued to the association. The department shall also consider
1787 whether any proposed annual public fair, as set forth in an
1788 application for a permit, will compete with another annual
1789 public fair within 50 miles of the proposed annual public fair
1790 with respect to name, dates of operation, or market. The
1791 department may deny, withhold, or withdraw a permit from a fair
1792 association if the department determines that such fair
1793 association will compete with another association. The
1794 department shall give preference to existing fair associations
1795 with established dates, locations, and names. The determination
1796 by the department is final.

1797 Section 46. Section 616.251, Florida Statutes, is amended
1798 to read:

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1799 616.251 Florida State Fair Authority; creation;
1800 responsibility for staging annual state fair; exemptions.-

1801 (1) There is created and constituted the "Florida State
1802 Fair Authority," a public body corporate and politic, for the
1803 purposes and with the powers set forth in this part. Such
1804 instrumentality, hereinafter referred to as "the authority,"
1805 shall have perpetual succession. For the purposes of
1806 implementing the intent of this part, the authority shall be
1807 considered an instrumentality of the state, subject to the
1808 jurisdiction of the state. Any conflict with respect to that
1809 jurisdiction will be resolved by the authority and respective
1810 state agencies.

1811 (2) The authority shall operate under the supervision of
1812 the Commissioner of Agriculture, which supervision may include,
1813 but is not limited to, assisting, advising, and making
1814 recommendations regarding the financing and operation of the
1815 authority. In assisting and advising the authority, the
1816 Commissioner of Agriculture may make appropriate staff of the
1817 department available to the authority.

1818 (3) The authority is charged with the responsibility of
1819 staging an annual fair to serve the entire state. Cash premiums
1820 or awards may be given to exhibitors.

1821 (4) The authority shall be exempt from the requirements of
1822 part I of this chapter.

1823 (5)~~(4)~~ The principal offices of the authority shall be in
1824 such place or places in or near the City of Tampa as the
1825 authority may from time to time designate.

1826 Section 47. Subsection (1) of section 843.085, Florida
1827 Statutes, is amended, and subsection (5) of that section is

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1828 republished, to read:

1829 843.085 Unlawful use of badges or other indicia of
1830 authority.—

1831 (1) It is unlawful for any person, unless appointed by the
1832 Governor pursuant to chapter 354, authorized by the appropriate
1833 agency, or displayed in a closed or mounted case as a collection
1834 or exhibit, to wear or display any authorized indicia of
1835 authority, including any badge, insignia, emblem, identification
1836 card, or uniform, or any colorable imitation thereof, of any
1837 federal, state, county, or municipal law enforcement agency, or
1838 other criminal justice agency as defined in s. 943.045, with the
1839 intent to mislead or cause another person to believe that he or
1840 she is a member of that agency or is authorized to display or
1841 wear such item, or to wear or display any item that displays in
1842 any manner or combination the word or words "police,"
1843 "patrolman," "patrolwoman," "agent," "sheriff," "deputy,"
1844 "trooper," "highway patrol," "commission officer," "Wildlife
1845 Officer," "Department of Environmental Protection officer,"
1846 "Marine Patrol Officer," "state attorney," "public defender,"
1847 "marshal," "constable," "bailiff," ~~or~~ "fire department,"
1848 "concealed weapon permit," or "concealed weapon permit holder"
1849 with the intent to mislead or cause another person to believe
1850 that he or she is a member of that agency, if applicable, or is
1851 authorized to wear or display such item.

1852 (5) A violation of this section is a misdemeanor of the
1853 first degree, punishable as provided in s. 775.082 or s.
1854 775.083. This section is cumulative to any law now in force in
1855 the state.

1856 Section 48. Section 865.065, Florida Statutes, is reordered

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1857 and amended to read:

1858 865.065 Disparagement of ~~perishable~~ agricultural food
1859 products; cause of action; limitation.-

1860 (1) The Legislature finds, determines, and declares that
1861 the production of agricultural food products constitutes an
1862 important and significant portion of the state economy and that
1863 it is imperative to protect the vitality of the agricultural
1864 economy for the citizens of this state by providing a cause of
1865 action for agricultural producers to recover damages for the
1866 disparagement of any ~~perishable~~ agricultural product.

1867 (2) For purposes of this section, the term:

1868 (b)~~(a)~~ "Disparagement" means the willful or malicious
1869 dissemination to the public in any manner of any false
1870 information that an ~~a~~ ~~perishable~~ agricultural food product is
1871 not safe for human consumption. False information is that
1872 information which is not based on reliable, scientific facts and
1873 reliable, scientific data which the disseminator knows or should
1874 have known to be false.

1875 (a)~~(b)~~ "~~Perishable~~ Agricultural food product" means any
1876 agricultural or aquacultural food product or commodity grown or
1877 produced within this ~~the~~ state for a commercial purpose. The
1878 term also includes any agricultural practices used in the
1879 production of such products ~~of Florida which is sold or~~
1880 ~~distributed in a form that will perish or decay within a~~
1881 ~~reasonable period of time~~.

1882 (c) "Producer" means the person who actually grows or
1883 produces ~~perishable~~ agricultural food products.

1884 (3) Any producer or any association representing producers
1885 of ~~perishable~~ agricultural food products which suffers damages

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1886 as a result of another person's disparagement of any such
1887 ~~perishable~~ agricultural food product may bring an action for
1888 damages and for any other relief a court of competent
1889 jurisdiction deems appropriate, including, but not limited to,
1890 compensatory and punitive damages, reasonable attorney fees, and
1891 costs of the action.

1892 (4) The statute of limitations for disparagement of
1893 ~~perishable~~ agricultural food products is 2 years from the date
1894 the disparagement occurs.

1895 Section 49. Subsection (27) is added to section 934.02,
1896 Florida Statutes, to read:

1897 934.02 Definitions.—As used in this chapter:

1898 (27) "Signal jamming device" means a device or process,
1899 such as a phone jammer, global positioning systems blocker, or
1900 other similar device designed to intentionally block, jam, or
1901 interfere with radio communications, such as cellular and
1902 personal communication services, police radar, or global
1903 positioning systems.

1904 Section 50. Section 934.51, Florida Statutes, is created to
1905 read:

1906 934.51 Possession, use, and sale of signal jamming device;
1907 prohibition; exceptions; penalties.—

1908 (1) PROHIBITION.—It is unlawful to possess, manufacture,
1909 hold or offer for sale, sell, import, distribute, or use a
1910 signal jamming device in this state.

1911 (2) EXCEPTIONS.—This section does not apply to a federal or
1912 military law enforcement agency that lawfully installs, places,
1913 or uses a signal jamming device as part of a criminal
1914 investigation, or to any person duly authorized by the Federal

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1915 Communications Commission.

1916 (3) PENALTIES.—A person who violates this section commits a
1917 misdemeanor of the first degree, punishable as provided in s.
1918 775.082 or s. 775.083.

1919 Section 51. Paragraph (a) of subsection (4) and subsection
1920 (6) of section 288.1175, Florida Statutes, are amended to read:
1921 288.1175 Agriculture education and promotion facility.—

1922 (4) The Department of Agriculture and Consumer Services
1923 shall certify a facility as an agriculture education and
1924 promotion facility if the Department of Agriculture and Consumer
1925 Services determines that:

1926 (a) The applicant is a unit of local government as defined
1927 in s. 218.369, or a fair association as defined in s. 616.001(8)
1928 ~~s. 616.001(11)~~, which is responsible for the planning, design,
1929 permitting, construction, renovation, management, and operation
1930 of the agriculture education and promotion facility or holds
1931 title to the property on which such facility is to be developed
1932 and located.

1933 (6) Funds may not be expended to develop or subsidize
1934 privately owned facilities, except for facilities owned by fair
1935 associations as defined in s. 616.001(8) ~~s. 616.001(11)~~.

1936 Section 52. For the purpose of incorporating the amendment
1937 made by this act to section 287.1351, Florida Statutes, in a
1938 reference thereto, subsection (4) of section 287.056, Florida
1939 Statutes, is reenacted to read:

1940 287.056 Purchases from purchasing agreements and state term
1941 contracts; vendor disqualification.—

1942 (4) A firm or individual placed on the suspended vendor
1943 list pursuant to s. 287.1351 or placed on a disqualified vendor

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1944 list pursuant to s. 287.133 or s. 287.134 is immediately
1945 disqualified from state term contract eligibility.

1946 Section 53. For the purpose of incorporating the amendment
1947 made by this act to section 287.1351, Florida Statutes, in a
1948 reference thereto, subsection (5) of section 287.138, Florida
1949 Statutes, is reenacted to read:

1950 287.138 Contracting with entities of foreign countries of
1951 concern prohibited.—

1952 (5) The Attorney General may bring a civil action in any
1953 court of competent jurisdiction against an entity that violates
1954 this section. Violations of this section may result in:

1955 (a) A civil penalty equal to twice the amount of the
1956 contract for which the entity submitted a bid or proposal for,
1957 replied to, or entered into;

1958 (b) Ineligibility to enter into, renew, or extend any
1959 contract, including any grant agreements, with any governmental
1960 entity for up to 5 years;

1961 (c) Ineligibility to receive or renew any license,
1962 certification, or credential issued by a governmental entity for
1963 up to 5 years; and

1964 (d) Placement on the suspended vendor list pursuant to s.
1965 287.1351.

1966 Section 54. For the purpose of incorporating the amendment
1967 made by this act to section 500.04, Florida Statutes, in a
1968 reference thereto, subsection (1) of section 500.177, Florida
1969 Statutes, is reenacted to read:

1970 500.177 Penalty for violation of s. 500.04; dissemination
1971 of false advertisement.—

1972 (1) Any person who violates any provision of s. 500.04 is

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1973 guilty of a misdemeanor of the second degree, punishable as
1974 provided in s. 775.082 or s. 775.083; but, if the violation is
1975 committed after a conviction of such person under this section
1976 has become final, such person is guilty of a misdemeanor of the
1977 first degree, punishable as provided in s. 775.082 or s.
1978 775.083.

1979 Section 55. For the purpose of incorporating the amendment
1980 made by this act to section 616.07, Florida Statutes, in a
1981 reference thereto, subsection (13) of section 212.08, Florida
1982 Statutes, is reenacted to read:

1983 212.08 Sales, rental, use, consumption, distribution, and
1984 storage tax; specified exemptions.—The sale at retail, the
1985 rental, the use, the consumption, the distribution, and the
1986 storage to be used or consumed in this state of the following
1987 are hereby specifically exempt from the tax imposed by this
1988 chapter.

1989 (13) LIMITATIONS ON EXEMPTIONS.—No transactions shall be
1990 exempt from the tax imposed by this chapter except those
1991 expressly exempted herein. All laws granting tax exemptions, to
1992 the extent they may be inconsistent or in conflict with this
1993 chapter, including, but not limited to, the following designated
1994 laws, shall yield to and be superseded by the provisions of this
1995 subsection: ss. 125.019, 153.76, 154.2331, 159.15, 159.31,
1996 159.50, 159.708, 163.385, 163.395, 215.76, 243.33, 315.11,
1997 348.65, 348.762, 349.13, 403.1834, 616.07, and 623.09, and the
1998 following Laws of Florida, acts of the year indicated: s. 31,
1999 chapter 30843, 1955; s. 19, chapter 30845, 1955; s. 12, chapter
2000 30927, 1955; s. 8, chapter 31179, 1955; s. 15, chapter 31263,
2001 1955; s. 13, chapter 31343, 1955; s. 16, chapter 59-1653; s. 13,

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2002 chapter 59-1356; s. 12, chapter 61-2261; s. 19, chapter 61-2754;
2003 s. 10, chapter 61-2686; s. 11, chapter 63-1643; s. 11, chapter
2004 65-1274; s. 16, chapter 67-1446; and s. 10, chapter 67-1681.

2005 This subsection does not supersede the authority of a local
2006 government to adopt financial and local government incentives
2007 pursuant to s. 163.2517.

2008 Section 56. For the purpose of incorporating the amendment
2009 made by this act to section 616.15, Florida Statutes, in a
2010 reference thereto, section 616.185, Florida Statutes, is
2011 reenacted to read:

2012 616.185 Trespass upon grounds or facilities of public fair;
2013 penalty; arrests.—

2014 (1) For the purposes of this chapter, trespass upon the
2015 grounds of the Florida State Fair Authority or any other fair
2016 association permitted under s. 616.15 means:

2017 (a) Entering and remaining upon any grounds or facilities
2018 owned, operated, or controlled by the Florida State Fair
2019 Authority or any other association permitted under s. 616.15 and
2020 committing any act that disrupts the orderly conduct of any
2021 authorized activity of the fair association in charge, or its
2022 lessees, licensees, or the general public on those grounds or
2023 facilities; or

2024 (b) Entering and remaining on those grounds or facilities
2025 after being directed not to enter or to leave them by the
2026 executive director of the authority, chief administrative
2027 officer of the fair association, or any employee or agent of the
2028 association designated by the executive director or
2029 administrator to maintain order on those grounds and facilities,
2030 after a determination by the executive director, administrator,

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2031 employee, or agent that the entering or remaining on those
2032 grounds or facilities is in violation of the rules and
2033 regulations of the Florida State Fair Authority or permitted
2034 fair association or is disrupting the orderly conduct of any
2035 authorized activity of the fair association in charge, or its
2036 lessees, licensees, or the general public on those grounds or
2037 facilities.

2038 (2) Any person committing the offense of trespass upon the
2039 grounds of the Florida State Fair Authority or any other fair
2040 association permitted under s. 616.15 commits a misdemeanor of
2041 the second degree, punishable as provided in s. 775.082 or s.
2042 775.083.

2043 (3) A law enforcement officer may arrest any person on or
2044 off the premises, without a warrant, if the officer has probable
2045 cause for believing such person has committed the offense of
2046 trespass upon the grounds of the Florida State Fair Authority or
2047 any fair association permitted under s. 616.15. Such an arrest
2048 does not render the law enforcement officer criminally or
2049 civilly liable for false arrest, false imprisonment, or unlawful
2050 detention.

2051 Section 57. This act shall take effect July 1, 2026.