

Tab 1	SB 178 by Rouson ; Agronomic Study on Emerging Crops
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Tab 2	SB 700 by Truenow ; Similar to H 00651 Department of Agriculture and Consumer Services
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507790	D	S		AG, Truenow	Delete everything after	03/10 03:17 PM

Tab 3	SB 786 by Truenow ; Identical to H 00589 Improvements to Structures on Agricultural Lands
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Tab 4	SB 980 by Bernard ; Similar to H 01245 Hunger-Free Campus Pilot Program
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

AGRICULTURE
Senator Truenow, Chair
Senator Grall, Vice Chair

MEETING DATE: Tuesday, March 11, 2025
TIME: 4:00—6:00 p.m.
PLACE: 301 Senate Building

MEMBERS: Senator Truenow, Chair; Senator Grall, Vice Chair; Senators Bernard, Boyd, Burton, and Rouson

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 178 Rouson	Agronomic Study on Emerging Crops; Requiring Florida Agricultural and Mechanical University to conduct an agronomic study on emerging crops in this state, subject to legislative appropriation; requiring Florida Agricultural and Mechanical University to submit a report to the Governor and the Legislature by a specified date, etc.	AG 03/11/2025 AEG FP
2	SB 700 Truenow (Similar H 651, Compare H 1159, S 1194)	Department of Agriculture and Consumer Services; Providing that certain positions in the department are exempt from the Career Service System; prohibiting a person from knowingly or willfully performing certain actions on lands classified as agricultural; requiring that certain lands owned by an electric utility be offered for sale for less than fee simple acquisition of development rights by this state before certain circumstances; requiring local governmental entities to issue permits for electric vehicle charging stations based on specified standards and provisions of law, etc.	AG 03/11/2025 AEG FP
3	SB 786 Truenow (Identical H 589)	Improvements to Structures on Agricultural Lands; Prohibiting assessment of any agricultural improvements used for certain purposes on specified lands, etc.	AG 03/11/2025 FT AP

COMMITTEE MEETING EXPANDED AGENDA

Agriculture

Tuesday, March 11, 2025, 4:00—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 980 Bernard (Similar H 1245)	Hunger-Free Campus Pilot Program; Citing this act as the "Hunger-Free Campus Act"; establishing the pilot program within the Department of Agriculture and Consumer Services for a specified period; requiring the Commissioner of Agriculture to identify the three state universities or Florida College System institutions with the highest percentage of Pell Grant-eligible students for participation in the pilot program; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study to evaluate food insecurity on the campuses of state universities and Florida College System institutions, etc. AG 03/11/2025 AEG FP	

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 178

INTRODUCER: Senator Rouson

SUBJECT: Agronomic Study on Emerging Crops

DATE: March 10, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Burse	Becker	AG	Pre-meeting
2.			AEG	
3.			FP	

I. Summary:

SB 178 directs Florida Agricultural and Mechanical University (FAMU), subject to appropriation, to conduct an agronomic study on emerging agricultural crops and determine whether there exists one or more viable crops or products that would provide economic benefit to growers using current agricultural infrastructure on land that has been taken out of production due to the effects of diseases and adverse weather conditions.

The bill also requires FAMU, by December 1, 2025, to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The bill shall take effect July 1, 2025.

II. Present Situation:

Florida Agriculture

Florida's 44,400 farms and ranches utilize 9.7 million acres and continue to produce a wide variety of safe and dependable food products.¹ Agricultural land (cropland and rangeland) and forest land make up nearly two-thirds of the state's land area.² There are an estimated 200-300 commodities produced and some form of agriculture in all 67 counties.³ Florida's agriculture, natural resources, and food industries supported 2.4 million fulltime and part-time jobs

¹ FDACS, Florida Agriculture Overview and Statistics, available at <https://www.fdacs.gov/Agriculture-Industry/Florida-Agriculture-Overview-and-Statistics> (last visited March 5, 2025).

² IFAS, Florida's Agriculture and Natural Resource Facts, available at <https://ifas.ufl.edu/media/ifasufledu/ifas-dark-blue/docs/pdf/impact/FloridaAgFactsFactsheet.2020.Prt.pdf> (last visited March 5, 2025).

³ IFAS, Florida's Agriculture and Food System Fast Facts 2021, available at <https://branding.ifas.ufl.edu/downloads/uploads/Extension%20Brochures/IFAS/Florida-Agriculture-Food-System-Fast-Facts.pdf> (last visited March 5, 2025).

throughout Florida's economy (14.2% of all jobs in the state), contributing \$149.6 billion to gross state product in 2018.⁴

In 2021, Florida ranked first in the United States in total floriculture sales and in the value of production for sweetcorn, foliage plants for indoor use, Valencia oranges, sugarcane, fresh market tomatoes, and watermelons. Florida ranked second nationally in the value of production for bell peppers, grapefruit, all oranges, strawberries, and non-Valencia oranges. The state ranked fourth in cabbage, cantaloupe and peanuts.⁵ The state also ranked 1st in ornamental fish, 2nd in alligators, and 3rd in horses and ponies in the United States.⁶

Challenges Facing Florida Agriculture

Florida Citrus

Huanglongbing (HLB), also known as citrus greening or yellow dragon disease, is one of the most serious citrus diseases in the world and a significant issue facing Florida's citrus industry. HLB is a bacterial disease widespread in Asia, Africa and the Saudi Arabian that attacks the vascular system of plants. Once infected, there is no cure for the disease, and in areas where the disease is endemic, citrus trees decline and die within a few years.⁷

The HLB bacteria is transmitted primarily by insect vectors (citrus psyllids) but can also be spread through plant grafting and movement of infected plant material. Even though the pathogens are bacteria, the disease does not spread by casual contamination of personnel and tools or by wind and rain.⁸

Florida's citrus industry continues to decline due to the ongoing effects of citrus greening, competition with foreign markets, and other environmental factors. During the 2022-2023 season, Florida produced 28 million boxes of all types of oranges.⁹ The forecast for the 2024-2025 season is 12 million boxes.¹⁰ For reference, in the 2007-2008 season Florida produced 170 million boxes of oranges.¹¹

⁴ IFAS, Florida's Agriculture and Natural Resource Facts, available at <https://ifas.ufl.edu/media/ifasufledu/ifas-dark-blue/docs/pdf/impact/FloridaAgFactsFactsheet.2020.Prt.pdf> (last visited March 5, 2025).

⁵ *Id.*

⁶ *Id.*

⁷ FDACS, Huanglongbing (HLB)/Citrus Greening Disease Information, available at <https://www.fdacs.gov/Agriculture-Industry/Pests-and-Diseases/Plant-Pests-and-Diseases/Citrus-Health-Response-Program/Citrus-Pests-and-Diseases/HLB-Citrus-Greening> (last visited March 5, 2025).

⁸ *Id.*

⁹ United States Department of Agriculture and Consumer Services National Agricultural Statistics Service October 2022 Citrus Forecast, available at https://www.nass.usda.gov/Statistics_by_State/Florida/Publications/Citrus/Citrus_Forecast/2022-23/cit1022.pdf

¹⁰ United States Department of Agriculture and Consumer Services National Agricultural Statistics Service January 2025 Citrus Forecast, available at https://www.nass.usda.gov/Statistics_by_State/Florida/Publications/Citrus/Citrus_Forecast/2024-25/cit0125.pdf

¹¹ United States Department of Agriculture and Consumer Services National Agricultural Statistics Service June 2009 Citrus Forecast, available at https://www.nass.usda.gov/Statistics_by_State/Florida/Publications/Citrus/Citrus_Forecast/2008-09/cit0609.pdf

2024 Hurricanes

The 2024 hurricane season saw three hurricanes make landfall in Florida, all of which had a significant impact on agricultural lands. Hurricane Debby, which made landfall on August 5, 2024 as a Category 1 hurricane, resulted in agricultural losses estimated at \$170 million. Hurricane Helene, which made landfall on September 26, 2024 as a Category 4 hurricane, resulted in agricultural losses estimated between \$40.3 and \$162.2 million. Hurricane Milton, which made landfall on October 9, 2024 as a Category 3 hurricane, resulted in agricultural losses estimated between \$190.4 and \$642.7 million. In total, cumulative agricultural production losses in Florida for the 2024 hurricane season are estimated to be between \$402.3 million and \$975.8 million.¹²

III. Effect of Proposed Changes:

Section 1 directs Florida Agricultural and Mechanical University (FAMU), subject to appropriation, to conduct an agronomic study on emerging agricultural crops and determine whether there exists one or more viable crops or products that would provide economic benefit to growers using current agricultural infrastructure on land that has been taken out of production due to the effects of diseases and adverse weather conditions.

The bill also directs FAMU, by December 1, 2025, to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives that includes the following:

- Information about each crop or product considered, detailing the environmental impact;
- An assessment of each crop's suitability to Florida's climate, and the expected economic benefit to Florida growers and communities; and
- Recommendations for best practices to sustain and improve Florida's agricultural industry.

Section 2 provides that the bill shall take effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹² Presentation by Dr. Christa D. Court, Associate Professor at the University of Florida, to the Senate Agriculture Committee on January 14, 2025. On file with the Senate Agriculture Committee.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an unnumbered section of Florida law.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Rouson

16-01357A-25

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1 A bill to be entitled
 2 An act relating to an agronomic study on emerging
 3 crops; requiring Florida Agricultural and Mechanical
 4 University to conduct an agronomic study on emerging
 5 crops in this state, subject to legislative
 6 appropriation; requiring Florida Agricultural and
 7 Mechanical University to submit a report to the
 8 Governor and the Legislature by a specified date;
 9 providing requirements for the report; providing an
 10 effective date.

11

12 WHEREAS, the Legislature finds that Florida agricultural
 13 producers have endured a continuous stream of deadly diseases
 14 and adverse weather conditions, including drought, wind,
 15 flooding, and hurricanes, and

16 WHEREAS, these damaging weather conditions have severely
 17 reduced agricultural production, caused a loss of jobs, and
 18 caused severe economic loss to communities, families, and
 19 individual producers, and

20 WHEREAS, the Legislature finds that preserving agricultural
 21 production is vital to Florida's rural communities and overall
 22 economy, and

23 WHEREAS, the Legislature finds that preserving agricultural
 24 land through production of crops rather than using the land for
 25 development has many ecological benefits, including maintaining
 26 wildlife habitat, absorbing carbon dioxide, recharging aquifers,
 27 reducing greenhouse gases, and controlling soil erosion, and

28 WHEREAS, the Legislature finds that this loss of
 29 agricultural infrastructure, jobs, economic opportunity, and

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30 wildlife habitat is not sustainable and has a negative impact on
 31 the quality of life for all Floridians, NOW, THEREFORE,
 32

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

34

35 Section 1. Agronomic study on emerging crops in Florida.-
 36 (1) Subject to the appropriation of funds by the
 37 Legislature, Florida Agricultural and Mechanical University
 38 shall conduct an agronomic study on emerging agricultural crops
 39 and determine whether there exists one or more viable crops or
 40 products that would provide economic benefit to growers using
 41 current agricultural infrastructure on land that has been taken
 42 out of production due to the effects of diseases and adverse
 43 weather conditions.

44 (2) By December 1, 2025, Florida Agricultural and
 45 Mechanical University shall submit a report to the Governor, the
 46 President of the Senate, and the Speaker of the House of
 47 Representatives which includes, at a minimum:

48 (a) Information about each crop or product considered,
 49 detailing the environmental impact;

50 (b) An assessment of each crop's suitability to Florida's
 51 climate, and the expected economic benefit to Florida growers
 52 and communities; and

53 (c) Recommendations for best practices to sustain and
 54 improve Florida's agricultural industry.

55 Section 2. This act shall take effect July 1, 2025.

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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/10/2025	.	
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	.	
	.	

The Committee on Agriculture (Truenow) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

110.205 Career service; exemptions.—

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

(m) All assistant division director, deputy division



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11 director, and bureau chief positions in any department, and
12 those positions determined by the department to have managerial
13 responsibilities comparable to such positions, which include,
14 but are not limited to:

15 1. Positions in The Department of Health and the Department
16 of Children and Families which are assigned primary duties of
17 serving as the superintendent or assistant superintendent of an
18 institution.

19 2. Positions in The Department of Corrections which are
20 assigned primary duties of serving as the warden, assistant
21 warden, colonel, or major of an institution or that are assigned
22 primary duties of serving as the circuit administrator or deputy
23 circuit administrator.

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

27 4. Positions in The Department of Environmental Protection
28 which are assigned the duty of an Environmental Administrator or
29 program administrator.

30 5. Positions in The Department of Health which are assigned
31 the duties of Environmental Administrator, Assistant County
32 Health Department Director, and County Health Department
33 Financial Administrator.

34 6. Positions in The Department of Highway Safety and Motor
35 Vehicles which are assigned primary duties of serving as
36 captains in the Florida Highway Patrol.

37 7. Positions in the Department of Agriculture and Consumer
38 Services which are assigned primary duties of serving as
39 captains or majors in the Office of Agricultural Law



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40 Enforcement.

41
42 Unless otherwise fixed by law, the department shall set the
43 salary and benefits of the positions listed in this paragraph in
44 accordance with the rules established for the Selected Exempt
45 Service.

46 Section 2. Present paragraphs (a) through (d) of subsection
47 (2) of section 163.3162, Florida Statutes, are redesignated as
48 paragraphs (b) through (e), respectively, new paragraph (a) and
49 paragraphs (f) and (g) are added to that subsection, and
50 subsections (5), (6), and (7) are added to that section, to
51 read:

52 163.3162 Agricultural Lands and Practices.—

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

54 (a) "Department" means the Department of Agriculture and
55 Consumer Services.

56 (f) "Housing site" means the totality of development
57 supporting authorized housing, including buildings, mobile
58 homes, barracks, dormitories used as living quarters, parking
59 areas, common areas such as athletic fields or playgrounds,
60 storage structures, and other related structures.

61 (g) "Legally verified agricultural worker" means a person
62 who:

- 63 1. Is lawfully present in the United States;
64 2. Meets the definition of eligible worker pursuant to 29
65 C.F.R. s. 502.10;
66 3. Has been verified through the process provided in s.
67 448.095(2) and is authorized to work at the time of employment;
68 4. Is seasonally or annually employed in bona fide



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69 agricultural production;
70 5. Remains lawfully present and authorized to work
71 throughout the duration of that employment; and
72 6. Is not an unauthorized alien as defined in s.
73 448.095(1).
74 (5) HOUSING FOR LEGALLY VERIFIED AGRICULTURAL WORKERS.—
75 (a) A governmental entity may not adopt or enforce any
76 legislation, regulation, or ordinance to inhibit the
77 construction or installation of housing for legally verified
78 agricultural workers on land classified as agricultural land
79 pursuant to s. 193.461 which is operated as a bona fide farm
80 except as provided in this subsection.
81 (b) Construction or installation of housing units for
82 legally verified agricultural workers on parcels of land
83 classified as agricultural land under s. 193.461 must satisfy
84 all of the following criteria:
85 1. The dwelling units must meet federal, state, and local
86 building standards, including standards of the Department of
87 Health adopted pursuant to ss. 381.008-381.00897 and federal
88 standards for H-2A visa housing. If written notice of intent is
89 required to be submitted to the Department of Health pursuant to
90 s. 381.0083, the appropriate governmental entity with
91 jurisdiction over the agricultural lands may also require
92 submittal of a copy of the written notice.
93 2. The housing site must be maintained in a neat, orderly,
94 and safe manner.
95 3. All structures containing dwelling units must be located
96 a minimum of 10 feet apart.
97 4. The square footage of the housing site's climate-



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98 controlled facilities may not exceed 1.5 percent of the
99 property's area or 35,000 square feet, whichever is less.

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

105 6. A housing site must be located at least 100 feet from a
106 property line adjacent to property zoned for residential use. If
107 the housing site is located less than 250 feet from any property
108 line, screening must be provided between the housing site and
109 any residentially developed adjacent parcels that are under
110 different ownership. The screening may be designed in any of the
111 following ways:

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

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

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

119 d. A row of evergreen shade trees that, at the time of
120 planting, are at least 10 feet in height, a minimum of 2-inch
121 caliper, and spaced no more than 20 feet apart; or

122 e. A berm made with a combination of the materials listed
123 in sub-subparagraphs a.-d., which is at least 6 feet in height
124 and provides an overall screening capacity of 75 percent at the
125 time of installation.

126 7. All access driveways that serve the housing site must be



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127 made of packed shell, gravel, or a similar material that will
128 provide a relatively dust-free surface.

129 (c) Any local ordinance adopted pursuant to this subsection
130 must comply with all state and federal regulations for migrant
131 farmworker housing, as applicable, including rules adopted by
132 the Department of Health pursuant to ss. 381.008-381.00897 and
133 federal regulations under the Migrant and Seasonal Agricultural
134 Worker Protection Act or the H-2A visa program. A governmental
135 entity may adopt local government land use regulations that are
136 less restrictive than this subsection, but which still meet
137 regulations established by the Department of Health pursuant to
138 ss. 381.008-381.00897 and federal regulations under the Migrant
139 and Seasonal Agricultural Worker Protection Act or the H-2A visa
140 program. An ordinance adopted pursuant to this paragraph may not
141 conflict with the definition and requirements of a legally
142 verified agricultural worker.

143 (d) Beginning July 1, 2025, a property owner must maintain
144 records of all approved permits, including successor permits,
145 for migrant labor camps or residential migrant housing as
146 required under s. 381.0081. A property owner must maintain such
147 records for at least 3 years and make the records available for
148 inspection within 14 days after receipt of a request for records
149 by a governmental entity.

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

152 1. If, for any reason, a housing site is not being used for
153 legally verified agricultural workers for longer than 365 days,
154 any structure used as living quarters must be removed from the
155 housing site within 180 days after receipt of written



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156 notification from the county unless the property owner can
157 demonstrate that use of the site for housing legally verified
158 agricultural workers will occur within 90 days after the written
159 notification.

160 2. If the property on which the housing site is located
161 ceases to be classified as agricultural land pursuant to s.
162 193.461.

163 3. If the permit authorized by the Department of Health for
164 the housing site is revoked, all structures must be removed from
165 the housing site within 180 days after receipt of written
166 notification from the county unless the permit is reinstated by
167 the Department of Health.

168 4. If a housing site is found to be occupied by any person
169 who does not meet the definition of a legally verified
170 agricultural worker, or is otherwise unlawfully present in the
171 United States. A property owner who violates this subparagraph
172 shall be imposed a Class I fine pursuant to s. 570.971, not to
173 exceed \$1,000, for the first violation, and a Class II fine, not
174 to exceed \$5,000, for any subsequent violations. The fines shall
175 be collected by the clerk of the court of the county in which
176 the violation occurred.

177 (f) Notwithstanding this subsection, the construction or
178 installation of housing for legally verified agricultural
179 workers in the Florida Keys Area of Critical State Concern or
180 the City of Key West Area of Critical State Concern is subject
181 to the permit allocation systems of the Florida Keys Area of
182 Critical State Concern or City of Key West Area of Critical
183 State Concern, respectively.

184 (g) A housing site that was constructed and in use before



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185 July 1, 2024, may continue to be used, and the property owner
186 may not be required by a governmental entity to make changes to
187 meet the requirements of this subsection, unless the housing
188 site will be enlarged, remodeled, renovated, or rehabilitated.
189 The property owner of a housing site authorized under this
190 paragraph must provide regular maintenance and repair, including
191 compliance with health and safety regulations and maintenance
192 standards, for such housing site to ensure the health, safety,
193 and habitability of the housing site.

194 (6) DATA COLLECTION.—The Department shall adopt rules
195 providing for:

196 (a) A method for government entities to submit reports of
197 property owners who have a housing site for legally verified
198 agriculture workers on lands classified as agricultural land
199 pursuant to s. 193.461, as provided in this section.

200 (b) A method for persons to submit complaints for review
201 and investigation by the Department.

202
203 Government entities shall provide this information quarterly to
204 the department in a format and timeframe prescribed by rule.

205 (7) ENFORCEMENT.—

206 (a) In addition to the enforcement methods of employment
207 verification outlined in s. 448.095, the Department shall
208 enforce the requirements of subsection (5). Enforcement includes
209 completing routine inspections based on a random sample of data
210 collected by government entities and submitted to the
211 Department, the investigation and review of complaints, and the
212 enforcement of violations.

213 (b) The Department shall submit the information collected



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214 to the State Board of Immigration Enforcement on a quarterly
215 basis, except that the first quarter shall begin 60 days after
216 the first quarterly data report under subsection (6) by a
217 government entity is received and reviewed by the Department.

218 Section 3. Present subsections (3) and (4) of section
219 186.801, Florida Statutes, are redesignated as subsections (4)
220 and (5), respectively, a new subsection (3) is added to that
221 section, and subsection (1) of that section is amended, to read:

222 186.801 Ten-year site plans.—

223 (1) Each electric utility shall submit to the Public
224 Service Commission a 10-year site plan which shall estimate its
225 power-generating needs and the general location of its proposed
226 power plant sites. If a proposed power plant site is located on
227 land that has, at any time during the previous 5 years, been
228 classified as agricultural lands pursuant to s. 193.461, the
229 electric utility must submit the plan to the county commission
230 of the county in which the proposed site is located. The county
231 commission shall comply with subsection (3). The 10-year site
232 plan must ~~shall~~ be reviewed and submitted at least ~~not less~~
233 frequently than every 2 years.

234 (3) A county commission that receives 10-year site plans
235 from electric utilities pursuant to subsection (1) shall do all
236 of the following:

237 (a) Adhere to the same processes and procedures provided in
238 this section for the Public Service Commission.

239 (b) Provide the Public Service Commission with the county
240 commission's findings upon completion of the preliminary study
241 of the proposed plan.

242 Section 4. Paragraph (b) of subsection (3) of section



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243 193.461, Florida Statutes, is amended to read:

244 193.461 Agricultural lands; classification and assessment;
245 mandated eradication or quarantine program; natural disasters.-

246 (3)

247 (b) Subject to the restrictions specified in this section,
248 only lands ~~that are~~ used primarily for bona fide agricultural
249 purposes shall be classified agricultural. The term "bona fide
250 agricultural purposes" means good faith commercial agricultural
251 use of the land.

252 1. In determining whether the use of the land for
253 agricultural purposes is bona fide, the following factors may be
254 taken into consideration:

255 a. The length of time the land has been so used.

256 b. Whether the use has been continuous.

257 c. The purchase price paid.

258 d. Size, as it relates to specific agricultural use, but a
259 minimum acreage may not be required for agricultural assessment.

260 e. Whether an indicated effort has been made to care
261 sufficiently and adequately for the land in accordance with
262 accepted commercial agricultural practices, including, without
263 limitation, fertilizing, liming, tilling, mowing, reforesting,
264 and other accepted agricultural practices.

265 f. Whether the land is under lease and, if so, the
266 effective length, terms, and conditions of the lease.

267 g. Such other factors as may become applicable.

268 2. Offering property for sale does not constitute a primary
269 use of land and may not be the basis for denying an agricultural
270 classification if the land continues to be used primarily for
271 bona fide agricultural purposes while it is being offered for



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272 sale.

273 3. Lands owned or leased by an electric utility as defined
274 in s. 361.11(2) which may also be the site of solar energy
275 systems as defined in s. 212.02(26) and bona fide agricultural
276 uses of the land, and which comply with all other provisions of
277 this section, must be classified agricultural by the property
278 appraiser.

279 Section 5. Subsection (3) of section 201.25, Florida
280 Statutes, is amended to read:

281 201.25 Tax exemptions for certain loans.—There shall be
282 exempt from all taxes imposed by this chapter:

283 (3) Any loan made by the Agriculture and Aquaculture
284 Producers Emergency Natural Disaster Recovery Loan Program
285 pursuant to s. 570.822.

286 Section 6. Subsection (19) is added to section 253.0341,
287 Florida Statutes, to read:

288 253.0341 Surplus of state-owned lands.—

289 (19) Notwithstanding any other law or rule, the Department
290 of Agriculture and Consumer Services may surplus lands acquired
291 pursuant to s. 366.20, which are determined to be suitable for
292 bona fide agricultural production, as defined in s. 193.461. The
293 Department of Agriculture and Consumer Services shall consult
294 with the Department of Environmental Protection in the process
295 of making such determination. In the event that lands acquired
296 pursuant to s. 366.20, which are determined to be suitable for
297 bona fide agricultural production are surplus, the Department
298 of Agriculture and Consumer Services must retain a rural-lands-
299 protection easements pursuant to s. 570.71(3), and all proceeds
300 must be deposited into the Incidental Trust Fund within the



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301 Department of Agriculture and Consumer Services for less than
302 fee simple land acquisition pursuant to ss. 570.71 and 570.715.
303 By January 1, 2026, and each January 1 thereafter, the
304 Department of Agriculture and Consumer Services shall provide a
305 report of lands surplused pursuant to this subsection to the
306 board.

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

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

311 Section 7. Present paragraphs (a) through (d) and (e) of
312 subsection (2) and subsection (6) of section 330.41, Florida
313 Statutes, are redesignated as paragraphs (b) through (e) and (j)
314 of subsection (2) and subsection (8), respectively, new
315 paragraphs (a) and (f) and paragraphs (g), (h), and (i) are
316 added to subsection (2) and new subsection (6) and subsection
317 (7) are added to that section, and paragraph (d) of subsection
318 (4) of that section is amended, to read:

319 330.41 Unmanned Aircraft Systems Act.—

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

321 (a) "Commercial property" means real property other than
322 residential property. The term includes, but is not limited to,
323 a property zoned multifamily residential which is comprised of
324 five or more dwelling units, and real property used for
325 commercial, industrial, or agricultural purposes.

326 (f) "Private property" means any residential or commercial
327 property.

328 (g) "Property owner" means the owner or owners of record of
329 real property. The term includes real property held in trust for



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330 the benefit of one or more individuals, in which case the
331 individual or individuals may be considered as the property
332 owner or owners, provided that the trustee provides written
333 consent. The term does not include persons renting, using,
334 living, or otherwise occupying real property.

335 (h) "Residential property" means real property zoned as
336 residential or multifamily residential and composed of four or
337 fewer dwelling units.

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

340 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

345 (6) PROTECTION OF AGRICULTURAL LANDS.—

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

349 1. Allow a drone to make contact with any person or object
350 on the premises of or within the boundaries of such lands.

351 2. Allow a drone to come within a distance close enough to
352 such lands to interfere with or cause a disturbance to
353 agricultural production.

354 (b) A person who violates paragraph (a) commits a
355 misdemeanor of the second degree, punishable as provided in s.
356 775.082 or s. 775.083. A person who commits a second or
357 subsequent violation commits a misdemeanor of the first degree,
358 punishable as provided in s. 775.082 or s. 775.083.



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

361 1. The owner of the agricultural lands, or a person acting
362 under the prior written consent of the owner of the agricultural
363 lands.

364 2. A person or entity acting in compliance with the
365 provisions of s. 934.50.

366 (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING
367 LANDS.—

368 (a) A person may not knowingly or willfully do any of the
369 following on private property, state wildlife management lands,
370 or a sport shooting and training range:

371 1. Operate a drone.

372 2. Allow a drone to make contact with such property or any
373 person or object on the premises of or within such property with
374 the intent to harass.

375 (b) A person who violates paragraph (a) commits a
376 misdemeanor of the second degree, punishable as provided in s.
377 775.082 or s. 775.083. A person who commits a second or
378 subsequent violation commits a misdemeanor of the first degree,
379 punishable as provided in s. 775.082 or s. 775.083.

380 (c) A person who violates paragraph (a) and records video
381 of the private property, state wildlife management lands, or
382 sport shooting and training range, including any person or
383 object on the premises of or within the private property, state
384 wildlife management lands, or sport shooting and training range,
385 commits a misdemeanor of the first degree, punishable as
386 provided in s. 775.082 or s. 775.083. A person who commits a
387 second or subsequent violation commits a felony of the third



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388 degree, punishable as provided in s. 775.082, s. 775.083, or s.
389 775.084.

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

392 1. The property owner of the private property or sport
393 shooting and training range, or a person acting under the prior
394 written consent of the property owner.

395 2. A person or entity acting in compliance with the
396 provisions of s. 934.50.

397 Section 8. Section 366.20, Florida Statutes, is created to
398 read:

399 366.20 Sale and management of lands owned by electric
400 utilities.—

401 (1) Lands acquired by an electric utility as defined in s.
402 361.11(2) which have been classified as agricultural lands
403 pursuant to s. 193.461 at any time in the 5 years preceding the
404 acquisition of the land by the electric utility must be offered
405 for fee simple acquisition by the Department of Agriculture and
406 Consumer Services before offering for sale or transferring the
407 land to a private individual or entity.

408 (2) Lands owned by an electric utility as defined in s.
409 361.11(2) which were classified as agricultural lands pursuant
410 to s. 193.461 at any time in the 5 years preceding the date of
411 acquisition of the land by the electric utility must be offered
412 for fee simple acquisition by the Department of Agriculture and
413 Consumer Services before offering for sale or transferring the
414 land to a private individual or entity.

415 (3) This section is retroactive to January 1, 2009.

416 Section 9. Present paragraphs (3) and (4) of section



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417 366.94, Florida Statutes, are redesignated as subsections (4)
418 and (5), respectively, a new subsection (3) is added to that
419 section, and subsection (2) of that section is amended, to read:

420 366.94 Electric vehicle charging.-

421 (2) (a) As used in this section, the term "electric vehicle
422 charging station" means the area in the immediate vicinity of
423 electric vehicle supply equipment and includes the electric
424 vehicle supply equipment, supporting equipment, and associated
425 parking spaces. The regulation of electric vehicle charging
426 stations is preempted to the state.

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

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

434 (b) The department may adopt rules to protect the public
435 health, safety, and welfare and establish standards for the
436 placement, design, installation, maintenance, and operation of
437 electric vehicle charging stations.

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

443 (d) Before a charger at an electric vehicle charging
444 station is placed into service for use by the public, the
445 charger must be registered with the department on a form



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446 prescribed by department rule.

447 (e) The department shall have the authority to inspect
448 electric vehicle charging stations, conduct investigations, and
449 enforce this subsection and any rules adopted thereto. The
450 department may impose one or more of the following penalties
451 against a person who violates this subsection or any rule
452 adopted under this subsection:

453 1. Issuance of a warning letter.

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

456 (f) If the department determines that an electric vehicle
457 charging station or any associated equipment presents a threat
458 to the public health, safety, or welfare, the department may
459 issue an immediate final order prohibiting the use of the
460 electric vehicle charging station or any portion thereof.

461 (g) In addition to the remedies provided in this
462 subsection, and notwithstanding the existence of any adequate
463 remedy at law, the department may bring an action to enjoin a
464 violation of this subsection or rules adopted under this
465 subsection in the circuit court of the county in which the
466 violation occurs or is about to occur. Upon demonstration of
467 competent and substantial evidence by the department to the
468 court of the violation or threatened violation, the court shall
469 immediately issue the temporary or permanent injunction sought
470 by the department. The injunction must be issued without bond.

471 Section 10. Present subsections (10) and (11) of section
472 388.011, Florida Statutes, are redesignated as subsections (11)
473 and (12), respectively, a new subsection (10) is added to that
474 section, and subsections (2) and (5) of that section are



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475 amended, to read:

476 388.011 Definitions.—As used in this chapter:

477 (2) “Board of commissioners” means the governing body of
478 any mosquito control program ~~district~~, and may include boards of
479 county commissioners, city councils, municipalities, or other
480 similar governing bodies when context so indicates.

481 (5) “District” means any mosquito control special district
482 established in this state by law for the express purpose of
483 controlling arthropods within boundaries of such ~~said~~ districts.

484 (10) “Program” means any governmental jurisdiction that
485 conducts mosquito control, whether it be a special district,
486 county, or municipality.

487 Section 11. Section 388.021, Florida Statutes, is amended
488 to read:

489 388.021 Creation of mosquito control special districts.—

490 (1) The abatement or suppression of arthropods, whether
491 disease-bearing or merely pestiferous, within any or all
492 counties of this state is advisable and necessary for the
493 maintenance and betterment of the comfort, health, and welfare
494 of the people thereof and is found and declared to be for public
495 purposes. Areas where arthropods incubate, hatch, or occur in
496 significant numbers so as to constitute a public health,
497 welfare, or nuisance problem may be controlled or abated as
498 provided in this chapter or the rules promulgated hereunder.
499 Therefore, any municipality ~~city~~, town, or county, or any
500 portion or portions thereof, whether such portion or portions
501 include incorporated territory or portions of two or more
502 counties in the state, may be created into a special taxing
503 district for the control of arthropods under the provisions of



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504 this chapter.

505 (2) It is the legislative intent that ~~these~~ mosquito
506 control districts established prior to July 1, 1980, pursuant to
507 the petition process contained in former s. 388.031, may
508 continue to operate as outlined in this chapter. However, on and
509 after that date, no mosquito control districts may be created
510 except pursuant to s. 125.01.

511 Section 12. Section 388.181, Florida Statutes, is amended
512 to read:

513 388.181 Power to do all things necessary.—The respective
514 programs ~~districts~~ of the state are hereby fully authorized to
515 do and perform all things necessary to carry out the intent and
516 purposes of this law.

517 Section 13. Subsections (1), (2), (4), and (5) of section
518 388.201, Florida Statutes, are amended to read:

519 388.201 Program ~~District~~ budgets; hearing.—

520 (1) The fiscal year of programs ~~districts~~ operating under
521 ~~the provisions of~~ this chapter shall be the 12-month period
522 extending from October 1 of one year through September 30 of the
523 following year. The governing board of the programs ~~district~~
524 shall before July 15 of each year complete the preparation of a
525 tentative detailed work plan budget covering its proposed
526 operations and requirements for arthropod control measures
527 during the ensuing fiscal year and, for the purpose of
528 determining eligibility for state aid, shall submit copies as
529 may be required to the department for review and approval. The
530 tentative detailed work plan budget must ~~shall~~ set forth,
531 classified by account number, title and program items, and by
532 fund from which to be paid, the proposed expenditures of the



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533 program district for construction, for acquisition of land, and
534 other purposes, for the operation and maintenance of the
535 program's district's works, the conduct of the program district
536 generally, to which may be added an amount to be held as a
537 reserve.

538 (2) The tentative detailed work plan budget must ~~shall~~ also
539 show the estimated amount which will appear at the beginning of
540 the fiscal year as obligated upon commitments made but
541 uncompleted, ~~There shall be shown~~ the estimated unobligated or
542 net balance which will be on hand at the beginning of the fiscal
543 year, and the estimated amount to be raised by county,
544 municipality, or district taxes and from any and all other
545 sources for meeting the program's ~~the district's~~ requirements.

546 (4) The governing board shall:

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

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

555 (5) County commissioners' mosquito and arthropod control
556 budgets or the budgets of or similar governing body of said
557 county, city, or town's must ~~shall~~ be made and adopted as
558 prescribed by subsections (1) and (2); summary figures must
559 ~~shall~~ be incorporated into the county budgets as prescribed by
560 the Department of Financial Services.

561 Section 14. Section 388.241, Florida Statutes, is amended



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562 to read:

563 388.241 Board of county commissioners vested with powers
564 and duties of board of commissioners in certain counties.—In
565 those counties or cities where there has been no formation of a
566 separate or special board of commissioners, all the rights,
567 powers, and duties of a board of commissioners as conferred in
568 this chapter shall be vested in the board of county
569 commissioners or similar governing body of said county or city.

570 Section 15. Section 388.261, Florida Statutes, is amended
571 to read:

572 388.261 State aid to counties, municipalities, and
573 districts for arthropod control; distribution priorities and
574 limitations.—

575 (1) A county, municipality, or district may, without
576 contributing matching funds, receive state funds, supplies,
577 services, or equipment in an amount of no more than \$75,000
578 ~~\$50,000~~ per year for up to 3 years for any new program for the
579 control of mosquitoes and other arthropods which serves an area
580 not previously served by the county, municipality, or district.
581 These funds may be expended for any and all types of control
582 measures approved by the department.

583 (2) Every county, municipality, or district budgeting local
584 funds to be used exclusively for the control of mosquitoes and
585 other arthropods, under a plan submitted by the county,
586 municipality, or district and approved by the department, is
587 eligible to receive state funds and supplies, services, and
588 equipment on a dollar-for-dollar matching basis to the amount of
589 local funds budgeted. If state funds appropriated by the
590 Legislature are insufficient to grant each county, municipality,



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591 or district state funds on a dollar-for-dollar matching basis to
592 the amount budgeted in local funds, the department must ~~shall~~
593 distribute the funds as prescribed by rule. Such rules must
594 ~~shall~~ provide for up to 80 percent of the funds to be
595 distributed to programs with local funds for mosquito control
596 budgets of less than \$1 million, if the county, municipality, or
597 district meets the eligibility requirements. The funds must
598 ~~shall~~ be distributed as equally as possible within the category
599 of counties pursuant to this section. The remaining funds must
600 ~~shall~~ be distributed as prescribed by rule among the remaining
601 counties to support mosquito control and to support research,
602 education, and outreach.

603 (3) Every county shall be limited to receive a total of
604 \$120,000 of state funds, exclusive of state funds brought
605 forward, during any one year.

606 (4) Up to 20 percent of the annual funds appropriated to
607 local governments for arthropod control may be used for
608 arthropod control research or demonstration projects as approved
609 by the department.

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

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



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620 (7) The department may use state funds appropriated for a
621 county, municipality, or district under subsection (1) or
622 subsection (2) to provide state mosquito or other arthropod
623 control equipment, supplies, or services when requested by a
624 county, municipality, or district eligible to receive state
625 funds under s. 388.271.

626 (8) The department is authorized to use up to 5 percent of
627 the funds appropriated annually by the Legislature under this
628 section to provide technical assistance to the counties,
629 municipalities, or districts, or to purchase equipment,
630 supplies, or services necessary to administer the provisions of
631 this chapter.

632 Section 16. Subsections (1) and (2) of section 388.271,
633 Florida Statutes, are amended to read:

634 388.271 Prerequisites to participation.—

635 (1) When state funds are involved, it is the duty of the
636 department to guide, review, approve, and coordinate the
637 activities of all county and municipal governments and special
638 districts receiving state funds in furtherance of the goal of
639 integrated arthropod control. Each program ~~county~~ eligible to
640 participate may, and each district must, begin participation on
641 October 1 of any year by filing with the department not later
642 than July 15 a tentative integrated arthropod management plan
643 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for
644 the control of arthropods. Following approval of the plan and
645 budget by the department, a copy ~~two copies~~ of the program's
646 ~~county's or district's~~ certified budget based on the approved
647 integrated arthropod management ~~work plan~~ and detailed ~~work plan~~
648 budget must ~~shall~~ be submitted to the department by September 30



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649 following. State funds, supplies, and services must ~~shall~~ be
650 made available to such program ~~county or district~~ by and through
651 the department ~~immediately~~ upon release of funds by the
652 Executive Office of the Governor.

653 (2) All purchases of supplies, materials, and equipment by
654 programs must ~~counties or districts shall~~ be made in accordance
655 with the laws governing purchases by boards of county
656 commissioners or similar governing bodies, except that programs
657 ~~districts~~ with special laws relative to competitive bidding
658 shall make purchases in accordance therewith.

659 Section 17. Subsections (1) and (3) of section 388.281,
660 Florida Statutes, are amended to read:

661 388.281 Use of state matching funds.—

662 (1) All funds, supplies, and services released to programs
663 ~~counties and districts~~ hereunder must ~~shall~~ be used in
664 accordance with the integrated arthropod management ~~detailed~~
665 ~~work~~ plan and certified budget approved by both the department
666 and the board of county commissioners or an appropriate
667 representative ~~county or district~~. The integrated arthropod
668 management plan and budget may be amended at any time upon prior
669 approval of the department.

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

676 Section 18. Subsections (1) and (2) of section 388.291,
677 Florida Statutes, are amended to read:



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678 388.291 Source reduction measures; supervision by
679 department.-

680 (1) Any program ~~county or district~~ may perform source
681 reduction measures in conformity with good engineering practices
682 in any area, provided that the department cooperating with the
683 county, municipality, or district has approved the operating or
684 construction plan as outlined in the integrated arthropod
685 management plan and that it has been determined by criteria
686 contained in rule that the area or areas to be controlled would
687 produce arthropods in significant numbers to constitute a health
688 or nuisance problem.

689 (2) The program ~~county or district~~ shall manage the
690 detailed business affairs and supervise the ~~said~~ work, and the
691 department shall advise the programs ~~districts~~ as to the best
692 and most effective measures to be used in bringing about better
693 temporary control and the permanent elimination of breeding
694 conditions. The department may at its discretion discontinue any
695 state aid provided hereunder in the event it finds the jointly
696 agreed upon program is not being followed or is not efficiently
697 and effectively administered.

698 Section 19. Section 388.301, Florida Statutes, is amended
699 to read:

700 388.301 Payment of state funds; supplies and services.-
701 State funds shall be payable ~~quarterly~~, in accordance with the
702 rules of the department, upon requisition by the department to
703 the Chief Financial Officer. The department is authorized to
704 furnish insecticides, chemicals, materials, equipment, vehicles,
705 and personnel in lieu of state funds where mass purchasing may
706 save funds for the state, or where it would be more practical



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707 and economical to use equipment, supplies, and services between
708 two or more programs ~~counties or districts~~.

709 Section 20. Section 388.311, Florida Statutes, is amended
710 to read:

711 388.311 Carry over of state funds and local funds.—State
712 and local funds budgeted for the control of mosquitoes and other
713 arthropods shall be carried over at the end of the program's
714 ~~county or district's~~ fiscal year, and rebudgeted for such
715 control measures the following fiscal year.

716 Section 21. Section 388.321, Florida Statutes, is amended
717 to read:

718 388.321 Equipment to become property of a program ~~the~~
719 ~~county or district~~.—All equipment purchased under this chapter
720 with state funds made available directly to a program ~~the county~~
721 ~~or district~~ shall become the property of the program ~~county or~~
722 ~~district~~ unless otherwise provided, and may be traded in on
723 other equipment, or sold, when no longer needed by the program
724 ~~county or district~~.

725 Section 22. Section 388.322, Florida Statutes, is amended
726 to read:

727 388.322 Record and inventory of certain property.—A record
728 and inventory of certain property purchased with state funds for
729 arthropod control use owned by the program ~~must~~ ~~district shall~~
730 be maintained in accordance with s. 274.02.

731 Section 23. Section 388.323, Florida Statutes, is amended
732 to read:

733 388.323 Disposal of surplus property.—Surplus property
734 shall be disposed of according to the provisions set forth in s.
735 274.05 with the following exceptions:



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736 (1) Serviceable equipment purchased using state funds for
737 arthropod control use no longer needed by a program must ~~county~~
738 ~~or district shall~~ first be offered to any ~~or all~~ other programs
739 ~~counties or districts~~ engaged in arthropod control at a price
740 established by the board of commissioners owning the equipment.

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

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

750 Section 24. Section 388.341, Florida Statutes, is amended
751 to read:

752 388.341 Reports of expenditures and accomplishments.—Each
753 program receiving state aid ~~county and district participating~~
754 ~~under the provisions of~~ this chapter shall within 30 days after
755 the end of each month submit to the department a monthly report
756 for the preceding month of expenditures from all funds for
757 arthropod control, and each program participating under this
758 chapter shall provide such reports of activities and
759 accomplishments as may be required by the department.

760 Section 25. Section 388.351, Florida Statutes, is amended
761 to read:

762 388.351 Transfer of equipment, personnel, and supplies
763 during an emergency.—The department, upon notifying a program
764 ~~county or district~~ and obtaining its approval, is authorized to



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765 transfer equipment, materials, and personnel from one program
766 ~~district~~ to another in the event of an emergency brought about
767 by an arthropod-borne epidemic or other disaster requiring
768 emergency control.

769 Section 26. Subsection (7) of section 388.361, Florida
770 Statutes, is amended to read:

771 388.361 Department authority and rules; administration.—

772 (7) The department shall have the authority to collect,
773 detect, suppress, and control mosquitoes and other arthropods
774 that are determined by the State Health Officer to pose a threat
775 to public health, or determined by the Commissioner of
776 Agriculture to pose a threat to animal health, wherever they may
777 occur on public or private land in this state, and to do all
778 things necessary in the exercise of such authority. Prior to the
779 start of treatments for the control of mosquitoes or other
780 arthropods, the department shall consult with the mosquito
781 control programs ~~districts~~ in the proposed treatment areas, the
782 Department of Health, the Department of Environmental
783 Protection, and the Fish and Wildlife Conservation Commission
784 regarding the proposed locations, dates, and methods to be used.

785 Section 27. Subsections (2) and (3) of section 388.3711,
786 Florida Statutes, are amended to read:

787 388.3711 Enforcement.—

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

793 (a) Violation of any rule of the department or provision of



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794 this chapter.

795 (b) Violation of FIFRA or any relevant EPA rule or
796 regulation pertaining to the use of arthropod control pesticides
797 by the licensee.

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

802 (3) The department may, if it finds a violation is of such
803 nature or circumstances that imposition of a fine, or denial,
804 revocation, or suspension of a certification or license or
805 disbursal of state aid would be detrimental to the public or be
806 unnecessarily harsh under the circumstances, in its discretion,
807 place the offending party on probation for a period of not more
808 than 2 years. If the department determines that the terms of
809 such probation have been violated, it may reinstitute license or
810 certification or state aid denial, suspension, or revocation
811 proceedings.

812 Section 28. Section 388.381, Florida Statutes, is amended
813 to read:

814 388.381 Cooperation by programs ~~counties and district.~~—Any
815 program conducting county or district carrying on an arthropod
816 control ~~program~~ may cooperate with another county, district, or
817 municipality in carrying out work ~~a program~~ for the control of
818 mosquitoes and other arthropods, by agreement as to the program
819 and reimbursement thereof, when approved by the department.

820 Section 29. Section 388.391, Florida Statutes, is amended
821 to read:

822 388.391 Control measures in municipalities and portions of



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823 counties located outside boundaries of programs ~~districts~~.—Any
824 program ~~district~~ whose operation is limited to a portion of the
825 county in which it is located may perform any control measures
826 authorized by this chapter in any municipality located in the
827 same county or in any portions of the same county, where there
828 is no established program ~~district~~, when requested to do so by
829 the municipality or county, pursuant to s. 388.381.

830 Section 30. Section 388.401, Florida Statutes, is amended
831 to read:

832 388.401 Penalty for damage to property or operations.—
833 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of
834 any program ~~county or district~~ created under this or other
835 chapters, or any works constructed, maintained, or controlled by
836 such program ~~county or district~~, or who obstructs ~~shall obstruct~~
837 or causes ~~cause~~ to be obstructed any of the operations of such
838 program ~~county or district~~, or who ~~shall~~ knowingly or willfully
839 violates ~~violate~~ any provisions of this chapter or any rule or
840 regulation promulgated by any board of commissioners of any
841 program, ~~commits~~ ~~county or district shall be guilty of a~~
842 misdemeanor of the second degree, punishable as provided in s.
843 775.082 or s. 775.083.

844 Section 31. Paragraph (a) of subsection (2) of section
845 388.46, Florida Statutes, is amended to read:

846 388.46 Florida Coordinating Council on Mosquito Control;
847 establishment; membership; organization; responsibilities.—

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

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



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- 852 1. The Secretary of Environmental Protection.
- 853 2. The State Surgeon General.
- 854 3. The executive director of the Fish and Wildlife
855 Conservation Commission.
- 856 4. The state epidemiologist.
- 857 5. The Commissioner of Agriculture.
- 858 6. The Board of Trustees of the Internal Improvement Trust
859 Fund.
- 860 7. Representatives from:
- 861 a. The University of Florida, Institute of Food and
862 Agricultural Sciences, Florida Medical Entomological Research
863 Laboratory.
- 864 b. The United States Environmental Protection Agency.
- 865 c. The United States Department of Agriculture, Center of
866 Medical, Agricultural, and Veterinary Entomology Insects
867 Affecting Man Laboratory.
- 868 d. The United States Fish and Wildlife Service.
- 869 8. Four ~~Two~~ mosquito control directors to be nominated by
870 the Florida Mosquito Control Association, two representatives of
871 Florida environmental groups, and two private citizens who are
872 property owners whose lands are regularly subject to mosquito
873 control operations, to be appointed to 4-year terms by the
874 Commissioner of Agriculture and serve until his or her successor
875 is appointed.
- 876 Section 32. Paragraph (d) of subsection (7) of section
877 403.067, Florida Statutes, is amended to read:
- 878 403.067 Establishment and implementation of total maximum
879 daily loads.—
- 880 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND



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881 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

882 (d) *Enforcement and verification of basin management action*
883 *plans and management strategies.*—

884 1. Basin management action plans are enforceable pursuant
885 to this section and ss. 403.121, 403.141, and 403.161.

886 Management strategies, including best management practices and
887 water quality monitoring, are enforceable under this chapter.

888 2. No later than January 1, 2017:

889 a. The department, in consultation with the water
890 management districts and the Department of Agriculture and
891 Consumer Services, shall initiate rulemaking to adopt procedures
892 to verify implementation of water quality monitoring required in
893 lieu of implementation of best management practices or other
894 measures pursuant to sub-subparagraph (b)2.g.;

895 b. The department, in consultation with the water
896 management districts and the Department of Agriculture and
897 Consumer Services, shall initiate rulemaking to adopt procedures
898 to verify implementation of nonagricultural interim measures,
899 best management practices, or other measures adopted by rule
900 pursuant to subparagraph (c)1.; and

901 c. The Department of Agriculture and Consumer Services, in
902 consultation with the water management districts and the
903 department, shall initiate rulemaking to adopt procedures to
904 verify implementation of agricultural interim measures, best
905 management practices, or other measures adopted by rule pursuant
906 to subparagraph (c)2.

907

908 The rules required under this subparagraph shall include
909 enforcement procedures applicable to the landowner, discharger,



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910 or other responsible person required to implement applicable
911 management strategies, including best management practices or
912 water quality monitoring as a result of noncompliance.

913 3. At least every 2 years, the Department of Agriculture
914 and Consumer Services shall perform onsite inspections of each
915 agricultural producer that enrolls in a best management
916 practice, except those enrolled by rule in subparagraph 4., to
917 ensure that such practice is being properly implemented. Such
918 verification must include a collection and review of the best
919 management practice documentation from the previous 2 years
920 required by rules adopted pursuant to subparagraph (c)2.,
921 including, but not limited to, nitrogen and phosphorus
922 ~~fertilizer~~ application records, which must be collected and
923 retained pursuant to subparagraphs (c)3., 4., and 6. The
924 Department of Agriculture and Consumer Services shall initially
925 prioritize the inspection of agricultural producers located in
926 the basin management action plans for Lake Okeechobee, the
927 Indian River Lagoon, the Caloosahatchee River and Estuary, and
928 Silver Springs.

929 4. The Department of Agriculture and Consumer Services is
930 authorized to adopt rules establishing an enrollment in best
931 management practices by rule process that agricultural pollutant
932 sources and agricultural producers may use in lieu of the best
933 management practices adopted in paragraph (c) and identify best
934 management practices for landowners of parcels which meet the
935 following requirements:

936 a. A parcel not more than 25 acres in size;

937 b. A parcel designated as agricultural land use by the
938 county in which it is located or the parcel is granted



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939 agricultural tax classification by the county property appraiser
940 of the county in which it is located;

941 c. A parcel with water use not exceeding 100,000 gallons
942 per day on average unless the entire use is met using recycled
943 water from wet detention treatment ponds or reuse water;

944 d. A parcel where the agricultural activity on the parcel
945 is not a vegetable crop, an agronomic crop, a nursery, or a
946 dairy operation;

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

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

953
954 Such requirements must specify design or performance criteria
955 that, if applied, would result in compliance with appropriate
956 water quality standards. The Department of Agriculture and
957 Consumer Services is authorized to adopt additional eligibility
958 criteria for landowners or producers to use enrollment by rule
959 and to revoke enrollment by rule.

960 5. The Department of Agriculture and Consumer Services
961 shall annually perform onsite inspections of 20 percent for all
962 enrollments that meet the qualifications pursuant to
963 subparagraph 4. by rule within basin management action plan
964 areas, to ensure that practices are being properly implemented.
965 Such inspections must include a collection and review of the
966 identified best management practice documentation from the
967 previous 2 years required by rules adopted pursuant to



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968 subparagraph (c)2. All agricultural producers enrolled by rule
969 in a best management practice must annually submit nutrient
970 records, including nitrogen and phosphorus fertilizer
971 application records for the previous calendar year, to the
972 Department of Agriculture and Consumer Services as required by
973 rules adopted pursuant to subparagraph (c)2. The Department of
974 Agriculture and Consumer Services shall collect and retain these
975 nutrient records pursuant to subparagraphs (c)3., 4., and 6.

976 Section 33. Subsection (19) is added to section 403.852,
977 Florida Statutes, to read:

978 403.852 Definitions; ss. 403.850-403.864.—As used in ss.
979 403.850-403.864:

980 (19) "Water quality additive" means any chemical or
981 additive which is used in a public water system for the purpose
982 of removing contaminants or increasing water quality. The term
983 does not include additives used for health-related purposes.

984 Section 34. Subsection (8) is added to section 403.859,
985 Florida Statutes, to read:

986 403.859 Prohibited acts.—The following acts and the causing
987 thereof are prohibited and are violations of this act:

988 (8) The use of any additive in a public water system which
989 does not meet the definition of a water quality additive as
990 defined in s. 403.852(19), or the use of any additive included
991 primarily for health-related purposes.

992 Section 35. Subsection (10) of section 482.111, Florida
993 Statutes, is amended to read:

994 482.111 Pest control operator's certificate.—

995 (10) In order to renew a certificate, the certificateholder
996 must complete 2 hours of approved continuing education on



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997 legislation, safety, pesticide labeling, and integrated pest
998 management and 2 hours of approved continuing education in each
999 category of her or his certificate or must pass an examination
1000 that the department shall provide in person and remotely through
1001 a third-party vendor. The third-party vendor may collect and
1002 retain a convenience fee given by the department. The department
1003 may not renew a certificate if the continuing education or
1004 examination requirement is not met.

1005 (a) Courses or programs, to be considered for credit, must
1006 include one or more of the following topics:

1007 1. The law and rules of this state pertaining to pest
1008 control.

1009 2. Precautions necessary to safeguard life, health, and
1010 property in the conducting of pest control and the application
1011 of pesticides.

1012 3. Pests, their habits, recognition of the damage they
1013 cause, and identification of them by accepted common name.

1014 4. Current accepted industry practices in the conducting of
1015 fumigation, termites and other wood-destroying organisms pest
1016 control, lawn and ornamental pest control, and household pest
1017 control.

1018 5. How to read labels, a review of current state and
1019 federal laws on labeling, and a review of changes in or
1020 additions to labels used in pest control.

1021 6. Integrated pest management.

1022 (b) The certificateholder must submit with her or his
1023 application for renewal a statement certifying that she or he
1024 has completed the required number of hours of continuing
1025 education. The statement must be on a form prescribed by the



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1026 department and must identify at least the date, location,
1027 provider, and subject of the training and must provide such
1028 other information as required by the department.

1029 (c) The department shall charge the same fee for
1030 examination as provided in s. 482.141(2).

1031 Section 36. Subsection (1) of section 482.141, Florida
1032 Statutes, is amended to read:

1033 482.141 Examinations.—

1034 (1) Each individual seeking certification must
1035 satisfactorily pass an examination which must be written but
1036 ~~which~~ may include practical demonstration. The department shall
1037 provide in-person and remote testing through a third-party
1038 vendor. A third-party vendor may collect and retain a
1039 convenience fee hold at least two examinations each year. An
1040 applicant may seek certification in one or more categories.

1041 Section 37. Paragraph (b) of subsection (1) of section
1042 482.155, Florida Statutes, is amended to read:

1043 482.155 Limited certification for governmental pesticide
1044 applicators or private applicators.—

1045 (1)

1046 (b) A person seeking limited certification under this
1047 subsection must pass an examination that the department shall
1048 provide in person and remotely through a third-party vendor. The
1049 third-party vendor may collect and retain a convenience fee
1050 ~~given or approved by the department.~~ Each application for
1051 examination must be accompanied by an examination fee set by the
1052 department, in an amount of not more than \$150 or less than \$50;
1053 and a recertification fee of \$25 every 4 years. Until rules
1054 setting these fees are adopted by the department, the



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1055 examination fee is \$50. Application for recertification must be
1056 accompanied by proof of having completed 4 classroom hours of
1057 acceptable continuing education. The limited certificate expires
1058 4 years after the date of issuance. If the certificateholder
1059 fails to renew his or her certificate and provide proof of
1060 completion of the required continuing education units within 60
1061 days after the expiration date, the certificateholder may be
1062 recertified only after reexamination. The department shall make
1063 available ~~provide~~ the appropriate reference material ~~and make~~
1064 ~~the examination readily accessible and available to all~~
1065 ~~applicants at least quarterly or as necessary in each county.~~

1066 Section 38. Subsection (2) of section 482.156, Florida
1067 Statutes, is amended to read:

1068 482.156 Limited certification for commercial landscape
1069 maintenance personnel.—

1070 (2) (a) A person seeking limited certification under this
1071 section must pass an examination that the department shall
1072 provide in person and remotely through a third-party vendor. The
1073 third-party vendor may collect and retain a convenience fee
1074 ~~given by the department.~~ Each application for examination must
1075 be accompanied by an examination fee set by rule of the
1076 department, in an amount of not more than \$150 or less than \$50.
1077 Before the department issues a limited certification under this
1078 section, each person applying for the certification must furnish
1079 proof of having a certificate of insurance which states that the
1080 employer meets the requirements for minimum financial
1081 responsibility for bodily injury and property damage required by
1082 s. 482.071(4).

1083 (b) The department shall make available ~~provide~~ the



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1084 appropriate reference materials for the examination and provide
1085 in-person and remote testing through a third-party vendor. A
1086 third-party vendor may collect and retain a convenience fee ~~make~~
1087 ~~the examination readily accessible and available to applicants~~
1088 ~~at least quarterly or as necessary in each county.~~

1089 Section 39. Subsection (2) of section 482.157, Florida
1090 Statutes, is amended to read:

1091 482.157 Limited certification for commercial wildlife
1092 management personnel.—

1093 (2) The department shall issue a limited certificate to an
1094 applicant who:

1095 (a) Submits an application and examination fee of at least
1096 \$150, but not more than \$300, as prescribed by the department by
1097 rule;

1098 (b) Passes an examination that the department shall provide
1099 in person and remotely through a third-party vendor. The third-
1100 party vendor may collect and retain a convenience fee

1101 ~~administered by the department.~~ The department shall make
1102 available ~~provide~~ the appropriate study materials for the
1103 examination ~~and make the examination readily available to~~
1104 ~~applicants in each county as necessary, but not less frequently~~
1105 ~~than quarterly;~~ and

1106 (c) Provides proof, including a certificate of insurance,
1107 that the applicant has met the minimum bodily injury and
1108 property damage insurance requirements in s. 482.071(4).

1109 Section 40. Paragraph (m) is added to subsection (1) of
1110 section 482.161, Florida Statutes, to read:

1111 482.161 Disciplinary grounds and actions; reinstatement.—

1112 (1) The department may issue a written warning to or impose



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1113 a fine against, or deny the application for licensure or
1114 licensure renewal of, a licensee, certified operator, limited
1115 certificateholder, identification cardholder, or special
1116 identification cardholder or any other person, or may suspend,
1117 revoke, or deny the issuance or renewal of any license,
1118 certificate, limited certificate, identification card, or
1119 special identification card that is within the scope of this
1120 chapter, in accordance with chapter 120, upon any of the
1121 following grounds:

1122 (m) Upon the issuance of a final order imposing civil
1123 penalties under subsection 14(a) of the Federal Insecticide,
1124 Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction
1125 under subsection 14(b), of FIFRA.

1126 Section 41. Subsection (2) of section 487.044, Florida
1127 Statutes, is amended to read:

1128 487.044 Certification; examination.—

1129 (2) The department shall require each applicant for a
1130 certified applicator's license to demonstrate competence by a
1131 written or oral examination in which the applicant must
1132 demonstrate adequate knowledge concerning the proper use and
1133 application of restricted-use pesticides in each classification
1134 for which application for license is made. The department shall
1135 provide in-person and remote testing through a third-party
1136 vendor. A third-party vendor may collect and retain a
1137 convenience fee. The examination may be prepared, administered,
1138 and evaluated by the department. Each applicant for a certified
1139 applicator's license must ~~shall~~ demonstrate minimum competence
1140 as to:

1141 (a) The proper use of the equipment.



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1142 (b) The environmental hazards that may be involved in
1143 applying restricted-use pesticides.

1144 (c) Calculating the concentration of restricted-use
1145 pesticides to be used in particular circumstances.

1146 (d) Identification of common pests to be controlled and the
1147 damages caused by such pests.

1148 (e) Protective clothing and respiratory equipment required
1149 during the handling and application of restricted-use
1150 pesticides.

1151 (f) General precautions to be followed in the disposal of
1152 containers, as well as the cleaning and decontamination of the
1153 equipment which the applicant proposes to use.

1154 (g) Applicable state and federal pesticide laws, rules, and
1155 regulations.

1156 (h) General safety precautions.

1157 Section 42. Subsection (6) is added to section 487.175,
1158 Florida Statutes, to read:

1159 487.175 Penalties; administrative fine; injunction.—

1160 (6) Licensure may be suspended, revoked, or denied by the
1161 department, upon the issuance of a final order to a licensee
1162 imposing civil penalties under subsection 14(a) of the Federal
1163 Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a
1164 criminal conviction under subsection 14(b) of FIFRA.

1165 Section 43. Present subsections (13) through (28) of
1166 section 496.404, Florida Statutes, are redesignated as
1167 subsections (15) through (30), respectively, and new subsections
1168 (13) and (14) are added to that section, to read:

1169 496.404 Definitions.—As used in ss. 496.401-496.424, the
1170 term:



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1171 (13) "Foreign country of concern" means the People's
1172 Republic of China, the Russian Federation, the Islamic Republic
1173 of Iran, the Venezuelan regime of Nicolás Maduro, or the Syrian
1174 Arab Republic, including any agency of or any other entity under
1175 significant control of such foreign country of concern.

1176 (14) "Foreign source of concern" means any of the
1177 following:

1178 (a) The government or any official of the government of a
1179 foreign country of concern;

1180 (b) A political party or member of a political party or any
1181 subdivision of a political party in a foreign country of
1182 concern;

1183 (c) A partnership, an association, a corporation, an
1184 organization, or other combination of persons organized under
1185 the laws of or having its principal place of business in a
1186 foreign country of concern, or a subsidiary of such entity;

1187 (d) Any person who is domiciled in a foreign country of
1188 concern and is not a citizen or lawful permanent citizen of the
1189 United States;

1190 (e) An agent, including a subsidiary or an affiliate of a
1191 foreign legal entity, acting on behalf of a foreign source of
1192 concern; or

1193 (f) An entity in which a person, entity, or collection of
1194 persons or entities described in paragraphs (a)-(e) has a
1195 controlling interest. As used in this paragraph, the term
1196 "controlling interest" means the possession of the power to
1197 direct or cause the direction of the management or policies of
1198 an entity, whether through ownership of securities, by contract,
1199 or otherwise. A person or an entity that directly or indirectly



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1200 has the right to vote 25 percent or more of the voting interest
1201 of the company or is entitled to 25 percent or more of its
1202 profits is presumed to possess a controlling interest.

1203 Section 44. Present paragraphs (d) through (g) of
1204 subsection (2) of section 496.405, Florida Statutes, are
1205 redesignated as paragraphs (f) through (i), respectively, new
1206 paragraphs (d) and (e) are added to that subsection, subsection
1207 (11) is added to that section, and subsection (1) and paragraph
1208 (b) of subsection (7) of that section are amended, to read:

1209 496.405 Registration statements by charitable organizations
1210 and sponsors.—

1211 (1) A charitable organization or sponsor, unless exempted
1212 pursuant to s. 496.406, which intends to solicit contributions
1213 in or from this state by any means or have funds solicited on
1214 its behalf by any other person, charitable organization,
1215 sponsor, commercial co-venturer, or professional solicitor, or
1216 that participates in a charitable sales promotion or sponsor
1217 sales promotion, must, before engaging in any of these
1218 activities, file an initial registration statement, which
1219 includes an attestation statement, and a renewal statement
1220 annually thereafter, with the department.

1221 (a) Except as provided in paragraph (b), any changes in the
1222 information submitted on the initial registration statement or
1223 the last renewal statement must be updated annually on a renewal
1224 statement provided by the department on or before the date that
1225 marks 1 year after the date the department approved the initial
1226 registration statement as provided in this section. The
1227 department shall annually provide a renewal statement to each
1228 registrant by mail or by electronic mail at least 30 days before



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1229 the renewal date.

1230 (b) Any changes to the information submitted to the
1231 department pursuant to paragraph (2)(f) ~~(2)(d)~~ on the initial
1232 registration statement, which includes an attestation statement,
1233 or the last renewal statement must be reported to the department
1234 on a form prescribed by the department within 10 days after the
1235 change occurs.

1236 (c) A charitable organization or sponsor that is required
1237 to file an initial registration statement or annual renewal
1238 statement may not, before approval of its statement by the
1239 department in accordance with subsection (7), solicit
1240 contributions or have contributions solicited on its behalf by
1241 any other person, charitable organization, sponsor, commercial
1242 co-venturer, or professional solicitor or participate in a
1243 charitable sales promotion or sponsor sales promotion.

1244 (d) The registration of a charitable organization or
1245 sponsor may not continue in effect and shall expire without
1246 further action of the department under either of the following
1247 circumstances:

1248 1. After the date the charitable organization or sponsor
1249 should have filed, but failed to file, its renewal statement in
1250 accordance with this section.

1251 2. For failure to provide a financial statement within any
1252 extension period provided under s. 496.407.

1253 (2) The initial registration statement must be submitted on
1254 a form prescribed by the department, signed by an authorized
1255 official of the charitable organization or sponsor who shall
1256 certify that the registration statement is true and correct, and
1257 include the following information or material:



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1258 (d) An attestation statement, which must be submitted on a
1259 form prescribed by the department and signed by an authorized
1260 official of the charitable organization, who shall certify and
1261 attest that the charitable organization, if engaged in
1262 activities that would require registration pursuant to chapter
1263 106 is registered with the Department of State, pursuant to
1264 chapter 106.

1265 (e) An attestation statement on a form prescribed by the
1266 department, signed by an authorized official of the charitable
1267 organization, who shall certify and attest that the charitable
1268 organization, if prohibited by applicable federal or state law,
1269 is not engaged in activities that would require registration
1270 with the Department of State pursuant to chapter 106.

1271 (7)

1272 (b) If a charitable organization or sponsor discloses
1273 information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~
1274 in the initial registration statement or annual renewal
1275 statement, the time limits set forth in paragraph (a) are
1276 waived, and the department shall process such initial
1277 registration statement or annual renewal statement in accordance
1278 with the time limits set forth in chapter 120. The registration
1279 of a charitable organization or sponsor shall be automatically
1280 suspended for failure to disclose any information specified in
1281 subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the
1282 required information is submitted to the department.

1283 (11) The department may investigate and refer a charitable
1284 organization or sponsor to the Florida Elections Commission for
1285 investigation of violations pursuant to chapters 104 and 106.

1286 Section 45. Subsection (20) is added to section 496.415,



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1287 Florida Statutes, to read:

1288 496.415 Prohibited acts.—It is unlawful for any person in
1289 connection with the planning, conduct, or execution of any
1290 solicitation or charitable or sponsor sales promotion to:

1291 (20) Solicit or accept contributions or anything of value
1292 from a foreign source of concern.

1293 Section 46. Section 496.417, Florida Statutes, is amended
1294 to read:

1295 496.417 Criminal penalties.—Except as otherwise provided in
1296 ss. 496.401-496.424, and in addition to any administrative or
1297 civil penalties, any person who willfully and knowingly violates
1298 ss. 496.401-496.424 commits a felony of the third degree,
1299 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1300 For a second or subsequent conviction, such violation
1301 constitutes a felony of the second degree, punishable as
1302 provided in s. 775.082, s. 775.083, or s. 775.084. The
1303 department may also investigate and refer a charitable
1304 organization or sponsor to the Florida Elections Commission for
1305 investigation of violations pursuant to chapters 104 and 106.

1306 Section 47. Subsection (11) is added to section 496.419,
1307 Florida Statutes, to read:

1308 496.419 Powers of the department.—

1309 (11) A charitable organization or sponsor whose
1310 registration is denied or revoked for submitting a false
1311 attestation required pursuant to s. 496.405(2)(d) or (2)(e) is
1312 subject to the penalties specified in subsection (5) at the
1313 discretion of the department.

1314 Section 48. Section 496.431, Florida Statutes, is created
1315 to read:



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1316 496.431 Honest Service Registry.-
1317 (1) The department shall create the Honest Services
1318 Registry to provide the residents of this state with the
1319 information necessary to make an informed choice when deciding
1320 which charitable organizations to support.
1321 (2) To be included on the Honest Services Registry, a
1322 charitable organization must, at a minimum, submit to the
1323 department an attestation statement on a form prescribed by the
1324 department, verified as provided in s. 92.525, attesting to all
1325 of the following:
1326 (a) That the organization does not solicit or accept,
1327 directly or indirectly, contributions, funding, support, or
1328 services from a foreign source of concern.
1329 (b) That the organization's messaging and content are not
1330 directly or indirectly produced or influenced by a foreign
1331 source of concern.
1332 (3) The department shall publish the Honest Services
1333 Registry on the department's website.
1334 (4) The department shall adopt rules to implement this
1335 section.
1336 Section 49. Paragraph (j) of subsection (1) of section
1337 500.03, Florida Statutes, is amended to read:
1338 500.03 Definitions; construction; applicability.-
1339 (1) For the purpose of this chapter, the term:
1340 (j) "Cottage food product" means food that is not time or
1341 temperature controlled for safety or a potentially hazardous
1342 food as defined by department rule which is sold by a cottage
1343 food operation in accordance with s. 500.80.
1344 Section 50. Paragraphs (a) and (b) of subsection (1) of



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1345 section 500.12, Florida Statutes, are amended to read:

1346 500.12 Food permits; building permits.—

1347 (1) (a) A food permit from the department is required of any
1348 person or business that ~~who~~ operates a food establishment,
1349 except:

1350 1. Persons or businesses operating minor food outlets that
1351 sell food that is commercially prepackaged, not potentially
1352 hazardous, not age restricted, and not time or temperature
1353 controlled for safety, if the shelf space for those items does
1354 not exceed 12 total linear feet and no other food is sold by the
1355 person or business minor food outlet.

1356 2. Persons subject to continuous, onsite federal or state
1357 inspection.

1358 3. Persons selling only legumes in the shell, either
1359 parched, roasted, or boiled.

1360 4. Persons selling sugar cane or sorghum syrup that has
1361 been boiled and bottled on a premise located within this state.
1362 Such bottles must contain a label listing the producer's name
1363 and street address, all added ingredients, the net weight or
1364 volume of the product, and a statement that reads, "This product
1365 has not been produced in a facility permitted by the Florida
1366 Department of Agriculture and Consumer Services."

1367 (b) Each food establishment regulated under this chapter
1368 must apply for and receive a food permit before operation
1369 begins. An application for a food permit from the department
1370 must be accompanied by a fee in an amount determined by
1371 department rule. The department shall adopt by rule a schedule
1372 of fees to be paid by each food establishment as a condition of
1373 issuance or renewal of a food permit. Such fees may not exceed



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1374 \$650 and must be used solely for the recovery of costs for the
1375 services provided, except that the fee accompanying an
1376 application for a food permit for operating a bottled water
1377 plant may not exceed \$1,000 and the fee accompanying an
1378 application for a food permit for operating a packaged ice plant
1379 may not exceed \$250. The fee for operating a bottled water plant
1380 or a packaged ice plant must be set by rule of the department.
1381 Food permits are not transferable from one person or physical
1382 location to another. Food permits must be renewed in accordance
1383 with subparagraphs 1.-3. If an application for renewal of a food
1384 permit is not received by the department on or before its due
1385 date, a late fee not exceeding \$100 must be paid in addition to
1386 the food permit fee before the department may issue the food
1387 permit. The moneys collected must be deposited in the General
1388 Inspection Trust Fund.

1389 1. A food permit issued to a new food establishment ~~on or~~
1390 ~~after September 1, 2023,~~ is valid for 1 calendar year after the
1391 date of issuance and must be renewed annually on or before that
1392 date thereafter.

1393 2. ~~Effective January 1, 2024,~~ A food permit issued before
1394 September 1, 2023, expires on the month and day the initial
1395 permit was issued to the food establishment and must be renewed
1396 annually on or before that date thereafter. The department may
1397 charge a prorated permit fee for purposes of this subparagraph.

1398 3. The department may establish a single permit renewal
1399 date for multiple food establishments owned by the same entity
1400 ~~The owner of 100 or more permitted food establishment locations~~
1401 ~~may elect to set the expiration of food permits for such~~
1402 ~~establishments as December 31 of each calendar year.~~



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1403 Section 51. Section 500.166, Florida Statutes, is amended
1404 to read:

1405 500.166 Records of interstate shipment.—For the purpose of
1406 enforcing this chapter, carriers engaged in interstate commerce
1407 and persons receiving food in interstate commerce shall retain
1408 all records for 3 years from the date of the record showing the
1409 movement in interstate commerce of any food, and the quantity,
1410 shipper and consignee thereof and, upon the request by an
1411 officer or employee duly designated by the department, permit
1412 the officer or employee to have access to and to copy all
1413 records showing the movement in interstate commerce of any food,
1414 and the quantity, shipper, and consignee thereof.

1415 Section 52. Subsection (1) of section 500.172, Florida
1416 Statutes, is amended to read:

1417 500.172 Embargoing, detaining, destroying of food, food
1418 processing equipment, or areas that are in violation.—

1419 (1) When the department, or its duly authorized agent who
1420 has received appropriate education and training regarding the
1421 legal requirements of this chapter, finds or has probable cause
1422 to believe that any food, food processing equipment, food
1423 processing area, or food storage area is in violation of this
1424 chapter or any rule adopted under this chapter so as to be
1425 dangerous, unwholesome, mislabeled, fraudulent, or insanitary
1426 within the meaning of this chapter, an agent of the department
1427 may issue and enforce a stop-sale, stop-use, removal, or hold
1428 order, which order gives notice that such article, processing
1429 equipment, processing area, or storage area is or is suspected
1430 of being in violation and has been detained or embargoed and
1431 which order warns all persons not to remove, use, or dispose of



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1432 such article, processing equipment, processing area, or storage
1433 area by sale or otherwise until permission for removal, use, or
1434 disposal is given by the department or the court. The department
1435 is authorized to enter into a written agreement with the owner
1436 of such food, food processing equipment, food processing area,
1437 or food storage area, or otherwise facilitate the destruction of
1438 any article found or suspected by the department to be in
1439 violation of this section. A person may not remove, use, or
1440 dispose of such detained or embargoed article, processing
1441 equipment, processing area, or storage area by sale or otherwise
1442 without such permission from or in accordance with a written
1443 agreement with the department.

1444 Section 53. Section 500.75, Florida Statutes, is created to
1445 read:

1446 500.75 Mushrooms spores and mycelium; offenses.—It is
1447 unlawful to transport, import, sell, offer for sale, furnish, or
1448 give away spores or mycelium capable of producing mushrooms or
1449 other material which will contain a controlled substance,
1450 including psilocybin or psilocyn, during its lifecycle. A person
1451 who transports, imports into this state, sells, offers for sale,
1452 furnishes, gives away, or offers to transport, import into this
1453 state, sell, furnish, or give away any spores or mycelium
1454 capable of producing mushrooms or other material which will
1455 contain a controlled substance commits a misdemeanor of the
1456 first degree, punishable as provided in s. 775.082 or s.
1457 775.083.

1458 Section 54. Section 500.93, Florida Statutes, is created to
1459 read:

1460 500.93 Mislabeleding of plant-based products as milk, meat,



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1461 or poultry.-
1462 (1) As used in this section, the term:
1463 (a) "Egg" and "egg product" have the same meanings as in 21
1464 U.S.C. s. 1033 and the Egg Products Inspection Act.
1465 (b) "FDA" means the United States Food and Drug
1466 Administration.
1467 (c) "Meat" has the same meaning as in 9 C.F.R. s. 301.2 and
1468 the Federal Meat Inspection Act.
1469 (d) "Milk" has the same meaning as in 21 C.F.R. s. 131.110
1470 and the Grade "A" pasteurized milk ordinance.
1471 (e) "Poultry" and "poultry product" have the same meanings
1472 as in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.
1473 (2) (a) In accordance with the established standard of
1474 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade
1475 "A" pasteurized milk ordinance, the department shall adopt rules
1476 to enforce the FDA's standard of identity for milk, as adopted
1477 in state law, to prohibit the sale of plant-based products
1478 mislabeled as milk in this state.
1479 (b) This subsection is effective upon the enactment into
1480 law of a mandatory labeling requirement to prohibit the sale of
1481 plant-based products mislabeled as milk that is consistent with
1482 this section by any 11 of the group of 14 states composed of
1483 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
1484 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
1485 Texas, Virginia, and West Virginia.
1486 (3) (a) In accordance with the established standard of
1487 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal
1488 Meat Inspection Act, and both poultry and poultry products
1489 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection



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1490 Act, the department shall adopt rules to enforce the FDA's
1491 standard of identity for meat, poultry, and poultry products as
1492 adopted in this section, to prohibit the sale of plant-based
1493 products mislabeled as meat, poultry, or poultry products in
1494 this state.

1495 (b) This subsection is effective upon the enactment into
1496 law of a mandatory labeling requirement to prohibit the sale of
1497 plant-based products mislabeled as meat, poultry, or poultry
1498 products which is consistent with this section by any 11 of the
1499 group of 14 states composed of Alabama, Arkansas, Florida,
1500 Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,
1501 South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1502 (4) (a) In accordance with the established standard of
1503 identity for eggs and egg products defined in 21 U.S.C. s. 1033
1504 and the Egg Products Inspection Act, the department shall adopt
1505 rules to enforce the FDA's standard of identity for eggs and egg
1506 products, as adopted in state law, to prohibit the sale of
1507 plant-based products mislabeled as egg or egg products in this
1508 state.

1509 (b) This subsection is effective upon the enactment into
1510 law of a mandatory labeling requirement to prohibit the sale of
1511 plant-based products mislabeled as egg or egg products that is
1512 consistent with this section by any 11 of the group of 14 states
1513 composed of Alabama, Arkansas, Florida, Georgia, Kentucky,
1514 Louisiana, Maryland, Mississippi, Oklahoma, South Carolina,
1515 Tennessee, Texas, Virginia, and West Virginia.

1516 (5) The Department of Agriculture and Consumer Services
1517 shall notify the Division of Law Revision upon the enactment
1518 into law by any 11 of the group of 14 states composed of



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1519 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
1520 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
1521 Texas, Virginia, and West Virginia of the mandatory labeling
1522 requirements pursuant to subsections (2) and (3).

1523 (6) The department shall adopt rules to implement this
1524 section.

1525 (7) This section may not be construed to limit the
1526 department's authority to enforce its laws and regulations.

1527 Section 55. Section 501.135, Florida Statutes, is repealed.

1528 Section 56. Subsection (1) of section 501.912, Florida
1529 Statutes, is amended to read:

1530 501.912 Definitions.—As used in ss. 501.91-501.923:

1531 (1) "Antifreeze" means any substance or preparation,
1532 including, but not limited to, coolant, antifreeze-coolant,
1533 antifreeze and summer coolant, or summer coolant, that is sold,
1534 distributed, or intended for use:

1535 (a) As the cooling liquid, or to be added to the cooling
1536 liquid, in the cooling system of ~~internal combustion engines of~~
1537 motor vehicles to prevent freezing of the cooling liquid or to
1538 lower its freezing point; or

1539 (b) To raise the boiling point of water, aid in vehicle
1540 component cooling, or for the prevention of engine overheating,
1541 whether or not the liquid is used as a year-round cooling system
1542 fluid.

1543 Section 57. Section 525.19, Florida Statutes, is created to
1544 read:

1545 525.19 Petroleum registration.—

1546 (1) The department shall create an annual petroleum
1547 registration program for petroleum owners or operators and shall



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1548 adopt rules detailing the requirements for such registration
1549 that include, at minimum:

- 1550 (a) Name of the petroleum owner or operator;
- 1551 (b) Address of the petroleum owner or operator;
- 1552 (c) Phone number of the petroleum owner or operator;
- 1553 (d) E-mail address of the petroleum owner or operator;
- 1554 (e) Requirements for the transfer switch;
- 1555 (f) Fuel and petroleum infrastructure; and
- 1556 (g) Fuel and petroleum inventory and delivery information.
- 1557 (2) The registration program must be free for all
1558 registrants.

1559 (3) The department has the authority to require registrants
1560 to provide updates related to the status of infrastructure,
1561 inventory, and delivery information during a state of emergency
1562 as declared by an executive order issued by the Governor.

1563 Section 58. Section 526.147, Florida Statutes, is created
1564 to read:

1565 526.147 Florida Retail Fuel Transfer Switch Modernization
1566 Grant Program.—

1567 (1) (a) There is created, subject to appropriation, the
1568 Florida Retail Fuel Transfer Switch Modernization Grant Program
1569 within the Department of Agriculture and Consumer Services.

1570 (b) The grant program shall provide grant funds, not to
1571 exceed \$10,000 per retail fuel facility, to be used for
1572 installation and equipment costs related to installing or
1573 modernizing transfer switch infrastructure at retail fuel
1574 facilities to allow for the continuity of fueling operations
1575 under generated power.

1576 (c) The department shall award funds based upon the



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1577 following criteria:

1578 1. Up to \$10,000, of costs for transfer switch purchase and
1579 installation for retail fuel locations in fiscally constrained
1580 counties as designated under s. 218.67(1).

1581 2. Up to \$5,000, of costs for transfer switch purchase and
1582 installation for all other retail fuel locations.

1583 (d) Retail fuel facilities which are awarded grant funds
1584 must comply with s. 526.143 and must install a transfer switch
1585 capable of operating all fuel pumps, dispensing equipment, life
1586 safety systems, and payment acceptance equipment using an
1587 alternative generated power source.

1588 (e) Before being awarded funding from the department,
1589 retail fuel facilities must provide documentation on transfer
1590 switch installation and required generator sizing to the
1591 department.

1592 (f) Marinas and fueling facilities with fewer than 4
1593 fueling positions are excluded from being awarded funding
1594 through this program.

1595 (g) Fueling facilities subject to s. 526.143(2) are
1596 excluded from being awarded funding through this program.

1597 (2) The department, in consultation with the Division of
1598 Emergency Management, shall adopt rules to implement and
1599 administer this section, including establishing grant
1600 application processes for the Florida Retail Fuel Transfer
1601 Switch Modernization Grant Program. The rules must include
1602 application deadlines and establish the supporting documentation
1603 necessary to be provided to the department.

1604 Section 59. Section 531.48, Florida Statutes, is amended to
1605 read:



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1606 531.48 Declarations of unit price on random packages.—In
1607 addition to the declarations required by s. 531.47, any package
1608 being one of a lot containing random weights of the same
1609 commodity must ~~and bearing the total selling price of the~~
1610 ~~package shall~~ bear on the outside of the package a plain and
1611 conspicuous declaration of the price per single unit of weight
1612 and the total retail price of the package, as defined by
1613 department rule.

1614 Section 60. Section 531.49, Florida Statutes, is amended to
1615 read:

1616 531.49 Advertising packages for sale.—~~Whenever~~ A packaged
1617 commodity ~~is advertised in any manner with the retail price~~
1618 ~~stated, there shall be~~ closely and conspicuously associated with
1619 the retail price must have a declaration of quantity as is
1620 required by law or rule to appear on the package.

1621 Section 61. Present subsections (44), (45), and (46) of
1622 section 570.07, Florida Statutes, are redesignated as
1623 subsections (46), (47), and (48), respectively, and new
1624 subsections (44) and (45) are added to that section, to read:

1625 570.07 Department of Agriculture and Consumer Services;
1626 functions, powers, and duties.—The department shall have and
1627 exercise the following functions, powers, and duties:

1628 (44) (a) To foster and encourage the employment and
1629 retention of qualified veterinary pathologists. The department
1630 may reimburse the educational expenses of qualified veterinary
1631 pathologists who enter into an agreement with the department to
1632 retain employment for a specified period of time.

1633 (b) The department shall adopt rules to administer this
1634 subsection.



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1635 (45) Subject to appropriation, to extend state and national
1636 Future Farmers of America opportunities to any public school
1637 student enrolled in agricultural education, at little or no cost
1638 to the student or school district, and to support statewide
1639 Future Farmers of America programming that helps such students
1640 develop their potential for premier leadership, personal growth,
1641 and career success.

1642 (46) (a) Notwithstanding ss. 287.042 and 287.057, to use
1643 contracts procured by another agency.

1644 (b) As used in this subsection, the term "agency" has the
1645 same meaning as provided in s. 287.012.

1646 Section 62. Subsection (2) of section 570.544, Florida
1647 Statutes, is amended to read:

1648 570.544 Division of Consumer Services; director; powers;
1649 processing of complaints; records.—

1650 (2) The director shall supervise, direct, and coordinate
1651 the activities of the division and shall, under the direction of
1652 the department, enforce the provisions of ss. 366.94 and ~~ss.~~
1653 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526,
1654 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

1655 Section 63. Section 570.546, Florida Statutes, is created
1656 to read:

1657 570.546 Licensing.—

1658 (1) The department is authorized to:

1659 (a) Create a process for the bulk renewal of licenses which
1660 will allow licensees the ability, upon request, to submit all
1661 license applications of the same type, notwithstanding any
1662 provisions of law applicable to each application process.

1663 (b) Create a process that will allow licensees, upon



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1664 request, to align the expiration dates of licenses within a
1665 statutory program.

1666 (c) Change the expiration dates for current licensees for
1667 the purpose of reducing large numbers of license expirations
1668 that occur during the same month.

1669 (2) The department shall prorate any licensing fee for
1670 which the term of the license was reduced for the purposes of
1671 alignment.

1672 (3) The department shall adopt rules to implement this
1673 section.

1674 Section 64. Section 570.694, Florida Statutes is created to
1675 read:

1676 570.694 Florida Aquaculture Foundation.—

1677 (1) The Florida Aquaculture Foundation is established as a
1678 direct-support organization within the Department of Agriculture
1679 and Consumer Services. The purpose of the foundation is to:

1680 (a) Conduct programs and activities related to the
1681 assistance, promotion, and furtherance of aquaculture and
1682 aquaculture producers in this state.

1683 (b) Identify and pursue methods to provide statewide
1684 resources and materials for these programs.

1685 (2) The foundation shall be governed by s. 570.691.

1686 (3) The department is authorized to appoint an advisory
1687 committee adjunct to the foundation pursuant to s. 570.232.

1688 Section 65. Section 570.822, Florida Statutes, is amended
1689 to read:

1690 570.822 Agriculture and Aquaculture Producers Emergency
1691 ~~Natural Disaster~~ Recovery Loan Program.—

1692 (1) DEFINITIONS.—As used in this section, the term:



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1693 (a) "Bona fide farm operation" means a farm operation
1694 engaged in a good faith commercial agricultural use of land on
1695 land classified as agricultural pursuant to s. 193.461 or on
1696 sovereign submerged land that is leased to the applicant by the
1697 department pursuant to s. 597.010 and that produces agricultural
1698 products within the definition of agriculture under s. 570.02.

1699 (b) "Declared emergency natural disaster" means an
1700 emergency ~~a natural disaster~~ for which a state of emergency is
1701 declared pursuant to s. 252.36 or s. 570.07(21).

1702 (c) "Department" means the Department of Agriculture and
1703 Consumer Services.

1704 (d) "Essential physical property" means fences; equipment;
1705 structural production facilities, such as shade houses and
1706 greenhouses; or other agriculture or aquaculture facilities or
1707 infrastructure.

1708 (e) "Program" means the Agriculture and Aquaculture
1709 Producers Emergency Natural Disaster Recovery Loan Program.

1710 (2) USE OF LOAN FUNDS; LOAN TERMS.—

1711 (a) The program is established within the department to
1712 make loans to agriculture and aquaculture producers that have
1713 experienced damage or destruction from a declared emergency
1714 ~~natural disaster~~. Loan funds may be used to restore, repair, or
1715 replace essential physical property or remove vegetative debris
1716 from essential physical property, or restock aquaculture. A
1717 structure or building constructed using loan proceeds must
1718 comply with storm-hardening standards for nonresidential farm
1719 buildings as defined in s. 604.50(2). The department shall adopt
1720 such standards by rule.

1721 (b) The department may make a low-interest or interest-free



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1722 loan to an eligible applicant. The maximum amount that an
1723 applicant may receive during the application period for a loan
1724 is \$500,000. An applicant may not receive more than one loan per
1725 application period and no more than two loans per year or no
1726 more than five loans in any 3-year period. A loan term is 10
1727 years.

1728 (3) ELIGIBLE APPLICANTS.—To be eligible for the program, an
1729 applicant must:

1730 (a) Own or lease a bona fide farm operation that is located
1731 in a county named in a declared emergency ~~natural disaster~~ and
1732 that was damaged or destroyed as a result of such declared
1733 emergency ~~natural disaster~~.

1734 (b) Maintain complete and acceptable farm records, pursuant
1735 to criteria published by the department, and present them as
1736 proof of production levels and bona fide farm operations.

1737 (4) LOAN APPLICATION AND AGREEMENT.—

1738 (a) Requests for loans must be made by application to the
1739 department. Upon a determination that funding for loans is
1740 available, the department shall publicly notice an application
1741 period for the declared emergency ~~natural disaster~~, beginning
1742 within 60 days after the date of the declared emergency ~~natural~~
1743 ~~disaster~~ and running up to 1 year after the date of the declared
1744 emergency ~~natural disaster~~ or until all available loan funds are
1745 exhausted, whichever occurs first. The application may be
1746 renewed upon a determination from the department and pursuant to
1747 an active declared emergency.

1748 (b) An applicant must demonstrate the need for financial
1749 assistance and an ability to repay or meet a standard credit
1750 rating determined by the department.



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1751 (c) Loans must be made pursuant to written agreements
1752 specifying the terms and conditions agreed to by the approved
1753 applicant and the department. The loan agreement must specify
1754 that the loan is due upon sale if the property or other
1755 collateral for the loan is sold.

1756 (d) An approved applicant must agree to stay in production
1757 for the duration of the loan. A loan is not assumable.

1758 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured
1759 by a lien, subordinate only to any mortgage held by a financial
1760 institution as defined in s. 655.005, on property or other
1761 collateral as set forth in the loan agreement. The specific type
1762 of collateral required may vary depending upon the loan purpose,
1763 repayment ability, and the particular circumstances of the
1764 applicant. The department shall record the lien in public
1765 records in the county where the property is located and, in the
1766 case of personal property, perfect the security interest by
1767 filing appropriate Uniform Commercial Code forms with the
1768 Florida Secured Transaction Registry as required pursuant to
1769 chapter 679.

1770 (6) LOAN REPAYMENT.—

1771 (a) A loan is due and payable in accordance with the terms
1772 of the loan agreement.

1773 (b) The department shall defer payments for the first 3
1774 years of the loan. After 3 years, the department shall reduce
1775 the principal balance annually through the end of the loan term
1776 such that the original principal balance is reduced by 30
1777 percent. If the principal balance is repaid before the end of
1778 the 10th year, the applicant may not be required to pay more
1779 than 70 percent of the original principal balance. The approved



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1780 applicant must continue to be actively engaged in production in
1781 order to receive the original principal balance reductions and
1782 must continue to meet the loan agreement terms to the
1783 satisfaction of the department.

1784 (c) An approved applicant may make payments on the loan at
1785 any time without penalty. Early repayment is encouraged as other
1786 funding sources or revenues become available to the approved
1787 applicant.

1788 (d) All repayments of principal and interest, if
1789 applicable, received by the department in a fiscal year must be
1790 returned to the loan fund and made available for loans to other
1791 applicants in the next application period.

1792 (e) The department may periodically review an approved
1793 applicant to determine whether he or she continues to be in
1794 compliance with the terms of the loan agreement. If the
1795 department finds that an applicant is no longer in production or
1796 has otherwise violated the loan agreement, the department may
1797 seek repayment of the full original principal balance
1798 outstanding, including any interest or costs, as applicable, and
1799 excluding any applied or anticipated original principal balance
1800 reductions.

1801 (f) The department may defer or waive loan payments if at
1802 any time during the repayment period of a loan, the approved
1803 applicant experiences a significant hardship such as crop loss
1804 from a weather-related event or from impacts from a natural
1805 disaster or declared emergency.

1806 (7) ADMINISTRATION.—

1807 (a) The department shall create and maintain a separate
1808 account in the General Inspection Trust Fund as a fund for the



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1809 program. All repayments must be returned to the loan fund and
1810 made available as provided in this section. Notwithstanding s.
1811 216.301, funds appropriated for the loan program are not subject
1812 to reversion. The department shall manage the fund, establishing
1813 loan practices that must include, but are not limited to,
1814 procedures for establishing loan interest rates, uses of
1815 funding, application procedures, and application review
1816 procedures. The department is authorized to contract with a
1817 third-party administrator to administer the program and manage
1818 the loan fund. A contract for a third-party administrator that
1819 includes management of the loan fund must, at a minimum, require
1820 maintenance of the loan fund to ensure that the program may
1821 operate in a revolving manner.

1822 (b) The department shall coordinate with other state
1823 agencies and other entities to ensure to the greatest extent
1824 possible that agriculture and aquaculture producers in this
1825 state have access to the maximum financial assistance available
1826 following a declared emergency ~~natural disaster~~. The
1827 coordination must endeavor to ensure that there is no
1828 duplication of financial assistance between the loan program and
1829 other funding sources, such as any federal or other state
1830 programs, including public assistance requests to the Federal
1831 Emergency Management Agency or financial assistance from the
1832 United States Department of Agriculture, which could render the
1833 approved applicant ineligible for other financial assistance.

1834 (8) PUBLIC RECORDS EXEMPTION.—

1835 (a) The following information held by the department
1836 pursuant to its administration of the program is exempt from s.
1837 119.07(1) and s. 24(a), Art. I of the State Constitution:



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- 1838 1. Tax returns.
1839 2. Credit history information, credit reports, and credit
1840 scores.

1841 (b) This subsection does not prohibit the disclosure of
1842 information held by the department pursuant to its
1843 administration of the program in an aggregated and anonymized
1844 format.

1845 (c) This subsection is subject to the Open Government
1846 Sunset Review Act in accordance with s. 119.15 and shall stand
1847 repealed on October 2, 2029, unless reviewed and saved from
1848 repeal through reenactment by the Legislature.

1849 (9) RULES.—The department shall adopt rules to implement
1850 this section.

1851 (10) REPORTS.—By December 1, 2024, and each December 1
1852 thereafter, the department shall provide a report on program
1853 activities during the previous fiscal year to the President of
1854 the Senate and the Speaker of the House of Representatives. The
1855 report must include information on noticed application periods,
1856 the number and value of loans awarded under the program for each
1857 application period, the number and value of loans outstanding,
1858 the number and value of any loan repayments received, and an
1859 anticipated repayment schedule for all loans.

1860 (11) SUNSET.—This section expires July 1, 2043, unless
1861 reviewed and saved from repeal through reenactment by the
1862 Legislature.

1863 Section 66. Section 570.823, Florida Statutes, is created
1864 to read:

1865 570.823 Silviculture emergency recovery program.—

1866 (1) DEFINITIONS.—As used in this section, the term:



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1867 (a) "Bona fide farm operation" means a farm operation
1868 engaged in a good faith commercial agricultural use of land on
1869 land classified as agricultural pursuant to s. 193.461 that
1870 produces agricultural products within the definition of
1871 agriculture under s. 570.02.

1872 (b) "Declared emergency" means an emergency for which a
1873 state of emergency is declared pursuant to s. 252.36 or s.
1874 570.07(21).

1875 (c) "Department" means the Department of Agriculture and
1876 Consumer Services.

1877 (d) "Program" means the silviculture emergency recovery
1878 program.

1879 (2) USE OF GRANT FUNDS; GRANT TERMS.—

1880 (a) The silviculture emergency recovery program is
1881 established within the department to administer a grant program
1882 to assist timber landowners whose timber land was damaged as a
1883 result of a declared emergency. Grants provided to eligible
1884 timber landowners must be used for:

1885 1. Timber stand restoration, including downed tree removal
1886 on land which will retain the existing trees on site which are
1887 lightly or completely undamaged;

1888 2. Site preparation, and tree replanting; or

1889 3. Road and trail clearing on private timber lands to
1890 provide emergency access and facilitate salvage operations.

1891 (b) Only timber land located on lands classified as
1892 agricultural lands under s. 193.461 are eligible for the
1893 program.

1894 (c) The department shall coordinate with state agencies and
1895 other entities to ensure to the greatest extent possible that



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1896 timber landowners have access to the maximum financial
1897 assistance available following a specified declared emergency.
1898 The coordination must endeavor to ensure that there is no
1899 duplication of financial assistance between these funds and
1900 other funding sources, such as any federal or other state
1901 programs, including public assistance requests to the Federal
1902 Emergency Management Agency or financial assistance from the
1903 United States Department of Agriculture, which would render the
1904 approved applicant ineligible for other financial assistance.

1905 (d) The department is authorized to adopt rules to
1906 implement this section, including emergency rules.
1907 Notwithstanding any other provision of law, emergency rules
1908 adopted pursuant to this subsection are effective for 6 months
1909 after adoption and may be renewed during the pendency of
1910 procedures to adopt permanent rules addressing the subject of
1911 the emergency rules.

1912 Section 67. Subsections (2) and (5) of section 581.1843,
1913 Florida Statutes, are amended to read:

1914 581.1843 Citrus nursery stock propagation and production
1915 and the establishment of regulated areas around citrus
1916 nurseries.—

1917 (2) Effective January 1, 2007, it is unlawful for any
1918 person to propagate for sale or movement any citrus nursery
1919 stock that was not propagated or grown on a site and within a
1920 protective structure approved by the department ~~and that is not~~
1921 ~~at least 1 mile away from commercial citrus groves. A citrus~~
1922 ~~nursery registered with the department prior to April 1, 2006,~~
1923 ~~shall not be required to comply with the 1-mile setback from~~
1924 ~~commercial citrus groves while continuously operating at the~~



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1925 ~~same location for which it was registered.~~ However, the nursery
1926 shall be required to propagate citrus within a protective
1927 structure approved by the department. Effective January 1, 2008,
1928 it is ~~shall be~~ unlawful to distribute any citrus nursery stock
1929 that was not produced in a protective structure approved by the
1930 department.

1931 ~~(5) The department shall establish regulated areas around~~
1932 ~~the perimeter of commercial citrus nurseries that were~~
1933 ~~established on sites after April 1, 2006, not to exceed a radius~~
1934 ~~of 1 mile. The planting of citrus in an established regulated~~
1935 ~~area is prohibited. The planting of citrus within a 1-mile~~
1936 ~~radius of commercial citrus nurseries that were established on~~
1937 ~~sites prior to April 1, 2006, must be approved by the~~
1938 ~~department. Citrus plants planted within a regulated area prior~~
1939 ~~to the establishment of the regulated area may remain in the~~
1940 ~~regulated area unless the department determines the citrus~~
1941 ~~plants to be infected or infested with citrus canker or citrus~~
1942 ~~greening. The department shall require the removal of infected~~
1943 ~~or infested citrus, nonapproved planted citrus, and citrus that~~
1944 ~~has sprouted by natural means in regulated areas. The property~~
1945 ~~owner shall be responsible for the removal of citrus planted~~
1946 ~~without proper approval. Notice of the removal of citrus trees,~~
1947 ~~by immediate final order of the department, shall be provided to~~
1948 ~~the owner of the property on which the trees are located. An~~
1949 ~~immediate final order issued by the department under this~~
1950 ~~section shall notify the property owner that the citrus trees,~~
1951 ~~which are the subject of the immediate final order, must be~~
1952 ~~removed and destroyed unless the property owner, no later than~~
1953 ~~10 days after delivery of the immediate final order, requests~~



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1954 ~~and obtains a stay of the immediate final order from the~~
1955 ~~district court of appeal with jurisdiction to review such~~
1956 ~~requests. The property owner shall not be required to seek a~~
1957 ~~stay from the department of the immediate final order prior to~~
1958 ~~seeking a stay from the district court of appeal.~~

1959 Section 68. Sections 593.101, 593.102, 593.103, 593.104,
1960 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,
1961 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116,
1962 and 593.117, Florida Statutes, are repealed.

1963 Section 69. Subsection (11) of section 595.404, Florida
1964 Statutes, is amended to read:

1965 595.404 School food and other nutrition programs; powers
1966 and duties of the department.—The department has the following
1967 powers and duties:

1968 (11) To adopt and implement an appeal process by rule, as
1969 required by federal regulations, for applicants and participants
1970 under the programs implemented pursuant to this chapter,
1971 notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss.~~
1972 ~~120.569 and 120.57-120.595.~~

1973 Section 70. Section 599.002, Florida Statutes, is amended
1974 to read:

1975 599.002 Florida Wine ~~Viticulture~~ Advisory Council.—

1976 (1) There is created within the Department of Agriculture
1977 and Consumer Services the Florida Wine ~~Viticulture~~ Advisory
1978 Council, to be composed ~~consist~~ of eight members as follows: the
1979 president of the Florida Wine and Grape Growers Association
1980 ~~Florida Grape Growers' Association~~ or a designee thereof; a
1981 representative from the Institute of Food and Agricultural
1982 Sciences; a representative from the viticultural science program



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1983 at Florida Agricultural and Mechanical University; and five
1984 additional commercial members, to be appointed for a 2-year term
1985 each by the Commissioner of Agriculture, including a wine
1986 producer, a fresh fruit producer, a nonwine product (juice,
1987 jelly, pie fillings, etc.) producer, and a viticultural nursery
1988 operator.

1989 (2) The meetings, powers and duties, procedures, and
1990 recordkeeping of the Florida Wine Viticulture Advisory Council
1991 shall be pursuant to s. 570.232.

1992 (3) The primary responsibilities of the Florida Wine
1993 Viticulture Advisory Council are to submit to the Commissioner
1994 of Agriculture, annually, the industry's recommendations for
1995 wine and viticultural research, promotion, and education and, as
1996 necessary, the industry's recommendations for revisions to the
1997 State Wine Viticulture Plan.

1998 Section 71. Section 599.003, Florida Statutes, is amended
1999 to read:

2000 599.003 State Wine Viticulture Plan.—

2001 (1) The Commissioner of Agriculture, in consultation with
2002 the Florida Wine Viticulture Advisory Council, shall develop and
2003 coordinate the implementation of the State Wine Viticulture
2004 Plan, which shall identify problems and constraints of the wine
2005 and viticulture industry, propose possible solutions to those
2006 problems, and develop planning mechanisms for the orderly growth
2007 of the industry, including:

2008 (a) Criteria for wine and viticultural research, service,
2009 and management priorities.

2010 (b) Additional proposed legislation that may be required.

2011 (c) Plans and goals to improve research and service



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2012 capabilities at Florida Agricultural and Mechanical University
2013 and the University of Florida in their efforts to address
2014 current and future needs of the industry.

2015 (d) The potential for viticulture products in terms of
2016 market and needs for development.

2017 (e) Evaluation of wine policy alternatives, including, but
2018 not limited to, continued improvement in wine quality, blending
2019 considerations, promotion and advertising, labeling and vineyard
2020 designations, and development of production and marketing
2021 strategies.

2022 (f) Evaluation of production and fresh fruit policy
2023 alternatives, including, but not limited to, setting minimum
2024 grades and standards, promotion and advertising, development of
2025 production and marketing strategies, and setting minimum
2026 standards on types and quality of nursery plants.

2027 (g) Evaluation of policy alternatives for nonwine processed
2028 products, including, but not limited to, setting minimum quality
2029 standards and development of production and marketing
2030 strategies.

2031 (h) Research and service priorities for further development
2032 of the wine and viticulture industry.

2033 (i) The identification of state agencies and public and
2034 private institutions concerned with research, education,
2035 extension, services, planning, promotion, and marketing
2036 functions related to wine and viticultural development and the
2037 delineation of contributions and responsibilities.

2038 (j) Business planning, investment potential, financial
2039 risks, and economics of production and utilization.

2040 (2) A revision and update of the State Wine ~~Viticulture~~



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2041 Plan must ~~shall~~ be submitted biennially to the President of the
2042 Senate, the Speaker of the House of Representatives, and the
2043 chairs of appropriate committees of the Senate and House of
2044 Representatives, and a progress report and budget request must
2045 ~~shall~~ be submitted annually.

2046 Section 72. Paragraph (a) of subsection (2) and subsection
2047 (3) of section 599.004, Florida Statutes, are amended, and
2048 paragraph (d) is added to subsection (2) of that section, to
2049 read:

2050 599.004 Florida Farm Winery Program; registration; logo;
2051 fees.—

2052 (2) (a) The department, in coordination with the Florida
2053 Wine Viticulture Advisory Council, shall develop and designate
2054 by rule a Florida Farm Winery logo, emblem, and directional sign
2055 to guide the public to certified Florida Farm Wineries ~~Winery~~
2056 ~~tourist attractions~~. The logo and emblem of certified Florida
2057 Farm Winery signs must ~~shall~~ be uniform.

2058 (d) Wineries that fail to recertify annually or pay the
2059 licensing fee required in paragraph (c) are subject to having
2060 the signs referenced in paragraph (b) removed and will be
2061 responsible for all costs incurred by the Department of
2062 Transportation in connection with the removal.

2063 (3) All fees collected, except as otherwise provided by
2064 this section, shall be deposited into the Florida Wine
2065 Viticulture Trust Fund and used to develop consumer information
2066 on the native characteristics and proper use of wines.

2067 Section 73. Section 599.012, Florida Statutes, is amended
2068 to read:

2069 599.012 Wine ~~Viticulture~~ Trust Fund; creation.—



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2070 (1) There is established the Viticulture Trust Fund within
2071 the Department of Agriculture and Consumer Services. The
2072 department shall use the moneys deposited in the trust fund
2073 pursuant to subsection (2) to do all the following:

2074 (a) Develop and coordinate the implementation of the State
2075 Viticulture Plan.

2076 (b) Promote viticulture products manufactured from products
2077 grown in the state.

2078 (c) Provide grants for viticultural research.

2079 (2) Fifty percent of the revenues collected from the excise
2080 taxes imposed under s. 564.06 on wine produced by manufacturers
2081 in this state from products grown in the state will be deposited
2082 in the Viticulture Trust Fund in accordance with that section.

2083 Section 74. Subsection (1) of section 616.12, Florida
2084 Statutes, is amended to read:

2085 616.12 Licenses upon certain shows; distribution of fees;
2086 exemptions.—

2087 (1) Each person who operates any traveling show,
2088 exhibition, amusement enterprise, carnival, vaudeville, exhibit,
2089 ~~minstrel~~, rodeo, theatrical, game or test of skill, riding
2090 device, dramatic repertoire, other show or amusement, or
2091 concession, including a concession operating in a tent,
2092 enclosure, or other temporary structure, within the grounds of,
2093 and in connection with, any annual public fair held by a fair
2094 association shall pay the license taxes provided by law.

2095 However, if the association satisfies the requirements of this
2096 chapter, including securing the required fair permit from the
2097 department, the license taxes and local business tax authorized
2098 in chapter 205 are waived and the department shall issue a tax



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2099 exemption certificate. The department shall adopt the proper
2100 forms and rules to administer this section, including the
2101 necessary tax exemption certificate, showing that the fair
2102 association has met all requirements and that the traveling
2103 show, exhibition, amusement enterprise, carnival, vaudeville,
2104 exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill,
2105 riding device, dramatic repertoire, other show or amusement, or
2106 concession is exempt.

2107 Section 75. Section 687.16, Florida Statutes, is created to
2108 read:

2109 687.16 Florida Farmer Financial Protection Act.-

2110 (1) SHORT TITLE.-This section may be cited as the "Florida
2111 Farmer Financial Protection Act."

2112 (2) DEFINITIONS.-

2113 (a) "Agritourism activity" has the same meaning as provided
2114 in s. 570.86.

2115 (b) "Agriculture producer" means a person or company
2116 authorized to do business in this state and engaged in the
2117 production of goods derived from plants or animals, including,
2118 but not limited to, the growing of crops, silviculture, animal
2119 husbandry, or the production of livestock or dairy products.

2120 (c) "Commissioner" means the Commissioner of Agriculture.

2121 (d) "Company" means a for-profit organization, association,
2122 corporation, partnership, joint venture, sole proprietorship,
2123 limited partnership, limited liability partnership, or limited
2124 liability company, including a wholly owned subsidiary,
2125 majority-owned subsidiary, parent company, or affiliate of those
2126 entities or business associations authorized to do business in
2127 this state.



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2128 (e) "Denies or restricts" means refusing to provide
2129 services, terminating existing services, or restricting or
2130 burdening the scope or nature of services offered or provided.

2131 (f) "Discriminate in the provision of financial services"
2132 means to deny or restrict services and thereby decline to
2133 provide financial services.

2134 (g) "ESG factor" means any factor or consideration that is
2135 collateral to or not reasonably likely to affect or impact
2136 financial risk and includes the promotion, furtherance, or
2137 achievement of environmental, social, or political goals,
2138 objectives, or outcomes, which may include the agriculture
2139 producer's greenhouse gas emissions, use of fossil-fuel derived
2140 fertilizer, or use of fossil-fuel powered machinery.

2141 (h) "Farm" means the land, buildings, support facilities,
2142 machinery, and other appurtenances used in the production of
2143 farm or aquaculture products.

2144 (i) "Financial institution" means a company authorized to
2145 do business in this state which has total assets of more than
2146 \$100 million and offers financial services. A financial
2147 institution includes any affiliate or subsidiary company, even
2148 if that affiliate or subsidiary company is also a financial
2149 institution.

2150 (j) "Financial service" means any product or service that
2151 is of a financial nature and is offered by a financial
2152 institution.

2153 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

2154 (a) A financial institution may not discriminate in the
2155 provision of financial services to an agriculture producer
2156 based, in whole or in part, upon an ESG factor.



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2157 (b) If a financial institution has made any ESG commitment
2158 related to agriculture, there is an inference that the
2159 institution's denial or restriction of a financial service to an
2160 agriculture producer violates paragraph (a).

2161 (c) A financial institution may overcome the inference in
2162 paragraph (b) by demonstrating that its denial or restriction of
2163 a financial service was based solely on documented risk
2164 analysis, and not on any ESG factor.

2165 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney
2166 General, in consultation with the Office of Financial
2167 Regulation, is authorized to enforce subsection (3). Any
2168 violation of subsection (3) constitutes an unfair trade practice
2169 under part II of chapter 501 and the Attorney General is
2170 authorized to investigate and seek remedies as provided in
2171 general law. Actions for damages may be sought by an aggrieved
2172 party.

2173 Section 76. Paragraph (a) of subsection (3) of section
2174 741.0305, Florida Statutes, is amended to read:

2175 741.0305 Marriage fee reduction for completion of
2176 premarital preparation course.—

2177 (3)(a) All individuals electing to participate in a
2178 premarital preparation course shall choose from the following
2179 list of qualified instructors:

- 2180 1. A psychologist licensed under chapter 490.
- 2181 2. A clinical social worker licensed under chapter 491.
- 2182 3. A marriage and family therapist licensed under chapter
2183 491.
- 2184 4. A mental health counselor licensed under chapter 491.
- 2185 5. An official representative of a religious institution



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2186 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the
2187 representative has relevant training.

2188 6. Any other provider designated by a judicial circuit,
2189 including, but not limited to, school counselors who are
2190 certified to offer such courses. Each judicial circuit may
2191 establish a roster of area course providers, including those who
2192 offer the course on a sliding fee scale or for free.

2193 Section 77. Paragraph (h) of subsection (2), subsection
2194 (3), paragraph (c) of subsection (6), and subsection (10) of
2195 section 790.06, Florida Statutes, are amended to read:

2196 790.06 License to carry concealed weapon or concealed
2197 firearm.—

2198 (2) The Department of Agriculture and Consumer Services
2199 shall issue a license if the applicant:

2200 (h) Demonstrates competence with a firearm by any one of
2201 the following:

2202 1. Completion of any hunter education or hunter safety
2203 course approved by the Fish and Wildlife Conservation Commission
2204 or a similar agency of another state;

2205 2. Completion of any National Rifle Association firearms
2206 safety or training course;

2207 3. Completion of any firearms safety or training course or
2208 class available to the general public offered by a law
2209 enforcement agency, junior college, college, or private or
2210 public institution or organization or firearms training school,
2211 using instructors certified by the National Rifle Association,
2212 Criminal Justice Standards and Training Commission, or the
2213 Department of Agriculture and Consumer Services;

2214 4. Completion of any law enforcement firearms safety or



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2215 training course or class offered for security guards,
2216 investigators, special deputies, or any division or subdivision
2217 of a law enforcement agency or security enforcement;

2218 5. Presents evidence of equivalent experience with a
2219 firearm through participation in organized shooting competition
2220 or United States military service;

2221 6. Is licensed or has been licensed to carry a concealed
2222 weapon or concealed firearm in this state or a county or
2223 municipality of this state, unless such license has been revoked
2224 for cause; or

2225 7. Completion of any firearms training or safety course or
2226 class conducted by a state-certified or National Rifle
2227 Association certified firearms instructor;

2228
2229 A photocopy of a certificate of completion of any of the courses
2230 or classes; an affidavit from the instructor, school, club,
2231 organization, or group that conducted or taught such course or
2232 class attesting to the completion of the course or class by the
2233 applicant; or a copy of any document that shows completion of
2234 the course or class or evidences participation in firearms
2235 competition shall constitute evidence of qualification under
2236 this paragraph. A person who conducts a course pursuant to
2237 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as
2238 an instructor, attests to the completion of such courses, must
2239 maintain records certifying that he or she observed the student
2240 safely handle and discharge the firearm in his or her physical
2241 presence and that the discharge of the firearm included live
2242 fire using a firearm and ammunition as defined in s. 790.001;

2243 (3) (a) The Department of Agriculture and Consumer Services



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2244 shall deny a license if the applicant has been found guilty of,
2245 had adjudication of guilt withheld for, or had imposition of
2246 sentence suspended for one or more crimes of violence
2247 constituting a misdemeanor, unless 3 years have elapsed since
2248 probation or any other conditions set by the court have been
2249 fulfilled or the record has been sealed or expunged. The
2250 Department of Agriculture and Consumer Services shall revoke a
2251 license if the licensee has been found guilty of, had
2252 adjudication of guilt withheld for, or had imposition of
2253 sentence suspended for one or more crimes of violence within the
2254 preceding 3 years. The department shall, upon notification by a
2255 law enforcement agency, a court, clerk's office, or the Florida
2256 Department of Law Enforcement ~~and subsequent written~~
2257 ~~verification~~, temporarily suspend a license or the processing of
2258 an application for a license if the licensee or applicant is
2259 arrested or formally charged with a crime that would disqualify
2260 such person from having a license under this section, until
2261 final disposition of the case. The department shall suspend a
2262 license or the processing of an application for a license if the
2263 licensee or applicant is issued an injunction that restrains the
2264 licensee or applicant from committing acts of domestic violence
2265 or acts of repeat violence. The department shall notify the
2266 licensee or applicant suspended under this section of his or her
2267 right to a hearing pursuant to chapter 120. A hearing conducted
2268 regarding the temporary suspension must be for the limited
2269 purpose of determining whether the licensee has been arrested or
2270 charged with a disqualifying crime or issued an injunction or
2271 court order. If the criminal case or injunction results in a
2272 nondisqualifying disposition, the department must issue an order



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2273 lifting the suspension upon the applicant or licensee's
2274 submission to the department of a certified copy of the final
2275 resolution. If the criminal case results in a disqualifying
2276 disposition, the suspension remains in effect and the department
2277 must proceed with denial or revocation proceedings pursuant to
2278 chapter 120.

2279 (b) This subsection may not be construed to limit,
2280 restrict, or inhibit the constitutional right to bear arms and
2281 carry a concealed weapon in this state. The Legislature finds it
2282 a matter of public policy and public safety that it is necessary
2283 to ensure that potentially disqualifying information about an
2284 applicant or licensee is investigated and processed in a timely
2285 manner by the department pursuant to this section. The
2286 Legislature intends to clarify that suspensions pursuant to this
2287 section are temporary, and the department has the duty to make
2288 an eligibility determination and issue a license in the time
2289 frame prescribed in this subsection.

2290 (6)

2291 (c) The Department of Agriculture and Consumer Services
2292 shall, within 90 days after the date of receipt of the items
2293 listed in subsection (5):

2294 1. Issue the license; or

2295 2. Deny the application based solely on the ground that the
2296 applicant fails to qualify under the criteria listed in
2297 subsection (2) or subsection (3). If the Department of
2298 Agriculture and Consumer Services denies the application, it
2299 shall notify the applicant in writing, stating the ground for
2300 denial and informing the applicant of any right to a hearing
2301 pursuant to chapter 120.



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2302 3. In the event the result of the criminal history
2303 screening identifies ~~department receives~~ criminal history
2304 information related to a crime that may disqualify the applicant
2305 but does not contain ~~with no~~ final disposition of the crime or
2306 lacks sufficient information to make an eligibility
2307 determination ~~on a crime which may disqualify the applicant,~~ the
2308 time limitation prescribed by this paragraph may be extended for
2309 up to an additional 90 days from the receipt of the information
2310 suspended until receipt of the final disposition or proof of
2311 restoration of civil and firearm rights. The department may make
2312 a request for information to the jurisdiction where the criminal
2313 history information originated but must issue a license if it
2314 does not obtain a disposition or sufficient information to make
2315 an eligibility determination during the additional 90 days if
2316 the applicant is otherwise eligible. The department may take any
2317 action authorized in this section if it receives disqualifying
2318 criminal history information during the additional 90-day review
2319 or after issuance of a license.

2320 (10) A license issued under this section must ~~shall~~ be
2321 temporarily suspended as provided for in subparagraph (6)(c)3.,
2322 or revoked pursuant to chapter 120 if the license was issued in
2323 error or if the licensee:

2324 (a) Is found to be ineligible under the criteria set forth
2325 in subsection (2);

2326 (b) Develops or sustains a physical infirmity which
2327 prevents the safe handling of a weapon or firearm;

2328 (c) Is convicted of a felony which would make the licensee
2329 ineligible to possess a firearm pursuant to s. 790.23;

2330 (d) Is found guilty of a crime under chapter 893, or



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2331 similar laws of any other state, relating to controlled
2332 substances;

2333 (e) Is committed as a substance abuser under chapter 397,
2334 or is deemed a habitual offender under s. 856.011(3), or similar
2335 laws of any other state;

2336 (f) Is convicted of a second violation of s. 316.193, or a
2337 similar law of another state, within 3 years after a first
2338 conviction of such section or similar law of another state, even
2339 though the first violation may have occurred before the date on
2340 which the application was submitted;

2341 (g) Is adjudicated an incapacitated person under s.
2342 744.331, or similar laws of any other state; or

2343 (h) Is committed to a mental institution under chapter 394,
2344 or similar laws of any other state.

2345
2346 Notwithstanding s. 120.60(5), service of a notice of the
2347 suspension or revocation of a concealed weapon or concealed
2348 firearm license must be given by either certified mail, return
2349 receipt requested, to the licensee at his or her last known
2350 mailing address furnished to the Department of Agriculture and
2351 Consumer Services, or by personal service. If a notice given by
2352 certified mail is returned as undeliverable, a second attempt
2353 must be made to provide notice to the licensee at that address,
2354 by either first-class mail in an envelope, postage prepaid,
2355 addressed to the licensee at his or her last known mailing
2356 address furnished to the department, or, if the licensee has
2357 provided an e-mail address to the department, by e-mail. Such
2358 mailing by the department constitutes notice, and any failure by
2359 the licensee to receive such notice does not stay the effective



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2360 date or term of the suspension or revocation. A request for
2361 hearing must be filed with the department within 21 days after
2362 notice is received by personal delivery, or within 26 days after
2363 the date the department deposits the notice in the United States
2364 mail (21 days plus 5 days for mailing). The department shall
2365 document its attempts to provide notice, and such documentation
2366 is admissible in the courts of this state and constitutes
2367 sufficient proof that notice was given.

2368 Section 78. Subsection (2) of section 812.0151, Florida
2369 Statutes, is amended to read:

2370 812.0151 Retail fuel theft.—

2371 (2) (a) A person commits a felony of the third degree,
2372 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2373 if he or she willfully, knowingly, and without authorization:

2374 1. Breaches a retail fuel dispenser or accesses any
2375 internal portion of a retail fuel dispenser; or

2376 2. Possesses any device constructed for the purpose of
2377 fraudulently altering, manipulating, or interrupting the normal
2378 functioning of a retail fuel dispenser.

2379 3. Possesses any form of a payment instrument that can be
2380 used, alone or in conjunction with another access device, to
2381 authorize a fuel transaction or obtain fuel, including, but not
2382 limited to, a plastic payment card with a magnetic stripe or a
2383 chip encoded with account information or both, with the intent
2384 to defraud the fuel retailer, the authorized payment instrument
2385 financial account holder, or the banking institution that issued
2386 the payment instrument financial account.

2387 (b) A person commits a felony of the second degree,
2388 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,



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2389 if he or she willfully, knowingly, and without authorization:

2390 1. Physically tampers with, manipulates, removes, replaces,
2391 or interrupts any mechanical or electronic component located on
2392 ~~within~~ the internal or external portion of a retail fuel
2393 dispenser; or

2394 2. Uses any form of electronic communication to
2395 fraudulently alter, manipulate, or interrupt the normal
2396 functioning of a retail fuel dispenser.

2397 (c) A person commits a felony of the third degree,
2398 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2399 if he or she:

2400 1. Obtains fuel as a result of violating paragraph (a) or
2401 paragraph (b); ~~or~~

2402 2. Modifies a vehicle's factory installed fuel tank or
2403 possesses any item used to hold fuel which was not fitted to a
2404 vehicle or conveyance at the time of manufacture with the intent
2405 to use such fuel tank or item to hold or transport fuel obtained
2406 as a result of violating paragraph (a) or paragraph (b); or

2407 3. Uses any form of a payment instrument that can be used,
2408 alone or in conjunction with another access device, to authorize
2409 a fuel transaction or obtain fuel, including, but not limited
2410 to, a plastic payment card with a magnetic stripe or a chip
2411 encoded with account information or both, with the intent to
2412 defraud the fuel retailer, the authorized payment instrument
2413 financial account holder, or the banking institution that issued
2414 the payment instrument financial account.

2415 Section 79. Section 812.136, Florida Statutes, is created
2416 to read:

2417 812.136 Mail theft.-



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2418 (1) As used in this section, unless the context otherwise
2419 requires:

2420 (a) "Mail" means any letter, postal card, parcel, envelope,
2421 package, bag, or any other sealed article addressed to another,
2422 along with its contents.

2423 (b) "Mail depository" means a mail box, letter box, mail
2424 route, or mail receptacle of a postal service, an office of a
2425 postal service, or mail carrier of a postal service, or a
2426 vehicle of a postal service.

2427 (c) "Postal service" means the United States Postal Service
2428 or its contractors, or any commercial courier that delivers
2429 mail.

2430 (2) Any of the following acts constitutes mail theft:

2431 (a) Removing mail from a mail depository or taking mail
2432 from a mail carrier of a postal service with an intent to steal.

2433 (b) Obtaining custody of mail by fraud or deception with an
2434 intent to steal.

2435 (c) Selling, receiving, possessing, transferring, buying,
2436 or concealing mail obtained by acts described in paragraph (a)
2437 or paragraph (b) of this subsection, while knowing or having
2438 reason to know the mail was obtained illegally.

2439 (3) Any of the following constitutes theft of or
2440 unauthorized reproduction of a mail depository key or lock:

2441 (a) Stealing or obtaining by false pretense any key or lock
2442 adopted by a postal service for a mail depository or other
2443 authorized receptacle for the deposit or delivery of mail.

2444 (b) Knowingly and unlawfully making, forging, or
2445 counterfeiting any such key or possessing any such key or lock
2446 adopted by a postal service with the intent to unlawfully or



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2447 improperly use, sell, or otherwise dispose of the key or lock,
2448 or to cause the key or lock to be unlawfully or improperly used,
2449 sold, or otherwise disposed.

2450 (4) The first violation of this section constitutes a
2451 misdemeanor of the first degree, punishable by a term of
2452 imprisonment not exceeding 1 year pursuant to s. 775.082(4) (a)
2453 or a fine not to exceed \$1,000 pursuant to s. 775.083(1) (d), or
2454 both. A second or subsequent violation of this section
2455 constitutes a felony of the third degree, punishable by a term
2456 of imprisonment not exceeding 5 years pursuant to s.

2457 775.82(3) (e) or a fine not to exceed \$5,000 pursuant to s.
2458 775.083(1) (c), or both.

2459 Section 80. Paragraph (i) of subsection (4) of section
2460 934.50, Florida Statutes, is amended to read:

2461 934.50 Searches and seizure using a drone.—

2462 (4) EXCEPTIONS.—This section does not prohibit the use of a
2463 drone:

2464 ~~(i) By a person or an entity engaged in a business or~~
2465 ~~profession licensed by the state, or by an agent, employee, or~~
2466 ~~contractor thereof, if the drone is used only to perform~~
2467 ~~reasonable tasks within the scope of practice or activities~~
2468 ~~permitted under such person's or entity's license. However, this~~
2469 ~~exception does not apply to a profession in which the licensee's~~
2470 ~~authorized scope of practice includes obtaining information~~
2471 ~~about the identity, habits, conduct, movements, whereabouts,~~
2472 ~~affiliations, associations, transactions, reputation, or~~
2473 ~~character of any society, person, or group of persons.~~

2474 Section 81. Section 1013.373, Florida Statutes, is created
2475 to read:



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2476 1013.373 Educational facilities used for agricultural
2477 education.—

2478 (1) Notwithstanding any other provision of law, a local
2479 government may not adopt any ordinance, regulation, rule, or
2480 policy to prohibit, restrict, regulate, or otherwise limit any
2481 activities of public educational facilities and auxiliary
2482 facilities constructed by a board for agricultural education,
2483 for Future Farmers of America or 4-H activities, or the storage
2484 of any animal or equipment therein.

2485 (2) Lands used for agricultural education or for Future
2486 Farmers of America or 4-H activities are considered agricultural
2487 lands pursuant to s. 193.461 and subject to s. 823.14.

2488 Section 82. For the purpose of incorporating the amendment
2489 made by this act to section 110.205, Florida Statutes, in a
2490 reference thereto, paragraph (a) of subsection (5) of section
2491 295.07, Florida Statutes, is reenacted to read:

2492 295.07 Preference in appointment and retention.—

2493 (5) The following positions are exempt from this section:

2494 (a) Those positions that are exempt from the state Career
2495 Service System under s. 110.205(2); however, all positions under
2496 the University Support Personnel System of the State University
2497 System as well as all Career Service System positions under the
2498 Florida College System and the School for the Deaf and the
2499 Blind, or the equivalent of such positions at state
2500 universities, Florida College System institutions, or the School
2501 for the Deaf and the Blind, are not exempt.

2502 Section 83. For the purpose of incorporating the amendment
2503 made by this act to section 193.461, Florida Statutes, in a
2504 reference thereto, paragraph (r) of subsection (1) of section



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2505 125.01, Florida Statutes, is reenacted to read:

2506 125.01 Powers and duties.—

2507 (1) The legislative and governing body of a county shall
2508 have the power to carry on county government. To the extent not
2509 inconsistent with general or special law, this power includes,
2510 but is not restricted to, the power to:

2511 (r) Levy and collect taxes, both for county purposes and
2512 for the providing of municipal services within any municipal
2513 service taxing unit, and special assessments; borrow and expend
2514 money; and issue bonds, revenue certificates, and other
2515 obligations of indebtedness, which power shall be exercised in
2516 such manner, and subject to such limitations, as may be provided
2517 by general law. There shall be no referendum required for the
2518 levy by a county of ad valorem taxes, both for county purposes
2519 and for the providing of municipal services within any municipal
2520 service taxing unit.

2521 1. Notwithstanding any other provision of law, a county may
2522 not levy special assessments on lands classified as agricultural
2523 lands under s. 193.461 unless the revenue from such assessments
2524 has been pledged for debt service and is necessary to meet
2525 obligations of bonds or certificates issued by the county which
2526 remain outstanding on July 1, 2023, including refundings thereof
2527 for debt service savings where the maturity of the debt is not
2528 extended. For bonds or certificates issued after July 1, 2023,
2529 special assessments securing such bonds may not be levied on
2530 lands classified as agricultural under s. 193.461.

2531 2. The provisions of subparagraph 1. do not apply to
2532 residential structures and their curtilage.

2533 Section 84. For the purpose of incorporating the amendment



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2534 made by this act to section 193.461, Florida Statutes, in
2535 references thereto, paragraphs (a) through (d) of subsection (3)
2536 of section 163.3162, Florida Statutes, are reenacted to read:

2537 163.3162 Agricultural lands and practices.—

2538 (3) DUPLICATION OF REGULATION.—Except as otherwise provided
2539 in this section and s. 487.051(2), and notwithstanding any other
2540 law, including any provision of chapter 125 or this chapter:

2541 (a) A governmental entity may not exercise any of its
2542 powers to adopt or enforce any ordinance, resolution,
2543 regulation, rule, or policy to prohibit, restrict, regulate, or
2544 otherwise limit an activity of a bona fide farm operation on
2545 land classified as agricultural land pursuant to s. 193.461, if
2546 such activity is regulated through implemented best management
2547 practices, interim measures, or regulations adopted as rules
2548 under chapter 120 by the Department of Environmental Protection,
2549 the Department of Agriculture and Consumer Services, or a water
2550 management district as part of a statewide or regional program;
2551 or if such activity is expressly regulated by the United States
2552 Department of Agriculture, the United States Army Corps of
2553 Engineers, or the United States Environmental Protection Agency.

2554 (b) A governmental entity may not charge a fee on a
2555 specific agricultural activity of a bona fide farm operation on
2556 land classified as agricultural land pursuant to s. 193.461, if
2557 such agricultural activity is regulated through implemented best
2558 management practices, interim measures, or regulations adopted
2559 as rules under chapter 120 by the Department of Environmental
2560 Protection, the Department of Agriculture and Consumer Services,
2561 or a water management district as part of a statewide or
2562 regional program; or if such agricultural activity is expressly



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2563 regulated by the United States Department of Agriculture, the
2564 United States Army Corps of Engineers, or the United States
2565 Environmental Protection Agency.

2566 (c) A governmental entity may not charge an assessment or
2567 fee for stormwater management on a bona fide farm operation on
2568 land classified as agricultural land pursuant to s. 193.461, if
2569 the farm operation has a National Pollutant Discharge
2570 Elimination System permit, environmental resource permit, or
2571 works-of-the-district permit or implements best management
2572 practices adopted as rules under chapter 120 by the Department
2573 of Environmental Protection, the Department of Agriculture and
2574 Consumer Services, or a water management district as part of a
2575 statewide or regional program.

2576 (d) For each governmental entity that, before March 1,
2577 2009, adopted a stormwater utility ordinance or resolution,
2578 adopted an ordinance or resolution establishing a municipal
2579 services benefit unit, or adopted a resolution stating the
2580 governmental entity's intent to use the uniform method of
2581 collection pursuant to s. 197.3632 for such stormwater
2582 ordinances, the governmental entity may continue to charge an
2583 assessment or fee for stormwater management on a bona fide farm
2584 operation on land classified as agricultural pursuant to s.
2585 193.461, if the ordinance or resolution provides credits against
2586 the assessment or fee on a bona fide farm operation for the
2587 water quality or flood control benefit of:

2588 1. The implementation of best management practices adopted
2589 as rules under chapter 120 by the Department of Environmental
2590 Protection, the Department of Agriculture and Consumer Services,
2591 or a water management district as part of a statewide or



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2592 regional program;

2593 2. The stormwater quality and quantity measures required as
2594 part of a National Pollutant Discharge Elimination System
2595 permit, environmental resource permit, or works-of-the-district
2596 permit; or

2597 3. The implementation of best management practices or
2598 alternative measures which the landowner demonstrates to the
2599 governmental entity to be of equivalent or greater stormwater
2600 benefit than those provided by implementation of best management
2601 practices adopted as rules under chapter 120 by the Department
2602 of Environmental Protection, the Department of Agriculture and
2603 Consumer Services, or a water management district as part of a
2604 statewide or regional program, or stormwater quality and
2605 quantity measures required as part of a National Pollutant
2606 Discharge Elimination System permit, environmental resource
2607 permit, or works-of-the-district permit.

2608 Section 85. For the purpose of incorporating the amendment
2609 made by this act to section 193.461, Florida Statutes, in a
2610 reference thereto, paragraph (c) of subsection (3) of section
2611 163.3163, Florida Statutes, is reenacted to read:

2612 163.3163 Applications for development permits; disclosure
2613 and acknowledgment of contiguous sustainable agricultural land.—

2614 (3) As used in this section, the term:

2615 (c) "Sustainable agricultural land" means land classified
2616 as agricultural land pursuant to s. 193.461 which is used for a
2617 farm operation that uses current technology, based on science or
2618 research and demonstrated measurable increases in productivity,
2619 to meet future food, feed, fiber, and energy needs, while
2620 considering the environmental impacts and the social and



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2621 economic benefits to the rural communities.

2622 Section 86. For the purpose of incorporating the amendment
2623 made by this act to section 193.461, Florida Statutes, in a
2624 reference thereto, subsection (4) of section 163.3164, Florida
2625 Statutes, is reenacted to read:

2626 163.3164 Community Planning Act; definitions.—As used in
2627 this act:

2628 (4) "Agricultural enclave" means an unincorporated,
2629 undeveloped parcel that:

2630 (a) Is owned by a single person or entity;

2631 (b) Has been in continuous use for bona fide agricultural
2632 purposes, as defined by s. 193.461, for a period of 5 years
2633 prior to the date of any comprehensive plan amendment
2634 application;

2635 (c) Is surrounded on at least 75 percent of its perimeter
2636 by:

2637 1. Property that has existing industrial, commercial, or
2638 residential development; or

2639 2. Property that the local government has designated, in
2640 the local government's comprehensive plan, zoning map, and
2641 future land use map, as land that is to be developed for
2642 industrial, commercial, or residential purposes, and at least 75
2643 percent of such property is existing industrial, commercial, or
2644 residential development;

2645 (d) Has public services, including water, wastewater,
2646 transportation, schools, and recreation facilities, available or
2647 such public services are scheduled in the capital improvement
2648 element to be provided by the local government or can be
2649 provided by an alternative provider of local government



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2650 infrastructure in order to ensure consistency with applicable
2651 concurrency provisions of s. 163.3180; and

2652 (e) Does not exceed 1,280 acres; however, if the property
2653 is surrounded by existing or authorized residential development
2654 that will result in a density at buildout of at least 1,000
2655 residents per square mile, then the area shall be determined to
2656 be urban and the parcel may not exceed 4,480 acres.

2657 Section 87. For the purpose of incorporating the amendment
2658 made by this act to section 193.461, Florida Statutes, in a
2659 reference thereto, subsection (5) of section 163.3194, Florida
2660 Statutes, is reenacted to read:

2661 163.3194 Legal status of comprehensive plan.—

2662 (5) The tax-exempt status of lands classified as
2663 agricultural under s. 193.461 shall not be affected by any
2664 comprehensive plan adopted under this act as long as the land
2665 meets the criteria set forth in s. 193.461.

2666 Section 88. For the purpose of incorporating the amendment
2667 made by this act to section 193.461, Florida Statutes, in a
2668 reference thereto, subsection (4) of section 170.01, Florida
2669 Statutes, is reenacted to read:

2670 170.01 Authority for providing improvements and levying and
2671 collecting special assessments against property benefited.—

2672 (4) Notwithstanding any other provision of law, a
2673 municipality may not levy special assessments for the provision
2674 of fire protection services on lands classified as agricultural
2675 lands under s. 193.461 unless the land contains a residential
2676 dwelling or nonresidential farm building, with the exception of
2677 an agricultural pole barn, provided the nonresidential farm
2678 building exceeds a just value of \$10,000. Such special



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2679 assessments must be based solely on the special benefit accruing
2680 to that portion of the land consisting of the residential
2681 dwelling and curtilage, and qualifying nonresidential farm
2682 buildings. As used in this subsection, the term "agricultural
2683 pole barn" means a nonresidential farm building in which 70
2684 percent or more of the perimeter walls are permanently open and
2685 allow free ingress and egress.

2686 Section 89. For the purpose of incorporating the amendment
2687 made by this act to section 193.461, Florida Statutes, in a
2688 reference thereto, subsection (2) of section 193.052, Florida
2689 Statutes, is reenacted to read:

2690 193.052 Preparation and serving of returns.—

2691 (2) No return shall be required for real property the
2692 ownership of which is reflected in instruments recorded in the
2693 public records of the county in which the property is located,
2694 unless otherwise required in this title. In order for land to be
2695 considered for agricultural classification under s. 193.461 or
2696 high-water recharge classification under s. 193.625, an
2697 application for classification must be filed on or before March
2698 1 of each year with the property appraiser of the county in
2699 which the land is located, except as provided in s.
2700 193.461(3)(a). The application must state that the lands on
2701 January 1 of that year were used primarily for bona fide
2702 commercial agricultural or high-water recharge purposes.

2703 Section 90. For the purpose of incorporating the amendment
2704 made by this act to section 193.461, Florida Statutes, in a
2705 reference thereto, section 193.4615, Florida Statutes, is
2706 reenacted to read:

2707 193.4615 Assessment of obsolete agricultural equipment.—For



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2708 purposes of ad valorem property taxation, agricultural equipment
2709 that is located on property classified as agricultural under s.
2710 193.461 and that is no longer usable for its intended purpose
2711 shall be deemed to have a market value no greater than its value
2712 for salvage.

2713 Section 91. For the purpose of incorporating the amendment
2714 made by this act to section 193.461, Florida Statutes, in
2715 references thereto, paragraph (a) of subsection (5) and
2716 paragraph (a) of subsection (19) of section 212.08, Florida
2717 Statutes, are reenacted to read:

2718 212.08 Sales, rental, use, consumption, distribution, and
2719 storage tax; specified exemptions.—The sale at retail, the
2720 rental, the use, the consumption, the distribution, and the
2721 storage to be used or consumed in this state of the following
2722 are hereby specifically exempt from the tax imposed by this
2723 chapter.

2724 (5) EXEMPTIONS; ACCOUNT OF USE.—

2725 (a) *Items in agricultural use and certain nets.*—There are
2726 exempt from the tax imposed by this chapter nets designed and
2727 used exclusively by commercial fisheries; disinfectants,
2728 fertilizers, insecticides, pesticides, herbicides, fungicides,
2729 and weed killers used for application on crops or groves,
2730 including commercial nurseries and home vegetable gardens, used
2731 in dairy barns or on poultry farms for the purpose of protecting
2732 poultry or livestock, or used directly on poultry or livestock;
2733 animal health products that are administered to, applied to, or
2734 consumed by livestock or poultry to alleviate pain or cure or
2735 prevent sickness, disease, or suffering, including, but not
2736 limited to, antiseptics, absorbent cotton, gauze for bandages,



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2737 lotions, vaccines, vitamins, and worm remedies; aquaculture
2738 health products that are used by aquaculture producers, as
2739 defined in s. 597.0015, to prevent or treat fungi, bacteria, and
2740 parasitic diseases; portable containers or movable receptacles
2741 in which portable containers are placed, used for processing
2742 farm products; field and garden seeds, including flower seeds;
2743 nursery stock, seedlings, cuttings, or other propagative
2744 material purchased for growing stock; seeds, seedlings,
2745 cuttings, and plants used to produce food for human consumption;
2746 cloth, plastic, and other similar materials used for shade,
2747 mulch, or protection from frost or insects on a farm; hog wire
2748 and barbed wire fencing, including gates and materials used to
2749 construct or repair such fencing, used in agricultural
2750 production on lands classified as agricultural lands under s.
2751 193.461; materials used to construct or repair permanent or
2752 temporary fencing used to contain, confine, or process cattle,
2753 including gates and energized fencing systems, used in
2754 agricultural operations on lands classified as agricultural
2755 lands under s. 193.461; stakes used by a farmer to support
2756 plants during agricultural production; generators used on
2757 poultry farms; and liquefied petroleum gas or other fuel used to
2758 heat a structure in which started pullets or broilers are
2759 raised; however, such exemption is not allowed unless the
2760 purchaser or lessee signs a certificate stating that the item to
2761 be exempted is for the exclusive use designated herein. Also
2762 exempt are cellophane wrappers, glue for tin and glass
2763 (apiarists), mailing cases for honey, shipping cases, window
2764 cartons, and baling wire and twine used for baling hay, when
2765 used by a farmer to contain, produce, or process an agricultural



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2766 commodity.

2767 (19) FLORIDA FARM TEAM CARD.—

2768 (a) Notwithstanding any other law, a farmer whose property
2769 has been classified as agricultural pursuant to s. 193.461 or
2770 who has implemented agricultural best management practices
2771 adopted by the Department of Agriculture and Consumer Services
2772 pursuant to s. 403.067(7)(c)2. may apply to the department for a
2773 Florida farm tax exempt agricultural materials (TEAM) card to
2774 claim the applicable sales tax exemptions provided in this
2775 section. A farmer may present the Florida farm TEAM card to a
2776 selling dealer in lieu of a certificate or affidavit otherwise
2777 required by this chapter.

2778 Section 92. For the purpose of incorporating the amendment
2779 made by this act to section 193.461, Florida Statutes, in a
2780 reference thereto, subsection (2) of section 373.406, Florida
2781 Statutes, is reenacted to read:

2782 373.406 Exemptions.—The following exemptions shall apply:

2783 (2) Notwithstanding s. 403.927, nothing herein, or in any
2784 rule, regulation, or order adopted pursuant hereto, shall be
2785 construed to affect the right of any person engaged in the
2786 occupation of agriculture, silviculture, floriculture, or
2787 horticulture to alter the topography of any tract of land,
2788 including, but not limited to, activities that may impede or
2789 divert the flow of surface waters or adversely impact wetlands,
2790 for purposes consistent with the normal and customary practice
2791 of such occupation in the area. However, such alteration or
2792 activity may not be for the sole or predominant purpose of
2793 impeding or diverting the flow of surface waters or adversely
2794 impacting wetlands. This exemption applies to lands classified



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2795 as agricultural pursuant to s. 193.461 and to activities
2796 requiring an environmental resource permit pursuant to this
2797 part. This exemption does not apply to any activities previously
2798 authorized by an environmental resource permit or a management
2799 and storage of surface water permit issued pursuant to this part
2800 or a dredge and fill permit issued pursuant to chapter 403. This
2801 exemption has retroactive application to July 1, 1984.

2802 Section 93. For the purpose of incorporating the amendment
2803 made by this act to section 193.461, Florida Statutes, in a
2804 reference thereto, paragraph (a) of subsection (11) of section
2805 403.182, Florida Statutes, is reenacted to read:

2806 403.182 Local pollution control programs.—

2807 (11) (a) Notwithstanding this section or any existing local
2808 pollution control programs, the Secretary of Environmental
2809 Protection has exclusive jurisdiction in setting standards or
2810 procedures for evaluating environmental conditions and assessing
2811 potential liability for the presence of contaminants on land
2812 that is classified as agricultural land pursuant to s. 193.461
2813 and being converted to a nonagricultural use. The exclusive
2814 jurisdiction includes defining what constitutes all appropriate
2815 inquiry consistent with 40 C.F.R. part 312 and guidance
2816 thereunder.

2817 Section 94. For the purpose of incorporating the amendment
2818 made by this act to section 193.461, Florida Statutes, in a
2819 reference thereto, subsection (4) of section 403.9337, Florida
2820 Statutes, is reenacted to read:

2821 403.9337 Model Ordinance for Florida-Friendly Fertilizer
2822 Use on Urban Landscapes.—

2823 (4) This section does not apply to the use of fertilizer on



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2824 farm operations as defined in s. 823.14 or on lands classified
2825 as agricultural lands pursuant to s. 193.461.

2826 Section 95. For the purpose of incorporating the amendment
2827 made by this act to section 193.461, Florida Statutes, in a
2828 reference thereto, paragraph (d) of subsection (2) of section
2829 472.029, Florida Statutes, is reenacted to read:

2830 472.029 Authorization to enter lands of third parties;
2831 conditions.—

2832 (2) LIABILITY AND DUTY OF CARE ON AGRICULTURAL LAND.—

2833 (d) This subsection applies only to land classified as
2834 agricultural pursuant to s. 193.461.

2835 Section 96. For the purpose of incorporating the amendment
2836 made by this act to section 193.461, Florida Statutes, in a
2837 reference thereto, subsection (5) of section 474.2021, Florida
2838 Statutes, is reenacted to read:

2839 474.2021 Veterinary telehealth.—

2840 (5) A veterinarian personally acquainted with the caring
2841 and keeping of an animal or group of animals on food-producing
2842 animal operations on land classified as agricultural pursuant to
2843 s. 193.461 who has recently seen the animal or group of animals
2844 or has made medically appropriate and timely visits to the
2845 premises where the animal or group of animals is kept may
2846 practice veterinary telehealth for animals on such operations.

2847 Section 97. For the purpose of incorporating the amendment
2848 made by this act to section 193.461, Florida Statutes, in a
2849 reference thereto, paragraph (d) of subsection (4) of section
2850 474.2165, Florida Statutes, is reenacted to read:

2851 474.2165 Ownership and control of veterinary medical
2852 patient records; report or copies of records to be furnished.—



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2853 (4) Except as otherwise provided in this section, such
2854 records may not be furnished to, and the medical condition of a
2855 patient may not be discussed with, any person other than the
2856 client or the client's legal representative or other
2857 veterinarians involved in the care or treatment of the patient,
2858 except upon written authorization of the client. However, such
2859 records may be furnished without written authorization under the
2860 following circumstances:

2861 (d) In any criminal action or situation where a
2862 veterinarian suspects a criminal violation. If a criminal
2863 violation is suspected, a veterinarian may, without notice to or
2864 authorization from the client, report the violation to a law
2865 enforcement officer, an animal control officer who is certified
2866 pursuant to s. 828.27(4)(a), or an agent appointed under s.
2867 828.03. However, if a suspected violation occurs at a commercial
2868 food-producing animal operation on land classified as
2869 agricultural under s. 193.461, the veterinarian must provide
2870 notice to the client or the client's legal representative before
2871 reporting the suspected violation to an officer or agent under
2872 this paragraph. The report may not include written medical
2873 records except upon the issuance of an order from a court of
2874 competent jurisdiction.

2875 Section 98. For the purpose of incorporating the amendment
2876 made by this act to section 193.461, Florida Statutes, in a
2877 reference thereto, subsection (6) of section 487.081, Florida
2878 Statutes, is reenacted to read:

2879 487.081 Exemptions.—

2880 (6) The Department of Environmental Protection is not
2881 authorized to institute proceedings against any property owner



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2882 or leaseholder of property under the provisions of s. 376.307(5)
2883 to recover any costs or damages associated with pesticide
2884 contamination of soil or water, or the evaluation, assessment,
2885 or remediation of pesticide contamination of soil or water,
2886 including sampling, analysis, and restoration of soil or potable
2887 water supplies, subject to the following conditions:

2888 (a) The pesticide contamination of soil or water is
2889 determined to be the result of the use of pesticides by the
2890 property owner or leaseholder, in accordance with state and
2891 federal law, applicable registered labels, and rules on property
2892 classified as agricultural land pursuant to s. 193.461;

2893 (b) The property owner or leaseholder maintains records of
2894 such pesticide applications and such records are provided to the
2895 department upon request;

2896 (c) In the event of pesticide contamination of soil or
2897 water, the department, upon request, shall make such records
2898 available to the Department of Environmental Protection;

2899 (d) This subsection does not limit regulatory authority
2900 under a federally delegated or approved program; and

2901 (e) This subsection is remedial in nature and shall apply
2902 retroactively.

2903

2904 The department, in consultation with the secretary of the
2905 Department of Environmental Protection, may adopt rules
2906 prescribing the format, content, and retention time for records
2907 to be maintained under this subsection.

2908 Section 99. For the purpose of incorporating the amendment
2909 made by this act to section 193.461, Florida Statutes, in a
2910 reference thereto, subsection (1) of section 570.85, Florida



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2911 Statutes, is reenacted to read:

2912 570.85 Agritourism.—

2913 (1) It is the intent of the Legislature to promote
2914 agritourism as a way to support bona fide agricultural
2915 production by providing a stream of revenue and by educating the
2916 general public about the agricultural industry. It is also the
2917 intent of the Legislature to eliminate duplication of regulatory
2918 authority over agritourism as expressed in this section. Except
2919 as otherwise provided for in this section, and notwithstanding
2920 any other law, a local government may not adopt or enforce a
2921 local ordinance, regulation, rule, or policy that prohibits,
2922 restricts, regulates, or otherwise limits an agritourism
2923 activity on land classified as agricultural land under s.
2924 193.461. This subsection does not limit the powers and duties of
2925 a local government to address substantial offsite impacts of
2926 agritourism activities or an emergency as provided in chapter
2927 252.

2928 Section 100. For the purpose of incorporating the amendment
2929 made by this act to section 193.461, Florida Statutes, in a
2930 reference thereto, subsection (1) of section 570.87, Florida
2931 Statutes, is reenacted to read:

2932 570.87 Agritourism participation impact on land
2933 classification.—

2934 (1) In order to promote and perpetuate agriculture
2935 throughout this state, farm operations are encouraged to engage
2936 in agritourism. An agricultural classification pursuant to s.
2937 193.461 may not be denied or revoked solely due to the conduct
2938 of agritourism activity on a bona fide farm or the construction,
2939 alteration, or maintenance of a nonresidential farm building,



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2940 structure, or facility on a bona fide farm which is used to
2941 conduct agritourism activities. So long as the building,
2942 structure, or facility is an integral part of the agricultural
2943 operation, the land it occupies shall be considered agricultural
2944 in nature. However, such buildings, structures, and facilities,
2945 and other improvements on the land, must be assessed under s.
2946 193.011 at their just value and added to the agriculturally
2947 assessed value of the land.

2948 Section 101. For the purpose of incorporating the amendment
2949 made by this act to section 193.461, Florida Statutes, in a
2950 reference thereto, subsection (3) of section 570.94, Florida
2951 Statutes, is reenacted to read:

2952 570.94 Best management practices for wildlife.—The
2953 department and the Fish and Wildlife Conservation Commission
2954 recognize that agriculture provides a valuable benefit to the
2955 conservation and management of fish and wildlife in the state
2956 and agree to enter into a memorandum of agreement to develop and
2957 adopt by rule voluntary best management practices for the
2958 state's agriculture industry which reflect the industry's
2959 existing contribution to the conservation and management of
2960 freshwater aquatic life and wild animal life in the state.

2961 (3) Notwithstanding any other provision of law, including
2962 s. 163.3162, the implementation of the best management practices
2963 pursuant to this section is voluntary and except as specifically
2964 provided under this section and s. 9, Art. IV of the State
2965 Constitution, an agency, department, district, or unit of local
2966 government may not adopt or enforce any ordinance, resolution,
2967 regulation, rule, or policy regarding the best management
2968 practices on land classified as agricultural land pursuant to s.



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2969 193.461.

2970 Section 102. For the purpose of incorporating the amendment
2971 made by this act to section 193.461, Florida Statutes, in a
2972 reference thereto, paragraph (a) of subsection (1) of section
2973 582.19, Florida Statutes, is reenacted to read:

2974 582.19 Qualifications and tenure of supervisors.—

2975 (1) The governing body of the district shall consist of
2976 five supervisors, elected as provided in s. 582.18.

2977 (a) To qualify to serve on the governing body of a
2978 district, a supervisor must be an eligible voter who resides in
2979 the district and who:

2980 1. Is actively engaged in, or retired after 10 years of
2981 being engaged in, agriculture as defined in s. 570.02;

2982 2. Is employed by an agricultural producer; or

2983 3. Owns, leases, or is actively employed on land classified
2984 as agricultural under s. 193.461.

2985 Section 103. For the purpose of incorporating the amendment
2986 made by this act to section 193.461, Florida Statutes, in a
2987 reference thereto, section 586.055, Florida Statutes, is
2988 reenacted to read:

2989 586.055 Location of apiaries.—An apiary may be located on
2990 land classified as agricultural under s. 193.461 or on land that
2991 is integral to a beekeeping operation.

2992 Section 104. For the purpose of incorporating the amendment
2993 made by this act to section 193.461, Florida Statutes, in
2994 references thereto, paragraphs (a) and (d) of subsection (2) of
2995 section 604.50, Florida Statutes, are reenacted to read:

2996 604.50 Nonresidential farm buildings; farm fences; farm
2997 signs.—



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2998 (2) As used in this section, the term:
2999 (a) "Bona fide agricultural purposes" has the same meaning
3000 as provided in s. 193.461(3)(b).

3001 (d) "Nonresidential farm building" means any temporary or
3002 permanent building or support structure that is classified as a
3003 nonresidential farm building on a farm under s. 553.73(10)(c) or
3004 that is used primarily for agricultural purposes, is located on
3005 land that is an integral part of a farm operation or is
3006 classified as agricultural land under s. 193.461, and is not
3007 intended to be used as a residential dwelling. The term may
3008 include, but is not limited to, a barn, greenhouse, shade house,
3009 farm office, storage building, or poultry house.

3010 Section 105. For the purpose of incorporating the amendment
3011 made by this act to section 193.461, Florida Statutes, in a
3012 reference thereto, paragraph (b) of subsection (3) of section
3013 604.73, Florida Statutes, is reenacted to read:

3014 604.73 Urban agriculture pilot projects; local regulation
3015 of urban agriculture.—

3016 (3) DEFINITIONS.—As used in this section, the term:

3017 (b) "Urban agriculture" means any new or existing
3018 noncommercial agricultural uses on land that is:

- 3019 1. Within a dense urban land area, as described in s.
3020 380.0651(3)(a);
 - 3021 2. Not classified as agricultural pursuant to s. 193.461;
 - 3022 3. Not zoned as agricultural as its principal use; and
 - 3023 4. Designated by a municipality for inclusion in an urban
3024 agricultural pilot project that has been approved by the
3025 department.
- 3026



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3027 The term does not include vegetable gardens, as defined in s.
3028 604.71(4), for personal consumption on residential properties.

3029 Section 106. For the purpose of incorporating the amendment
3030 made by this act to section 193.461, Florida Statutes, in a
3031 reference thereto, subsection (1) of section 692.201, Florida
3032 Statutes, is reenacted to read:

3033 692.201 Definitions.—As used in this part, the term:

3034 (1) "Agricultural land" means land classified as
3035 agricultural under s. 193.461.

3036 Section 107. For the purpose of incorporating the amendment
3037 made by this act to section 193.461, Florida Statutes, in a
3038 reference thereto, paragraph (a) of subsection (5) and paragraph
3039 (a) of subsection (6) of section 741.30, Florida Statutes, are
3040 reenacted to read:

3041 741.30 Domestic violence; injunction; powers and duties of
3042 court and clerk; petition; notice and hearing; temporary
3043 injunction; issuance of injunction; statewide verification
3044 system; enforcement; public records exemption.—

3045 (5) (a) If it appears to the court that an immediate and
3046 present danger of domestic violence exists, the court may grant
3047 a temporary injunction ex parte, pending a full hearing, and may
3048 grant such relief as the court deems proper, including an
3049 injunction:

3050 1. Restraining the respondent from committing any acts of
3051 domestic violence.

3052 2. Awarding to the petitioner the temporary exclusive use
3053 and possession of the dwelling that the parties share or
3054 excluding the respondent from the residence of the petitioner.

3055 3. On the same basis as provided in s. 61.13, providing the



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3056 petitioner a temporary parenting plan, including a time-sharing
3057 schedule, which may award the petitioner up to 100 percent of
3058 the time-sharing. If temporary time-sharing is awarded to the
3059 respondent, the exchange of the child must occur at a neutral
3060 safe exchange location as provided in s. 125.01(8) or a location
3061 authorized by a supervised visitation program as defined in s.
3062 753.01 if the court determines it is in the best interests of
3063 the child after consideration of all of the factors specified in
3064 s. 61.13(3). The temporary parenting plan remains in effect
3065 until the order expires or an order is entered by a court of
3066 competent jurisdiction in a pending or subsequent civil action
3067 or proceeding affecting the placement of, access to, parental
3068 time with, adoption of, or parental rights and responsibilities
3069 for the minor child.

3070 4. If the petitioner and respondent have an existing
3071 parenting plan or time-sharing schedule under another court
3072 order, designating that the exchange of the minor child or
3073 children of the parties must occur at a neutral safe exchange
3074 location as provided in s. 125.01(8) or a location authorized by
3075 a supervised visitation program as defined in s. 753.01 if the
3076 court determines it is in the best interests of the child after
3077 consideration of all of the factors specified in s. 61.13(3).

3078 5. Awarding to the petitioner the temporary exclusive care,
3079 possession, or control of an animal that is owned, possessed,
3080 harbored, kept, or held by the petitioner, the respondent, or a
3081 minor child residing in the residence or household of the
3082 petitioner or respondent. The court may order the respondent to
3083 temporarily have no contact with the animal and prohibit the
3084 respondent from taking, transferring, encumbering, concealing,



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3085 harming, or otherwise disposing of the animal. This subparagraph
3086 does not apply to an animal owned primarily for a bona fide
3087 agricultural purpose, as defined under s. 193.461, or to a
3088 service animal, as defined under s. 413.08, if the respondent is
3089 the service animal's handler.

3090 (6) (a) Upon notice and hearing, when it appears to the
3091 court that the petitioner is either the victim of domestic
3092 violence as defined by s. 741.28 or has reasonable cause to
3093 believe he or she is in imminent danger of becoming a victim of
3094 domestic violence, the court may grant such relief as the court
3095 deems proper, including an injunction:

3096 1. Restraining the respondent from committing any acts of
3097 domestic violence.

3098 2. Awarding to the petitioner the exclusive use and
3099 possession of the dwelling that the parties share or excluding
3100 the respondent from the residence of the petitioner.

3101 3. On the same basis as provided in chapter 61, providing
3102 the petitioner with 100 percent of the time-sharing in a
3103 temporary parenting plan that remains in effect until the order
3104 expires or an order is entered by a court of competent
3105 jurisdiction in a pending or subsequent civil action or
3106 proceeding affecting the placement of, access to, parental time
3107 with, adoption of, or parental rights and responsibilities for
3108 the minor child.

3109 4. If the petitioner and respondent have an existing
3110 parenting plan or time-sharing schedule under another court
3111 order, designating that the exchange of the minor child or
3112 children of the parties must occur at a neutral safe exchange
3113 location as provided in s. 125.01(8) or a location authorized by



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3114 a supervised visitation program as defined in s. 753.01 if the
3115 court determines it is in the best interests of the child after
3116 consideration of all of the factors specified in s. 61.13(3).

3117 5. On the same basis as provided in chapter 61,
3118 establishing temporary support for a minor child or children or
3119 the petitioner. An order of temporary support remains in effect
3120 until the order expires or an order is entered by a court of
3121 competent jurisdiction in a pending or subsequent civil action
3122 or proceeding affecting child support.

3123 6. Ordering the respondent to participate in treatment,
3124 intervention, or counseling services to be paid for by the
3125 respondent. When the court orders the respondent to participate
3126 in a batterers' intervention program, the court, or any entity
3127 designated by the court, must provide the respondent with a list
3128 of batterers' intervention programs from which the respondent
3129 must choose a program in which to participate.

3130 7. Referring a petitioner to a certified domestic violence
3131 center. The court must provide the petitioner with a list of
3132 certified domestic violence centers in the circuit which the
3133 petitioner may contact.

3134 8. Awarding to the petitioner the exclusive care,
3135 possession, or control of an animal that is owned, possessed,
3136 harbored, kept, or held by the petitioner, the respondent, or a
3137 minor child residing in the residence or household of the
3138 petitioner or respondent. The court may order the respondent to
3139 have no contact with the animal and prohibit the respondent from
3140 taking, transferring, encumbering, concealing, harming, or
3141 otherwise disposing of the animal. This subparagraph does not
3142 apply to an animal owned primarily for a bona fide agricultural



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3143 purpose, as defined under s. 193.461, or to a service animal, as
3144 defined under s. 413.08, if the respondent is the service
3145 animal's handler.

3146 9. Ordering such other relief as the court deems necessary
3147 for the protection of a victim of domestic violence, including
3148 injunctions or directives to law enforcement agencies, as
3149 provided in this section.

3150 Section 108. For the purpose of incorporating the amendment
3151 made by this act to section 193.461, Florida Statutes, in a
3152 reference thereto, paragraph (a) of subsection (5) of section
3153 810.011, Florida Statutes, is reenacted to read:

3154 810.011 Definitions.—As used in this chapter:

3155 (5) (a) "Posted land" is land upon which any of the
3156 following are placed:

3157 1. Signs placed not more than 500 feet apart along and at
3158 each corner of the boundaries of the land or, for land owned by
3159 a water control district that exists pursuant to chapter 298 or
3160 was created by special act of the Legislature, signs placed at
3161 or near the intersection of any district canal right-of-way and
3162 a road right-of-way or, for land classified as agricultural
3163 pursuant to s. 193.461, signs placed at each point of ingress
3164 and at each corner of the boundaries of the agricultural land,
3165 which prominently display in letters of not less than 2 inches
3166 in height the words "no trespassing" and the name of the owner,
3167 lessee, or occupant of the land. The signs must be placed along
3168 the boundary line of posted land in a manner and in such
3169 position as to be clearly noticeable from outside the boundary
3170 line; or

3171 2.a. A conspicuous no trespassing notice is painted on



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3172 trees or posts on the property, provided that the notice is:

3173 (I) Painted in an international orange color and displaying
3174 the stenciled words "No Trespassing" in letters no less than 2
3175 inches high and 1 inch wide either vertically or horizontally;

3176 (II) Placed so that the bottom of the painted notice is not
3177 less than 3 feet from the ground or more than 5 feet from the
3178 ground; and

3179 (III) Placed at locations that are readily visible to any
3180 person approaching the property and no more than 500 feet apart
3181 on agricultural land.

3182 b. When a landowner uses the painted no trespassing posting
3183 to identify a no trespassing area, those painted notices must be
3184 accompanied by signs complying with subparagraph 1. and must be
3185 placed conspicuously at all places where entry to the property
3186 is normally expected or known to occur.

3187 Section 109. For the purpose of incorporating the amendment
3188 made by this act to section 193.461, Florida Statutes, in a
3189 reference thereto, subsection (6) of section 823.14, Florida
3190 Statutes, is reenacted to read:

3191 823.14 Florida Right to Farm Act.—

3192 (6) LIMITATION ON DUPLICATION OF GOVERNMENT REGULATION.—It
3193 is the intent of the Legislature to eliminate duplication of
3194 regulatory authority over farm operations as expressed in this
3195 subsection. Except as otherwise provided for in this section and
3196 s. 487.051(2), and notwithstanding any other provision of law, a
3197 local government may not adopt any ordinance, regulation, rule,
3198 or policy to prohibit, restrict, regulate, or otherwise limit an
3199 activity of a bona fide farm operation on land classified as
3200 agricultural land pursuant to s. 193.461, where such activity is



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3201 regulated through implemented best management practices or
3202 interim measures developed by the Department of Environmental
3203 Protection, the Department of Agriculture and Consumer Services,
3204 or water management districts and adopted under chapter 120 as
3205 part of a statewide or regional program. When an activity of a
3206 farm operation takes place within a wellfield protection area as
3207 defined in any wellfield protection ordinance adopted by a local
3208 government, and the adopted best management practice or interim
3209 measure does not specifically address wellfield protection, a
3210 local government may regulate that activity pursuant to such
3211 ordinance. This subsection does not limit the powers and duties
3212 provided for in s. 373.4592 or limit the powers and duties of
3213 any local government to address an emergency as provided for in
3214 chapter 252.

3215 Section 110. For the purpose of incorporating the amendment
3216 made by this act to section 388.271, Florida Statutes, in a
3217 reference thereto, paragraph (a) of subsection (1) of section
3218 189.062, Florida Statutes, is reenacted to read:

3219 189.062 Special procedures for inactive districts.—

3220 (1) The department shall declare inactive any special
3221 district in this state by documenting that:

3222 (a) The special district meets one of the following
3223 criteria:

3224 1. The registered agent of the district, the chair of the
3225 governing body of the district, or the governing body of the
3226 appropriate local general-purpose government notifies the
3227 department in writing that the district has taken no action for
3228 2 or more years;

3229 2. The registered agent of the district, the chair of the



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3230 governing body of the district, or the governing body of the
3231 appropriate local general-purpose government notifies the
3232 department in writing that the district has not had a governing
3233 body or a sufficient number of governing body members to
3234 constitute a quorum for 2 or more years;

3235 3. The registered agent of the district, the chair of the
3236 governing body of the district, or the governing body of the
3237 appropriate local general-purpose government fails to respond to
3238 an inquiry by the department within 21 days;

3239 4. The department determines, pursuant to s. 189.067, that
3240 the district has failed to file any of the reports listed in s.
3241 189.066;

3242 5. The district has not had a registered office and agent
3243 on file with the department for 1 or more years;

3244 6. The governing body of a special district provides
3245 documentation to the department that it has unanimously adopted
3246 a resolution declaring the special district inactive. The
3247 special district is responsible for payment of any expenses
3248 associated with its dissolution;

3249 7. The district is an independent special district or a
3250 community redevelopment district created under part III of
3251 chapter 163 that has reported no revenue, no expenditures, and
3252 no debt under s. 189.016(9) or s. 218.32 for at least 5
3253 consecutive fiscal years beginning no earlier than October 1,
3254 2018. This subparagraph does not apply to a community
3255 development district established under chapter 190 or to any
3256 independent special district operating pursuant to a special act
3257 that provides that any amendment to chapter 190 to grant
3258 additional powers constitutes a power of that district; or



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3259 8. For a mosquito control district created pursuant to
3260 chapter 388, the department has received notice from the
3261 Department of Agriculture and Consumer Services that the
3262 district has failed to file a tentative work plan and tentative
3263 detailed work plan budget as required by s. 388.271.

3264 Section 111. For the purpose of incorporating the amendment
3265 made by this act to section 388.271, Florida Statutes, in a
3266 reference thereto, subsection (7) of section 388.261, Florida
3267 Statutes, is reenacted to read:

3268 388.261 State aid to counties and districts for arthropod
3269 control; distribution priorities and limitations.—

3270 (7) The department may use state funds appropriated for a
3271 county or district under subsection (1) or subsection (2) to
3272 provide state mosquito or other arthropod control equipment,
3273 supplies, or services when requested by a county or district
3274 eligible to receive state funds under s. 388.271.

3275 Section 112. For the purpose of incorporating the amendment
3276 made by this act to section 482.161, Florida Statutes, in a
3277 reference thereto, paragraph (b) of subsection (3) of section
3278 482.072, Florida Statutes, is reenacted to read:

3279 482.072 Pest control customer contact centers.—

3280 (3)

3281 (b) Notwithstanding any other provision of this section:

3282 1. A customer contact center licensee is subject to
3283 disciplinary action under s. 482.161 for a violation of this
3284 section or a rule adopted under this section committed by a
3285 person who solicits pest control services or provides customer
3286 service in a customer contact center.

3287 2. A pest control business licensee may be subject to



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3288 disciplinary action under s. 482.161 for a violation of this
3289 section or a rule adopted under this section committed by a
3290 person who solicits pest control services or provides customer
3291 service in a customer contact center operated by a licensee if
3292 the licensee participates in the violation.

3293 Section 113. For the purpose of incorporating the amendment
3294 made by this act to section 482.161, Florida Statutes, in a
3295 reference thereto, section 482.163, Florida Statutes, is
3296 reenacted to read:

3297 482.163 Responsibility for pest control activities of
3298 employee.—Proper performance of pest control activities by a
3299 pest control business employee is the responsibility not only of
3300 the employee but also of the certified operator in charge, and
3301 the certified operator in charge may be disciplined pursuant to
3302 the provisions of s. 482.161 for the pest control activities of
3303 an employee. A licensee may not automatically be considered
3304 responsible for violations made by an employee. However, the
3305 licensee may not knowingly encourage, aid, or abet violations of
3306 this chapter.

3307 Section 114. For the purpose of incorporating the amendment
3308 made by this act to section 487.044, Florida Statutes, in a
3309 reference thereto, section 487.156, Florida Statutes, is
3310 reenacted to read:

3311 487.156 Governmental agencies.—All governmental agencies
3312 shall be subject to the provisions of this part and rules
3313 adopted under this part. Public applicators using or supervising
3314 the use of restricted-use pesticides shall be subject to
3315 examination as provided in s. 487.044.

3316 Section 115. For the purpose of incorporating the amendment



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3317 made by this act to section 496.405, Florida Statutes, in a
3318 reference thereto, subsection (2) of section 496.4055, Florida
3319 Statutes, is reenacted to read:

3320 496.4055 Charitable organization or sponsor board duties.—

3321 (2) The board of directors, or an authorized committee
3322 thereof, of a charitable organization or sponsor required to
3323 register with the department under s. 496.405 shall adopt a
3324 policy regarding conflict of interest transactions. The policy
3325 shall require annual certification of compliance with the policy
3326 by all directors, officers, and trustees of the charitable
3327 organization. A copy of the annual certification shall be
3328 submitted to the department with the annual registration
3329 statement required by s. 496.405.

3330 Section 116. For the purpose of incorporating the amendment
3331 made by this act to section 496.405, Florida Statutes, in
3332 references thereto, subsections (2) and (4) of section 496.406,
3333 Florida Statutes, are reenacted to read:

3334 496.406 Exemption from registration.—

3335 (2) Before soliciting contributions, a charitable
3336 organization or sponsor claiming to be exempt from the
3337 registration requirements of s. 496.405 under paragraph (1)(d)
3338 must submit annually to the department, on forms prescribed by
3339 the department:

3340 (a) The name, street address, and telephone number of the
3341 charitable organization or sponsor, the name under which it
3342 intends to solicit contributions, the purpose for which it is
3343 organized, and the purpose or purposes for which the
3344 contributions to be solicited will be used.

3345 (b) The tax exempt status of the organization.



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3346 (c) The date on which the organization's fiscal year ends.

3347 (d) The names, street addresses, and telephone numbers of
3348 the individuals or officers who have final responsibility for
3349 the custody of the contributions and who will be responsible for
3350 the final distribution of the contributions.

3351 (e) A financial statement of support, revenue, and expenses
3352 and a statement of functional expenses that must include, but
3353 not be limited to, expenses in the following categories:
3354 program, management and general, and fundraising. In lieu of the
3355 financial statement, a charitable organization or sponsor may
3356 submit a copy of its Internal Revenue Service Form 990 and all
3357 attached schedules or Internal Revenue Service Form 990-EZ and
3358 Schedule O.

3359 (4) Exemption from the registration requirements of s.
3360 496.405 does not limit the applicability of other provisions of
3361 this section to a charitable organization or sponsor.

3362 Section 117. For the purpose of incorporating the amendment
3363 made by this act to section 500.12, Florida Statutes, in a
3364 reference thereto, paragraph (a) of subsection (1) of section
3365 500.80, Florida Statutes, is reenacted to read:

3366 500.80 Cottage food operations.—

3367 (1) (a) A cottage food operation must comply with the
3368 applicable requirements of this chapter but is exempt from the
3369 permitting requirements of s. 500.12 if the cottage food
3370 operation complies with this section and has annual gross sales
3371 of cottage food products that do not exceed \$250,000.

3372 Section 118. For the purpose of incorporating the amendment
3373 made by this act to section 500.172, Florida Statutes, in a
3374 reference thereto, subsection (6) of section 500.121, Florida



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3375 Statutes, is reenacted to read:

3376 500.121 Disciplinary procedures.—

3377 (6) If the department determines that a food offered in a
3378 food establishment is labeled with nutrient claims that are in
3379 violation of this chapter, the department shall retest or
3380 reexamine the product within 90 days after notification to the
3381 manufacturer and to the firm at which the product was collected.
3382 If the product is again found in violation, the department shall
3383 test or examine the product for a third time within 60 days
3384 after the second notification. The product manufacturer shall
3385 reimburse the department for the cost of the third test or
3386 examination. If the product is found in violation for a third
3387 time, the department shall exercise its authority under s.
3388 500.172 and issue a stop-sale or stop-use order. The department
3389 may impose additional sanctions for violations of this
3390 subsection.

3391 Section 119. For the purpose of incorporating the amendment
3392 made by this act to section 790.06, Florida Statutes, in a
3393 reference thereto, section 790.061, Florida Statutes, is
3394 reenacted to read:

3395 790.061 Judges and justices; exceptions from licensure
3396 provisions.—A county court judge, circuit court judge, district
3397 court of appeal judge, justice of the supreme court, federal
3398 district court judge, or federal court of appeals judge serving
3399 in this state is not required to comply with the provisions of
3400 s. 790.06 in order to receive a license to carry a concealed
3401 weapon or firearm, except that any such justice or judge must
3402 comply with the provisions of s. 790.06(2)(h). The Department of
3403 Agriculture and Consumer Services shall issue a license to carry



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3404 a concealed weapon or firearm to any such justice or judge upon
3405 demonstration of competence of the justice or judge pursuant to
3406 s. 790.06(2)(h).

3407 Section 120. This act shall take effect July 1, 2025.

3408

3409 ===== T I T L E A M E N D M E N T =====

3410 And the title is amended as follows:

3411 Delete everything before the enacting clause
3412 and insert:

3413 A bill to be entitled
3414 An act relating to the Department of Agriculture and
3415 Consumer Services; amending s. 110.205, F.S.;
3416 providing that certain positions in the department are
3417 exempt from the Career Service System; amending s.
3418 163.3162, F.S.; defining terms; prohibiting
3419 governmental entities from adopting or enforcing any
3420 legislation that inhibits the construction of housing
3421 for legally verified agricultural workers on
3422 agricultural land operated as a bona fide farm;
3423 requiring that the construction or installation of
3424 such housing units on agricultural lands satisfies
3425 certain criteria; requiring that local ordinances
3426 comply with certain regulations; authorizing
3427 governmental entities to adopt local land use
3428 regulations that are less restrictive; requiring
3429 property owners to maintain certain records for a
3430 specified timeframe; requiring the discontinued use or
3431 removal of a housing site under certain circumstances;
3432 specifying applicability of permit allocation systems



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3433 in certain areas of critical state concern;
3434 authorizing the continued use of housing sites
3435 constructed before the effective date of the act if
3436 certain conditions are met; requiring the department
3437 to adopt certain rules; providing for enforcement;
3438 requiring the department to submit certain information
3439 to the State Board of Immigration Enforcement on a
3440 certain schedule; amending s. 186.801, F.S.; requiring
3441 an electric utility to submit a 10-year site plan for
3442 a proposed power plant on certain lands to the county
3443 commission where such proposed power plant is located;
3444 requiring a county commission receiving such site
3445 plans to fulfill certain requirements; amending s.
3446 193.461, F.S.; revising requirements for land to be
3447 classified as agricultural; amending s. 201.25, F.S.;;
3448 conforming a provision to changes made by the act;
3449 amending s. 253.0341, F.S.; authorizing the department
3450 to surplus certain lands determined to be suitable for
3451 bona fide agricultural production; requiring the
3452 department to consult with the Department of
3453 Environmental protection before making such
3454 determination; requiring the department to retain a
3455 rural-lands-protection easement for all surplusd
3456 lands and deposit all proceeds into a specified trust
3457 fund; requiring the department to provide a report of
3458 lands surplusd to the board of trustees; providing
3459 that certain lands are ineligible to be surplusd;
3460 providing for retroactive applicability; amending s.
3461 330.41, F.S.; defining terms; prohibiting a person



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3462 from knowingly or willfully performing certain actions
3463 on lands classified as agricultural; providing
3464 criminal penalties; providing applicability;
3465 prohibiting a person from knowingly or willfully
3466 performing certain actions on private property, state
3467 wildlife management lands, or a sport shooting and
3468 training range; providing criminal penalties;
3469 providing applicability; creating s. 366.20, F.S.;
3470 requiring that certain lands acquired or owned by an
3471 electric utility be offered for fee simple acquisition
3472 by the department before the land may be offered for
3473 sale or transfer to a private individual or entity;
3474 providing retroactive applicability; amending s.
3475 366.94, F.S.; defining the term "electric vehicle
3476 charging station"; authorizing the department to adopt
3477 rules; requiring local governmental entities to issue
3478 permits for electric vehicle charging stations based
3479 on specified standards and provisions of law;
3480 requiring that an electric vehicle charger be
3481 registered with the department before being placed
3482 into service for use by the public; providing the
3483 department with certain authority relating to electric
3484 vehicle charging stations; providing a penalty;
3485 authorizing the department to issue an immediate final
3486 order to an electric vehicle charging station under
3487 certain circumstances; providing that the department
3488 may bring an action to enjoin a violation of specified
3489 provisions or rules; requiring the court to issue a
3490 temporary or permanent injunction under certain



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3491 circumstances; amending s. 388.011, F.S.; revising the
3492 definition of the terms "board of commissioners" and
3493 "district"; defining the term "program"; amending s.
3494 388.021, F.S.; making a technical change; amending s.
3495 388.181, F.S.; authorizing programs to perform
3496 specified actions; amending s. 388.201, F.S.;
3497 conforming provisions to changes made by the act;
3498 requiring that the tentative work plan budget covering
3499 the proposed operations and requirements for arthropod
3500 control measures show the estimated amount to be
3501 raised by county, municipality, or district taxes;
3502 requiring that county commissioners' or a similar
3503 governing body's mosquito control budget be made and
3504 adopted pursuant to specified provisions and requiring
3505 that summary figures be incorporated into the county
3506 budgets as prescribed by the department; amending s.
3507 388.241, F.S.; providing that certain rights, powers,
3508 and duties be vested in the board of county
3509 commissioners or similar governing body of a county,
3510 city, or town; amending s. 388.261, F.S.; increasing
3511 the amount of state funds, supplies, services, or
3512 equipment for a certain number of years for any new
3513 program for the control of mosquitos and other
3514 arthropods which serves an area not previously served
3515 by a county, municipality, or district; conforming a
3516 provision to changes made by the act; amending s.
3517 388.271, F.S.; requiring each program participating in
3518 arthropod control activities to file a tentative
3519 integrated arthropod management plan with the



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3520 department by a specified date; conforming provisions
3521 to changes made by the act; amending s. 388.281, F.S.;
3522 requiring that all funds, supplies, and services
3523 released to programs be used in accordance with the
3524 integrated arthropod management plan and certified
3525 budget; requiring that such integrated arthropod
3526 management plan and certified budget be approved by
3527 both the department and the board of county
3528 commissioners and an appropriate representative;
3529 conforming provisions to changes made by the act;
3530 amending s. 388.291, F.S.; providing that a program
3531 may perform certain source reduction measures in any
3532 area providing that the department has approved the
3533 operating or construction plan as outlined in the
3534 integrated arthropod management plan; conforming
3535 provisions to changes made by the act; amending s.
3536 388.301, F.S.; revising the schedule by which state
3537 funds for the control of mosquitos and other
3538 arthropods may be paid; conforming provisions to
3539 changes made by the act; amending s. 388.311, F.S.;
3540 conforming provisions to changes made by the act;
3541 amending s. 388.321, F.S.; conforming provisions to
3542 changes made by the act; amending s. 388.322, F.S.;
3543 requiring the department to maintain a record and
3544 inventory of certain property purchased with state
3545 funds for arthropod control use; conforming provisions
3546 to changes made by the act; amending s. 388.323, F.S.;
3547 providing that certain equipment no longer needed by a
3548 program be first offered for sale to other programs



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3549 engaged in arthropod control at a specified price;
3550 requiring that all proceeds from the sale of certain
3551 property owned by a program and purchased using state
3552 funds be deposited in the program's state fund
3553 account; conforming provisions to changes made by the
3554 act; amending s. 388.341, F.S.; requiring a program
3555 receiving state aid to submit a monthly report of all
3556 expenditures from all funds for arthropod control by a
3557 specified timeframe as may be required by the
3558 department; conforming provisions to changes made by
3559 the act; amending s. 388.351, F.S.; conforming
3560 provisions to changes made by the act; amending s.
3561 388.361, F.S.; conforming provisions to changes made
3562 by the act; amending s. 388.3711, F.S.; revising the
3563 department's enforcement powers; amending s. 388.381,
3564 F.S.; conforming provisions to changes made by the
3565 act; amending s. 388.391, F.S.; conforming provisions
3566 to changes made by the act; amending s. 388.401, F.S.;
3567 conforming provisions to changes made by the act;
3568 amending s. 388.46, F.S.; revising the composition of
3569 the Florida Coordinating Council on Mosquito Control;
3570 amending s. 403.067, F.S.; providing an exception for
3571 inspection requirements for certain agricultural
3572 producers; authorizing the department to adopt rules
3573 establishing an enrollment in best management
3574 practices by rule process; authorizing the department
3575 to identify best management practices for specified
3576 landowners; requiring the department to perform onsite
3577 inspections annually of a certain percentage of all



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3578 enrollments that meet specified qualifications within
3579 a specified area; providing requirements for such
3580 inspections; requiring agricultural producers enrolled
3581 by rule in a best management practice to submit
3582 nutrient records annually to the department; requiring
3583 the department to collect and retain such records;
3584 amending s. 403.852, F.S.; defining the term "water
3585 quality additive"; amending s. 403.859, F.S.;
3586 providing that the use of certain additives in a water
3587 system which do not meet the definition of water
3588 quality additive or certain other additives is
3589 prohibited and violates specified provisions; amending
3590 s. 482.111, F.S.; revising requirements for the
3591 renewal of a pest control operator's certificate;
3592 authorizing a third-party vendor to collect and retain
3593 a convenience fee; amending s. 482.141, F.S.;
3594 requiring the department to provide in-person and
3595 remote testing for the examination through a third-
3596 party vendor for an individual seeking pest control
3597 operator certification; authorizing a third-party
3598 vendor to collect and retain a convenience fee;
3599 amending s. 482.155, F.S.; requiring the department to
3600 provide in-person and remote testing for the
3601 examination through a third-party vendor for an
3602 individual seeking limited certification for a
3603 governmental pesticide applicator or a private
3604 applicator; authorizing a third-party vendor to
3605 collect and retain a convenience fee; deleting
3606 provisions requiring the department to make such



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3607 examination readily accessible and available to all
3608 applicants on a specified schedule; amending s.
3609 482.156, F.S.; requiring the department to provide in-
3610 person and remote testing for the examination through
3611 a third-party vendor for an individual seeking a
3612 limited certification for commercial landscape
3613 maintenance; authorizing a third-party vendor to
3614 collect and retain a convenience fee; deleting
3615 provisions requiring the department to make such
3616 examination readily accessible and available to all
3617 applicants on a specified schedule; amending s.
3618 482.157, F.S.; revising requirements for issuance of a
3619 limited certification for commercial wildlife
3620 management personnel; authorizing a third-party vendor
3621 to collect and retain a convenience fee; deleting
3622 provisions requiring the department to make an
3623 examination readily accessible and available to all
3624 applicants on a specified schedule; amending s.
3625 482.161, F.S.; authorizing the department to take
3626 specified disciplinary action upon the issuance of a
3627 final order imposing civil penalties or a criminal
3628 conviction pursuant to the Federal Insecticide,
3629 Fungicide, and Rodenticide Act; amending s. 487.044,
3630 F.S.; requiring the department to provide in-person
3631 and remote testing through a third-party vendor for
3632 the examination of an individual seeking a limited
3633 certification for pesticide application; authorizing a
3634 third-party vendor to collect and retain a convenience
3635 fee; amending s. 487.175, F.S.; providing that the



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3636 department may suspend, revoke, or deny licensure of a
3637 pesticide applicator upon issuance of a final order to
3638 a licensee which imposes civil penalties or a criminal
3639 conviction under the Federal Insecticide, Fungicide,
3640 and Rodenticide Act; amending s. 496.404, F.S.;

3641 defining the terms "foreign country of concern" and
3642 "foreign source of concern"; amending s. 496.405,
3643 F.S.; revising which documents a charitable
3644 organization or sponsor must file before engaging in
3645 specified activities; requiring that any changes to
3646 such documents be reported to the department on a
3647 specified form in a specified timeframe; revising the
3648 requirements of the charitable organization's initial
3649 registration statement; authorizing the department to
3650 investigate or refer to the Florida Elections
3651 Commission certain violations of the charitable
3652 organization or sponsor; amending s. 496.415, F.S.;

3653 prohibiting specified persons from soliciting or
3654 accepting anything of value from a foreign source of
3655 concern; amending s. 496.417, F.S.; authorizing the
3656 department to investigate or refer to the Florida
3657 Elections Commission certain violations of a
3658 charitable organization or sponsor; amending s.
3659 496.419, F.S.; providing penalties for a charitable
3660 organization or sponsor whose registration is denied
3661 or revoked for submitting a false attestation;
3662 creating s. 496.431, F.S.; requiring the department to
3663 create the Honest Service Registry to provide
3664 residents with information relating to charitable



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3665 organizations; requiring a charitable organization
3666 included in the Honest Services Registry to submit an
3667 attestation statement to the department; requiring the
3668 department to publish the Honest Services Registry on
3669 the department's website; requiring the department to
3670 adopt rules; amending s. 500.03, F.S.; revising the
3671 definition of the term "cottage food product";
3672 amending s. 500.12, F.S.; providing that the
3673 department requires a food permit from any person or
3674 business that operates a food establishment; revising
3675 exceptions; revising the schedule for renewing certain
3676 food permits; authorizing the department to establish
3677 a single permit renewal date for certain food
3678 establishments; amending s. 500.166, F.S.; requiring
3679 certain persons engaged in interstate commerce to
3680 retain all records that show certain information for a
3681 specified timeframe; amending s. 500.172, F.S.;
3682 authorizing the department to facilitate the
3683 destruction of certain articles that violate specified
3684 provisions; prohibiting certain persons from certain
3685 actions without permission from, or in accord with a
3686 written agreement with, the department; creating s.
3687 500.75, F.S.; providing that it is unlawful to import,
3688 sell, offer for sale, furnish, or give away certain
3689 spores or mycelium; providing a penalty for
3690 violations; creating s. 500.93, F.S.; defining terms;
3691 requiring the department to adopt rules to enforce the
3692 Food and Drug Administration's standard of identity
3693 for milk, meat, poultry, and poultry products, and



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3694 eggs and egg products to prohibit the sale of plant-
3695 based products mislabeled as milk, meat, poultry, or
3696 poultry products, or egg or egg products; providing
3697 contingent effective dates; requiring the department
3698 to adopt rules; providing construction; repealing s.
3699 501.135, F.S., relating to consumer unit pricing;
3700 amending s. 501.912, F.S.; revising the definition of
3701 the term "antifreeze"; creating s. 525.19, F.S.;

3702 requiring the department to create an annual petroleum
3703 registration program for petroleum owners or
3704 operators; requiring the department to adopt rules for
3705 such registration which include specified information;
3706 requiring that the registration program be free for
3707 all registrants; authorizing the department to require
3708 registrants to provide certain information during a
3709 state of emergency; creating s. 526.147, F.S.;

3710 creating the Florida Retail Fuel Transfer Switch
3711 Modernization Grant Program within the department;
3712 requiring the grant program to provide funds up to a
3713 certain amount to be used for installation and
3714 equipment costs related to installing or modernizing
3715 transfer switch infrastructure at retail fuel
3716 facilities; requiring the department to award funds
3717 based on specified criteria; requiring retail fuel
3718 facilities awarded grant funds to comply with
3719 specified provisions; requiring such facilities to
3720 install a transfer switch with specified capabilities;
3721 requiring retail fuel facilities to provide specified
3722 documentation before being awarded funding;



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3723 prohibiting certain facilities from being awarded
3724 funding; requiring the department, in consultation
3725 with the Division of Emergency Management, to adopt
3726 rules; requiring that such rules include specified
3727 information; amending s. 531.48, F.S.; requiring that
3728 certain packages bear specified information on the
3729 outside of the package; amending s. 531.49, F.S.;
3730 revising requirements for the advertising of a
3731 packaged commodity; amending s. 570.07, F.S.;
3732 requiring the department to foster and encourage the
3733 employment and retention of qualified veterinary
3734 pathologists; providing that the department may
3735 reimburse the educational expenses of certain
3736 veterinary pathologists who enter into a certain
3737 agreement with the department; requiring the
3738 department to adopt certain rules; requiring the
3739 department to extend certain opportunities to public
3740 school students enrolled in agricultural education to
3741 support Future Farmers of America programming;
3742 requiring the department to use contracts procured by
3743 agencies; defining the term "agency"; amending s.
3744 570.544, F.S.; revising which provisions the director
3745 of the Division of Consumer Services must enforce;
3746 creating s. 570.546, F.S.; authorizing the department
3747 to create a process for the bulk renewal of licenses;
3748 authorizing the department to create a process that
3749 will allow licensees to align the expiration dates of
3750 licenses within a specified program; authorizing the
3751 department to change the expiration date for current



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3752 licenses for a certain purpose; requiring the
3753 department to prorate the licensing fee for certain
3754 licenses; requiring the department to adopt rules;
3755 amending s. 570.694, F.S.; creating the Florida
3756 Aquaculture Foundation as a direct support
3757 organization within the department; providing the
3758 purpose of the foundation; providing governance for
3759 the foundation; authorizing the department to appoint
3760 an advisory committee adjunct to the foundation;
3761 amending s. 570.822, F.S.; revising the definition of
3762 the terms "declared natural disaster" and "program";
3763 providing that loan funds from the department may be
3764 used to restock aquaculture; authorizing the
3765 department to renew a loan application under certain
3766 circumstances; authorizing the department to defer or
3767 waive loan payments under certain circumstances;
3768 conforming provisions to changes made by the act;
3769 creating s. 570.823, F.S.; defining terms;
3770 establishing the silviculture emergency recovery
3771 program within the department to administer a grant
3772 program to assist certain timber landowners; requiring
3773 that such grants be used for certain purposes;
3774 requiring that only timber lands located on
3775 agricultural property are eligible for the program;
3776 requiring the department to coordinate with state
3777 agencies to provide financial assistance to timber
3778 landowners after a specified declared emergency;
3779 providing construction; authorizing the department to
3780 adopt rules to implement this section; providing



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3781 construction; amending s. 581.1843, F.S.; deleting
3782 provisions that exclude certain citrus nurseries from
3783 certain requirements; deleting provisions relating to
3784 regulated areas around the perimeter of commercial
3785 citrus nurseries; repealing ss. 593.101, 593.102,
3786 593.103, 593.104, 593.105, 593.106, 593.107, 593.108,
3787 593.109, 593.11, 593.111, 593.112, 593.113, 593.114,
3788 593.1141, 593.1142, 593.115, 593.116, and 593.117,
3789 F.S., relating to the Florida Boll Weevil Eradication
3790 Law; definitions; powers and duties of Department of
3791 Agriculture and Consumer Services; the entry of
3792 premises to carry out boll weevil eradication
3793 activities and inspections; reports by persons growing
3794 cotton; quarantine areas and the regulation of
3795 articles within a boll weevil eradication zone; the
3796 regulation of collection, transportation,
3797 distribution, and movement of cotton; cooperative
3798 programs for persons engaged in growing, processing,
3799 marketing, or handling cotton; the department's
3800 authority to designate eradication zones, prohibit
3801 planting of cotton, and require participation in
3802 eradication program; regulation of the pasturage of
3803 livestock, entry by persons, and location of honeybee
3804 colonies in eradication zones and other areas;
3805 eligibility for certification of cotton growers'
3806 organization; the certification of cotton growers'
3807 organization; a referendum; an assessment; the
3808 department's authority to enter agreements with the
3809 Farm Service Agency; liens; mandamus or injunction;



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3810 penalty for violation; and the handling of moneys
3811 received, respectively; amending s. 595.404, F.S.;
3812 revising the department's powers and duties regarding
3813 school nutrition programs; amending s. 599.002, F.S.;
3814 renaming the Viticulture Advisory Council as the
3815 Florida Wine Advisory Council; revising the membership
3816 of the Florida Wine Advisory Council; conforming
3817 provisions to changes made by the act; amending s.
3818 599.003, F.S.; renaming the State Viticulture Plan as
3819 the State Wine Plan; conforming provisions to changes
3820 made by the act; amending s. 599.004, F.S.; making
3821 technical changes; providing that wineries that fail
3822 to recertify annually or pay a specified licensing fee
3823 are subject to certain actions and costs; conforming
3824 provisions to changes made by the act; amending s.
3825 599.012, F.S.; conforming provisions to changes made
3826 by the act; amending s. 616.12, F.S.; deleting
3827 provisions requiring a person who operates a minstrel
3828 show in connection with any certain public fairs to
3829 pay specified license taxes; deleting a provision that
3830 exempts such person from paying specified taxes;
3831 creating s. 687.16, F.S.; providing a short title;
3832 defining terms; prohibiting a financial institution
3833 from discriminating in the provision of financial
3834 services to an agricultural producer based on an ESG
3835 factor; providing an inference with regard to a
3836 certain violation; providing that the financial
3837 institution may overcome the inference by making
3838 certain demonstrations regarding its denial or



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3839 restriction of financial services to an agricultural
3840 producer; authorizing the Attorney General to enforce
3841 specified provisions; providing that a violation of
3842 specified provisions constitutes an unfair and
3843 deceptive trade practice; authorizing the Attorney
3844 General to investigate and seek remedies for such
3845 unfair trade practices; authorizing an aggrieved party
3846 to seek an action for damages; amending s. 741.0305,
3847 F.S.; conforming a cross-reference; amending s.
3848 790.06, F.S.; revising the circumstances under which
3849 the department may temporarily suspend a person's
3850 license to carry a concealed weapon or concealed
3851 firearm or the processing of an application for such
3852 license; requiring the department to notify certain
3853 licensees or applicants of his or her right to a
3854 hearing; requiring that the hearing regarding such
3855 suspension of license be for a limited purpose;
3856 requiring the department to issue an order lifting the
3857 suspension of an applicant's license upon a certain
3858 disposition of the criminal case; requiring that the
3859 suspension remain in effect upon a certain disposition
3860 of the criminal case; providing construction;
3861 providing legislative findings; revising the duties of
3862 the department after the date of receipt of a
3863 completed application for a license to carry a
3864 concealed weapon or concealed firearm; requiring that
3865 a license issued under this section be temporarily
3866 suspended or revoked if the license was issued in
3867 error or if the licensee commits certain actions;



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3868 amending s. 812.0151, F.S.; revising the elements of
3869 third degree and second degree felony retail fuel
3870 theft; creating s. 812.136, F.S.; defining terms;
3871 providing elements for the crime of mail theft;
3872 providing elements of theft of or unauthorized
3873 reproduction of a mail depository key or lock;
3874 providing criminal penalties; amending s. 934.50,
3875 F.S.; deleting certain exceptions from the prohibited
3876 uses of drones; creating s. 1013.373, F.S.;
3877 prohibiting a local government from adopting any
3878 measure to limit the activities of public educational
3879 facilities or auxiliary facilities constructed by
3880 certain organizations; requiring that lands used for
3881 agricultural education or for the Future Farmers of
3882 America or 4-H activities be considered agricultural
3883 lands; reenacting s. 295.07(5)(a), F.S., relating to
3884 preference in appointment and retention, to
3885 incorporate the amendment made to s. 110.205, F.S., in
3886 a reference thereto; reenacting ss. 125.01(1)(r),
3887 163.3162(3)(a) through (d), 163.3163(3)(c),
3888 163.3164(4), 163.3194(5), 170.01(4), 193.052(2),
3889 193.4615, 212.08(5)(a) and (19)(a), 373.406(2),
3890 403.182(11)(a), 403.9337(4), 472.029(2)(d),
3891 474.2021(5), 474.2165(4)(d), 487.081(6), 570.85(1),
3892 570.87(1), 570.94(3), 582.19(1)(a), 586.055,
3893 604.50(2)(a) and (d), 604.73(3)(b), 692.201(1),
3894 741.30(5)(a) and (6)(a), 810.011(5)(a), and 823.14(6),
3895 F.S., relating to powers and duties; agricultural
3896 lands and practices; applications for development



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3897 permits; community planning act; legal status of
3898 comprehensive plan; authority for providing
3899 improvements and levying and collecting special
3900 assessments against property benefited; preparation
3901 and serving of returns; assessment of obsolete
3902 agricultural equipment; storage tax; exemptions; local
3903 pollution control programs; the Model Ordinance for
3904 Florida-Friendly Fertilizer Use on Urban Landscapes;
3905 authorization to enter lands of third parties;
3906 veterinary telehealth; ownership and control of
3907 veterinary medical patient records; exemptions;
3908 agritourism; agritourism participation impact on land
3909 classification; best management practices for
3910 wildlife; qualifications and tenure of supervisors;
3911 location of apiaries; nonresidential farm buildings;
3912 urban agriculture pilot projects; definitions;
3913 domestic violence; definitions; and the Florida Right
3914 to Farm Act, respectively, to incorporate the
3915 amendment made to s. 193.461, F.S., in references
3916 thereto; reenacting ss. 189.062(1)(a) and 388.261(7),
3917 F.S., relating to special procedures for inactive
3918 districts and state aid to counties and districts for
3919 arthropod control, respectively, to incorporate the
3920 amendment made to s. 388.271, F.S., in references
3921 thereto; reenacting ss. 482.072(3)(b) and 482.163,
3922 F.S., relating to pest control customer contact
3923 centers and responsibility for pest control activities
3924 of employee, respectively, to incorporate the
3925 amendment made to s. 482.161, F.S., in references



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3926 thereto; reenacting s. 487.156, F.S., relating to
3927 governmental agencies, to incorporate the amendment
3928 made to s. 487.044, F.S., in a reference thereto;
3929 reenacting ss. 496.4055(2) and 496.406(2) and (4),
3930 F.S., relating to charitable organization or sponsor
3931 board duties and exemption from registration,
3932 respectively, to incorporate the amendment made to s.
3933 496.405, F.S., in references thereto; reenacting s.
3934 500.80(1)(a), F.S., relating to cottage food
3935 operations, to incorporate the amendment made to s.
3936 500.12, F.S., in a reference thereto; reenacting s.
3937 500.121(6), F.S., relating to disciplinary procedures,
3938 to incorporate the amendment made to s. 500.172, F.S.,
3939 in a reference thereto; reenacting s. 790.061, F.S.,
3940 relating to judges and justices, to incorporate the
3941 amendment made to s. 790.06, F.S., in a reference
3942 thereto; providing an effective date.



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LEGISLATIVE ACTION

Senate

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House

The Committee on Agriculture (Truenow) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

110.205 Career service; exemptions.—

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

(m) All assistant division director, deputy division



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11 director, and bureau chief positions in any department, and
12 those positions determined by the department to have managerial
13 responsibilities comparable to such positions, which include,
14 but are not limited to:

15 1. Positions in The Department of Health and the Department
16 of Children and Families which are assigned primary duties of
17 serving as the superintendent or assistant superintendent of an
18 institution.

19 2. Positions in The Department of Corrections which are
20 assigned primary duties of serving as the warden, assistant
21 warden, colonel, or major of an institution or that are assigned
22 primary duties of serving as the circuit administrator or deputy
23 circuit administrator.

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

27 4. Positions in The Department of Environmental Protection
28 which are assigned the duty of an Environmental Administrator or
29 program administrator.

30 5. Positions in The Department of Health which are assigned
31 the duties of Environmental Administrator, Assistant County
32 Health Department Director, and County Health Department
33 Financial Administrator.

34 6. Positions in The Department of Highway Safety and Motor
35 Vehicles which are assigned primary duties of serving as
36 captains in the Florida Highway Patrol.

37 7. Positions in the Department of Agriculture and Consumer
38 Services which are assigned primary duties of serving as
39 captains or majors in the Office of Agricultural Law



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40 Enforcement.

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42 Unless otherwise fixed by law, the department shall set the
43 salary and benefits of the positions listed in this paragraph in
44 accordance with the rules established for the Selected Exempt
45 Service.

46 Section 2. Present paragraphs (a) through (d) of subsection
47 (2) of section 163.3162, Florida Statutes, are redesignated as
48 paragraphs (b) through (e), respectively, new paragraph (a) and
49 paragraphs (f) and (g) are added to that subsection, and
50 subsections (5), (6), and (7) are added to that section, to
51 read:

52 163.3162 Agricultural Lands and Practices.—

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

54 (a) "Department" means the Department of Agriculture and
55 Consumer Services.

56 (f) "Housing site" means the totality of development
57 supporting authorized housing, including buildings, mobile
58 homes, barracks, dormitories used as living quarters, parking
59 areas, common areas such as athletic fields or playgrounds,
60 storage structures, and other related structures.

61 (g) "Legally verified agricultural worker" means a person
62 who:

63 1. Is lawfully present in the United States;

64 2. Meets the definition of eligible worker pursuant to 29
65 C.F.R. s. 502.10;

66 3. Has been verified through the process provided in s.
67 448.095(2) and is authorized to work at the time of employment;

68 4. Is seasonally or annually employed in bona fide



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69 agricultural production;
70 5. Remains lawfully present and authorized to work
71 throughout the duration of that employment; and
72 6. Is not an unauthorized alien as defined in s.
73 448.095(1).
74 (5) HOUSING FOR LEGALLY VERIFIED AGRICULTURAL WORKERS.—
75 (a) A governmental entity may not adopt or enforce any
76 legislation, regulation, or ordinance to inhibit the
77 construction or installation of housing for legally verified
78 agricultural workers on land classified as agricultural land
79 pursuant to s. 193.461 which is operated as a bona fide farm
80 except as provided in this subsection.
81 (b) Construction or installation of housing units for
82 legally verified agricultural workers on parcels of land
83 classified as agricultural land under s. 193.461 must satisfy
84 all of the following criteria:
85 1. The dwelling units must meet federal, state, and local
86 building standards, including standards of the Department of
87 Health adopted pursuant to ss. 381.008-381.00897 and federal
88 standards for H-2A visa housing. If written notice of intent is
89 required to be submitted to the Department of Health pursuant to
90 s. 381.0083, the appropriate governmental entity with
91 jurisdiction over the agricultural lands may also require
92 submittal of a copy of the written notice.
93 2. The housing site must be maintained in a neat, orderly,
94 and safe manner.
95 3. All structures containing dwelling units must be located
96 a minimum of 10 feet apart.
97 4. The square footage of the housing site's climate-



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98 controlled facilities may not exceed 1.5 percent of the
99 property's area or 35,000 square feet, whichever is less.

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

105 6. A housing site must be located at least 100 feet from a
106 property line adjacent to property zoned for residential use. If
107 the housing site is located less than 250 feet from any property
108 line, screening must be provided between the housing site and
109 any residentially developed adjacent parcels that are under
110 different ownership. The screening may be designed in any of the
111 following ways:

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

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

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

119 d. A row of evergreen shade trees that, at the time of
120 planting, are at least 10 feet in height, a minimum of 2-inch
121 caliper, and spaced no more than 20 feet apart; or

122 e. A berm made with a combination of the materials listed
123 in sub-subparagraphs a.-d., which is at least 6 feet in height
124 and provides an overall screening capacity of 75 percent at the
125 time of installation.

126 7. All access driveways that serve the housing site must be



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127 made of packed shell, gravel, or a similar material that will
128 provide a relatively dust-free surface.

129 (c) Any local ordinance adopted pursuant to this subsection
130 must comply with all state and federal regulations for migrant
131 farmworker housing, as applicable, including rules adopted by
132 the Department of Health pursuant to ss. 381.008-381.00897 and
133 federal regulations under the Migrant and Seasonal Agricultural
134 Worker Protection Act or the H-2A visa program. A governmental
135 entity may adopt local government land use regulations that are
136 less restrictive than this subsection, but which still meet
137 regulations established by the Department of Health pursuant to
138 ss. 381.008-381.00897 and federal regulations under the Migrant
139 and Seasonal Agricultural Worker Protection Act or the H-2A visa
140 program. An ordinance adopted pursuant to this paragraph may not
141 conflict with the definition and requirements of a legally
142 verified agricultural worker.

143 (d) Beginning July 1, 2025, a property owner must maintain
144 records of all approved permits, including successor permits,
145 for migrant labor camps or residential migrant housing as
146 required under s. 381.0081. A property owner must maintain such
147 records for at least 3 years and make the records available for
148 inspection within 14 days after receipt of a request for records
149 by a governmental entity.

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

152 1. If, for any reason, a housing site is not being used for
153 legally verified agricultural workers for longer than 365 days,
154 any structure used as living quarters must be removed from the
155 housing site within 180 days after receipt of written



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156 notification from the county unless the property owner can
157 demonstrate that use of the site for housing legally verified
158 agricultural workers will occur within 90 days after the written
159 notification.

160 2. If the property on which the housing site is located
161 ceases to be classified as agricultural land pursuant to s.
162 193.461.

163 3. If the permit authorized by the Department of Health for
164 the housing site is revoked, all structures must be removed from
165 the housing site within 180 days after receipt of written
166 notification from the county unless the permit is reinstated by
167 the Department of Health.

168 4. If a housing site is found to be occupied by any person
169 who does not meet the definition of a legally verified
170 agricultural worker, or is otherwise unlawfully present in the
171 United States. A property owner who violates this subparagraph
172 is subject to a Class I fine pursuant to s. 570.971, not to
173 exceed \$1,000, for the first violation, and a Class II fine, not
174 to exceed \$5,000, for any subsequent violations. The fines shall
175 be collected by the clerk of the court of the county in which
176 the violation occurred.

177 (f) Notwithstanding this subsection, the construction or
178 installation of housing for legally verified agricultural
179 workers in the Florida Keys Area of Critical State Concern or
180 the City of Key West Area of Critical State Concern is subject
181 to the permit allocation systems of the Florida Keys Area of
182 Critical State Concern or City of Key West Area of Critical
183 State Concern, respectively.

184 (g) A housing site that was constructed and in use before



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185 July 1, 2024, may continue to be used, and the property owner
186 may not be required by a governmental entity to make changes to
187 meet the requirements of this subsection, unless the housing
188 site will be enlarged, remodeled, renovated, or rehabilitated.
189 The property owner of a housing site authorized under this
190 paragraph must provide regular maintenance and repair, including
191 compliance with health and safety regulations and maintenance
192 standards, for such housing site to ensure the health, safety,
193 and habitability of the housing site.

194 (6) DATA COLLECTION.—The Department shall adopt rules
195 providing for:

196 (a) A method for government entities to submit reports of
197 property owners who have a housing site for legally verified
198 agriculture workers on lands classified as agricultural land
199 pursuant to s. 193.461, as provided in this section.

200 (b) A method for persons to submit complaints for review
201 and investigation by the Department.

202
203 Government entities shall provide this information quarterly to
204 the department in a format and timeframe prescribed by rule.

205 (7) ENFORCEMENT.—

206 (a) In addition to the enforcement methods of employment
207 verification outlined in s. 448.095, the Department shall
208 enforce the requirements of subsection (5). Enforcement includes
209 completing routine inspections based on a random sample of data
210 collected by government entities and submitted to the
211 Department, the investigation and review of complaints, and the
212 enforcement of violations.

213 (b) The Department shall submit the information collected



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214 to the State Board of Immigration Enforcement on a quarterly
215 basis, except that the first quarter shall begin 60 days after
216 the first quarterly data report under subsection (6) by a
217 government entity is received and reviewed by the Department.

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

220 201.25 Tax exemptions for certain loans.—There shall be
221 exempt from all taxes imposed by this chapter:

222 (3) Any loan made by the Agriculture and Aquaculture
223 Producers Emergency Natural Disaster Recovery Loan Program
224 pursuant to s. 570.822.

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

227 253.0341 Surplus of state-owned lands.—

228 (19) Notwithstanding any other law or rule, the Department
229 of Agriculture and Consumer Services may surplus lands acquired
230 pursuant to s. 366.20 which are determined to be suitable for
231 bona fide agricultural production, as defined in s. 193.461. The
232 Department of Agriculture and Consumer Services shall consult
233 with the Department of Environmental Protection in the process
234 of making such determination. In the event that lands acquired
235 pursuant to s. 366.20, which are determined to be suitable for
236 bona fide agricultural production are surplus, the Department
237 of Agriculture and Consumer Services must retain a rural-lands-
238 protection easements pursuant to s. 570.71(3), and all proceeds
239 must be deposited into the Incidental Trust Fund within the
240 Department of Agriculture and Consumer Services for less than
241 fee simple land acquisition pursuant to ss. 570.71 and 570.715.
242 By January 1, 2026, and each January 1 thereafter, the



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243 Department of Agriculture and Consumer Services shall provide a
244 report of lands surplused pursuant to this subsection to the
245 board.

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

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

250 Section 5. Present paragraphs (a) through (d) and (e) of
251 subsection (2) and subsection (6) of section 330.41, Florida
252 Statutes, are redesignated as paragraphs (b) through (e) and (j)
253 of subsection (2) and subsection (8), respectively, new
254 paragraphs (a) and (f) and paragraphs (g), (h), and (i) are
255 added to subsection (2) and new subsection (6) and subsection
256 (7) are added to that section, and paragraph (d) of subsection
257 (4) of that section is amended, to read:

258 330.41 Unmanned Aircraft Systems Act.—

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

260 (a) "Commercial property" means real property other than
261 residential property. The term includes, but is not limited to,
262 a property zoned multifamily residential which is comprised of
263 five or more dwelling units, and real property used for
264 commercial, industrial, or agricultural purposes.

265 (f) "Private property" means any residential or commercial
266 property.

267 (g) "Property owner" means the owner or owners of record of
268 real property. The term includes real property held in trust for
269 the benefit of one or more individuals, in which case the
270 individual or individuals may be considered as the property
271 owner or owners, provided that the trustee provides written



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272 consent. The term does not include persons renting, using,
273 living, or otherwise occupying real property.

274 (h) "Residential property" means real property zoned as
275 residential or multifamily residential and composed of four or
276 fewer dwelling units.

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

279 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

284 (6) PROTECTION OF AGRICULTURAL LANDS.—

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

288 1. Allow a drone to make contact with any person or object
289 on the premises of or within the boundaries of such lands.

290 2. Allow a drone to come within a distance close enough to
291 such lands to interfere with or cause a disturbance to
292 agricultural production.

293 (b) A person who violates paragraph (a) commits a
294 misdemeanor of the second degree, punishable as provided in s.
295 775.082 or s. 775.083. A person who commits a second or
296 subsequent violation commits a misdemeanor of the first degree,
297 punishable as provided in s. 775.082 or s. 775.083.

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

300 1. The owner of the agricultural lands, or a person acting



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301 under the prior written consent of the owner of the agricultural
302 lands.

303 2. A person or entity acting in compliance with the
304 provisions of s. 934.50.

305 (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING
306 LANDS.-

307 (a) A person may not knowingly or willfully allow a drone
308 to make contact with private property, state wildlife management
309 lands, or a sport shooting and training range or any person or
310 object on the premises of or within such property with the
311 intent to harass.

312 (b) A person who violates paragraph (a) commits a
313 misdemeanor of the second degree, punishable as provided in s.
314 775.082 or s. 775.083. A person who commits a second or
315 subsequent violation commits a misdemeanor of the first degree,
316 punishable as provided in s. 775.082 or s. 775.083.

317 (c) A person who violates paragraph (a) and records video
318 of the private property, state wildlife management lands, or
319 sport shooting and training range, including any person or
320 object on the premises of or within the private property, state
321 wildlife management lands, or sport shooting and training range,
322 commits a misdemeanor of the first degree, punishable as
323 provided in s. 775.082 or s. 775.083. A person who commits a
324 second or subsequent violation commits a felony of the third
325 degree, punishable as provided in s. 775.082, s. 775.083, or s.
326 775.084.

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

329 1. The property owner of the private property or sport



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330 shooting and training range, or a person acting under the prior
331 written consent of the property owner.

332 2. A person or entity acting in compliance with the
333 provisions of s. 934.50.

334 Section 6. Section 366.20, Florida Statutes, is created to
335 read:

336 366.20 Sale and management of lands owned by electric
337 utilities.—

338 (1) Lands acquired by an electric utility as defined in s.
339 361.11(2) which have been classified as agricultural lands
340 pursuant to s. 193.461 at any time in the 5 years preceding the
341 acquisition of the land by the electric utility must be offered
342 for fee simple acquisition by the Department of Agriculture and
343 Consumer Services before offering for sale or transferring the
344 land to a private individual or entity.

345 (2) Lands owned by an electric utility as defined in s.
346 361.11(2) which were classified as agricultural lands pursuant
347 to s. 193.461 at any time in the 5 years preceding the date of
348 acquisition of the land by the electric utility must be offered
349 for fee simple acquisition by the Department of Agriculture and
350 Consumer Services before offering for sale or transferring the
351 land to a private individual or entity.

352 (3) This section is retroactive to January 1, 2009.

353 Section 7. Present subsections (3) and (4) of section
354 366.94, Florida Statutes, are redesignated as subsections (4)
355 and (5), respectively, a new subsection (3) is added to that
356 section, and subsection (2) of that section is amended, to read:

357 366.94 Electric vehicle charging.—

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



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359 charging station” means the area in the immediate vicinity of
360 electric vehicle supply equipment and includes the electric
361 vehicle supply equipment, supporting equipment, and associated
362 parking spaces. The regulation of electric vehicle charging
363 stations is preempted to the state.

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

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

371 (b) The department may adopt rules to protect the public
372 health, safety, and welfare and establish standards for the
373 placement, design, installation, maintenance, and operation of
374 electric vehicle charging stations.

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

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

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



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388 against a person who violates this subsection or any rule
389 adopted under this subsection:

390 1. Issuance of a warning letter.

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

393 (f) If the department determines that an electric vehicle
394 charging station or any associated equipment presents a threat
395 to the public health, safety, or welfare, the department may
396 issue an immediate final order prohibiting the use of the
397 electric vehicle charging station or any portion thereof.

398 (g) In addition to the remedies provided in this
399 subsection, and notwithstanding the existence of any adequate
400 remedy at law, the department may bring an action to enjoin a
401 violation of this subsection or rules adopted under this
402 subsection in the circuit court of the county in which the
403 violation occurs or is about to occur. Upon demonstration of
404 competent and substantial evidence by the department to the
405 court of the violation or threatened violation, the court shall
406 immediately issue the temporary or permanent injunction sought
407 by the department. The injunction must be issued without bond.

408 Section 8. Present subsections (10) and (11) of section
409 388.011, Florida Statutes, are redesignated as subsections (11)
410 and (12), respectively, a new subsection (10) is added to that
411 section, and subsections (2) and (5) of that section are
412 amended, to read:

413 388.011 Definitions.—As used in this chapter:

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



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417 similar governing bodies when context so indicates.

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

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

424 Section 9. Section 388.021, Florida Statutes, is amended to
425 read:

426 388.021 Creation of mosquito control special districts.—

427 (1) The abatement or suppression of arthropods, whether
428 disease-bearing or merely pestiferous, within any or all
429 counties of this state is advisable and necessary for the
430 maintenance and betterment of the comfort, health, and welfare
431 of the people thereof and is found and declared to be for public
432 purposes. Areas where arthropods incubate, hatch, or occur in
433 significant numbers so as to constitute a public health,
434 welfare, or nuisance problem may be controlled or abated as
435 provided in this chapter or the rules promulgated hereunder.
436 Therefore, any municipality ~~city~~, town, or county, or any
437 portion or portions thereof, whether such portion or portions
438 include incorporated territory or portions of two or more
439 counties in the state, may be created into a special taxing
440 district for the control of arthropods under the provisions of
441 this chapter.

442 (2) It is the legislative intent that ~~these~~ mosquito
443 control districts established prior to July 1, 1980, pursuant to
444 the petition process contained in former s. 388.031, may
445 continue to operate as outlined in this chapter. However, on and



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

448 Section 10. Section 388.181, Florida Statutes, is amended
449 to read:

450 388.181 Power to do all things necessary.—The respective
451 programs ~~districts~~ of the state are hereby fully authorized to
452 do and perform all things necessary to carry out the intent and
453 purposes of this law.

454 Section 11. Subsections (1), (2), (4), and (5) of section
455 388.201, Florida Statutes, are amended to read:

456 388.201 Program ~~District~~ budgets; hearing.—

457 (1) The fiscal year of programs ~~districts~~ operating under
458 ~~the provisions of~~ this chapter shall be the 12-month period
459 extending from October 1 of one year through September 30 of the
460 following year. The governing board of the programs ~~district~~
461 shall before July 15 of each year complete the preparation of a
462 tentative detailed work plan budget covering its proposed
463 operations and requirements for arthropod control measures
464 during the ensuing fiscal year and, for the purpose of
465 determining eligibility for state aid, shall submit copies as
466 may be required to the department for review and approval. The
467 tentative detailed work plan budget must ~~shall~~ set forth,
468 classified by account number, title and program items, and by
469 fund from which to be paid, the proposed expenditures of the
470 program ~~district~~ for construction, for acquisition of land, and
471 other purposes, for the operation and maintenance of the
472 program's ~~district's~~ works, the conduct of the program ~~district~~
473 generally, to which may be added an amount to be held as a
474 reserve.



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475 (2) The tentative detailed work plan budget must ~~shall~~ also
476 show the estimated amount which will appear at the beginning of
477 the fiscal year as obligated upon commitments made but
478 uncompleted, ~~There shall be shown~~ the estimated unobligated or
479 net balance which will be on hand at the beginning of the fiscal
480 year, and the estimated amount to be raised by county,
481 municipality, or district taxes and from any and all other
482 sources for meeting the program's ~~the district's~~ requirements.

483 (4) The governing board shall:

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

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

492 (5) County commissioners' mosquito and arthropod control
493 budgets or the budgets of or similar governing body of said
494 county, city, or town's must ~~shall~~ be made and adopted as
495 prescribed by subsections (1) and (2); summary figures must
496 ~~shall~~ be incorporated into the county budgets as prescribed by
497 the Department of Financial Services.

498 Section 12. Section 388.241, Florida Statutes, is amended
499 to read:

500 388.241 Board of county commissioners vested with powers
501 and duties of board of commissioners in certain counties.—In
502 those counties or cities where there has been no formation of a
503 separate or special board of commissioners, all the rights,



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504 powers, and duties of a board of commissioners as conferred in
505 this chapter shall be vested in the board of county
506 commissioners or similar governing body of said county or city.

507 Section 13. Section 388.261, Florida Statutes, is amended
508 to read:

509 388.261 State aid to counties, municipalities, and
510 districts for arthropod control; distribution priorities and
511 limitations.—

512 (1) A county, municipality, or district may, without
513 contributing matching funds, receive state funds, supplies,
514 services, or equipment in an amount of no more than \$75,000
515 ~~\$50,000~~ per year for up to 3 years for any new program for the
516 control of mosquitoes and other arthropods which serves an area
517 not previously served by the county, municipality, or district.
518 These funds may be expended for any and all types of control
519 measures approved by the department.

520 (2) Every county, municipality, or district budgeting local
521 funds to be used exclusively for the control of mosquitoes and
522 other arthropods, under a plan submitted by the county,
523 municipality, or district and approved by the department, is
524 eligible to receive state funds and supplies, services, and
525 equipment on a dollar-for-dollar matching basis to the amount of
526 local funds budgeted. If state funds appropriated by the
527 Legislature are insufficient to grant each county, municipality,
528 or district state funds on a dollar-for-dollar matching basis to
529 the amount budgeted in local funds, the department must ~~shall~~
530 distribute the funds as prescribed by rule. Such rules must
531 ~~shall~~ provide for up to 80 percent of the funds to be
532 distributed to programs with local funds for mosquito control



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533 budgets of less than \$1 million, if the county, municipality, or
534 district meets the eligibility requirements. The funds must
535 ~~shall~~ be distributed as equally as possible within the category
536 of counties pursuant to this section. The remaining funds must
537 ~~shall~~ be distributed as prescribed by rule among the remaining
538 counties to support mosquito control and to support research,
539 education, and outreach.

540 (3) Every county shall be limited to receive a total of
541 \$120,000 of state funds, exclusive of state funds brought
542 forward, during any one year.

543 (4) Up to 20 percent of the annual funds appropriated to
544 local governments for arthropod control may be used for
545 arthropod control research or demonstration projects as approved
546 by the department.

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

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

557 (7) The department may use state funds appropriated for a
558 county, municipality, or district under subsection (1) or
559 subsection (2) to provide state mosquito or other arthropod
560 control equipment, supplies, or services when requested by a
561 county, municipality, or district eligible to receive state



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562 funds under s. 388.271.

563 (8) The department is authorized to use up to 5 percent of
564 the funds appropriated annually by the Legislature under this
565 section to provide technical assistance to the counties,
566 municipalities, or districts, or to purchase equipment,
567 supplies, or services necessary to administer the provisions of
568 this chapter.

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

571 388.271 Prerequisites to participation.-

572 (1) When state funds are involved, it is the duty of the
573 department to guide, review, approve, and coordinate the
574 activities of all county and municipal governments and special
575 districts receiving state funds in furtherance of the goal of
576 integrated arthropod control. Each program county eligible to
577 participate may, and each district must, begin participation on
578 October 1 of any year by filing with the department not later
579 than July 15 a tentative integrated arthropod management plan
580 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for
581 the control of arthropods. Following approval of the plan and
582 budget by the department, a copy ~~two copies~~ of the program's
583 ~~county's or district's~~ certified budget based on the approved
584 integrated arthropod management ~~work~~ plan and detailed ~~work plan~~
585 budget must ~~shall~~ be submitted to the department by September 30
586 following. State funds, supplies, and services must ~~shall~~ be
587 made available to such program county ~~or district~~ by and through
588 the department ~~immediately~~ upon release of funds by the
589 Executive Office of the Governor.

590 (2) All purchases of supplies, materials, and equipment by



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591 programs must ~~counties or districts shall~~ be made in accordance
592 with the laws governing purchases by boards of county
593 commissioners or similar governing bodies, except that programs
594 ~~districts~~ with special laws relative to competitive bidding
595 shall make purchases in accordance therewith.

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

598 388.281 Use of state matching funds.—

599 (1) All funds, supplies, and services released to programs
600 ~~counties and districts~~ hereunder must ~~shall~~ be used in
601 accordance with the integrated arthropod management ~~detailed~~
602 ~~work~~ plan and certified budget approved by both the department
603 and the board of county commissioners or an appropriate
604 representative county or district. The integrated arthropod
605 management plan and budget may be amended at any time upon prior
606 approval of the department.

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

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

615 388.291 Source reduction measures; supervision by
616 department.—

617 (1) Any program ~~county or district~~ may perform source
618 reduction measures in conformity with good engineering practices
619 in any area, provided that the department cooperating with the



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620 county, municipality, or district has approved the operating or
621 construction plan as outlined in the integrated arthropod
622 management plan and that it has been determined by criteria
623 contained in rule that the area or areas to be controlled would
624 produce arthropods in significant numbers to constitute a health
625 or nuisance problem.

626 (2) The program ~~county or district~~ shall manage the
627 detailed business affairs and supervise the ~~said~~ work, and the
628 department shall advise the programs ~~districts~~ as to the best
629 and most effective measures to be used in bringing about better
630 temporary control and the permanent elimination of breeding
631 conditions. The department may at its discretion discontinue any
632 state aid provided hereunder in the event it finds the jointly
633 agreed upon program is not being followed or is not efficiently
634 and effectively administered.

635 Section 17. Section 388.301, Florida Statutes, is amended
636 to read:

637 388.301 Payment of state funds; supplies and services.—
638 State funds shall be payable ~~quarterly~~, in accordance with the
639 rules of the department, upon requisition by the department to
640 the Chief Financial Officer. The department is authorized to
641 furnish insecticides, chemicals, materials, equipment, vehicles,
642 and personnel in lieu of state funds where mass purchasing may
643 save funds for the state, or where it would be more practical
644 and economical to use equipment, supplies, and services between
645 two or more programs ~~counties or districts~~.

646 Section 18. Section 388.311, Florida Statutes, is amended
647 to read:

648 388.311 Carry over of state funds and local funds.—State



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649 and local funds budgeted for the control of mosquitoes and other
650 arthropods shall be carried over at the end of the program's
651 ~~county or district's~~ fiscal year, and rebudgeted for such
652 control measures the following fiscal year.

653 Section 19. Section 388.321, Florida Statutes, is amended
654 to read:

655 388.321 Equipment to become property of a program ~~the~~
656 ~~county or district.~~—All equipment purchased under this chapter
657 with state funds made available directly to a program ~~the county~~
658 ~~or district~~ shall become the property of the program ~~county or~~
659 ~~district~~ unless otherwise provided, and may be traded in on
660 other equipment, or sold, when no longer needed by the program
661 ~~county or district.~~

662 Section 20. Section 388.322, Florida Statutes, is amended
663 to read:

664 388.322 Record and inventory of certain property.—A record
665 and inventory of certain property purchased with state funds for
666 arthropod control use owned by the program ~~must~~ ~~district shall~~
667 be maintained in accordance with s. 274.02.

668 Section 21. Section 388.323, Florida Statutes, is amended
669 to read:

670 388.323 Disposal of surplus property.—Surplus property
671 shall be disposed of according to the provisions set forth in s.
672 274.05 with the following exceptions:

673 (1) Serviceable equipment purchased using state funds for
674 arthropod control use no longer needed by a program ~~must~~ ~~county~~
675 ~~or district shall~~ first be offered to any ~~or all~~ other programs
676 ~~counties or districts~~ engaged in arthropod control at a price
677 established by the board of commissioners owning the equipment.



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

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

687 Section 22. Section 388.341, Florida Statutes, is amended
688 to read:

689 388.341 Reports of expenditures and accomplishments.—Each
690 program receiving state aid ~~county and district participating~~
691 ~~under the provisions of~~ this chapter shall within 30 days after
692 the end of each month submit to the department a monthly report
693 for the preceding month of expenditures from all funds for
694 arthropod control, and each program participating under this
695 chapter shall provide such reports of activities and
696 accomplishments as may be required by the department.

697 Section 23. Section 388.351, Florida Statutes, is amended
698 to read:

699 388.351 Transfer of equipment, personnel, and supplies
700 during an emergency.—The department, upon notifying a program
701 ~~county or district~~ and obtaining its approval, is authorized to
702 transfer equipment, materials, and personnel from one program
703 ~~district~~ to another in the event of an emergency brought about
704 by an arthropod-borne epidemic or other disaster requiring
705 emergency control.

706 Section 24. Subsection (7) of section 388.361, Florida



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707 Statutes, is amended to read:

708 388.361 Department authority and rules; administration.—

709 (7) The department shall have the authority to collect,
710 detect, suppress, and control mosquitoes and other arthropods
711 that are determined by the State Health Officer to pose a threat
712 to public health, or determined by the Commissioner of
713 Agriculture to pose a threat to animal health, wherever they may
714 occur on public or private land in this state, and to do all
715 things necessary in the exercise of such authority. Prior to the
716 start of treatments for the control of mosquitoes or other
717 arthropods, the department shall consult with the mosquito
718 control programs ~~districts~~ in the proposed treatment areas, the
719 Department of Health, the Department of Environmental
720 Protection, and the Fish and Wildlife Conservation Commission
721 regarding the proposed locations, dates, and methods to be used.

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

724 388.3711 Enforcement.—

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

730 (a) Violation of any rule of the department or provision of
731 this chapter.

732 (b) Violation of FIFRA or any relevant EPA rule or
733 regulation pertaining to the use of arthropod control pesticides
734 by the licensee.

735 (c) Failure to give the department, or any authorized



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736 representative thereof, true information upon request regarding
737 methods and materials used, work performed, or other information
738 essential to the administration of this chapter.

739 (3) The department may, if it finds a violation is of such
740 nature or circumstances that imposition of a fine, or denial,
741 revocation, or suspension of a certification or license or
742 disbursal of state aid would be detrimental to the public or be
743 unnecessarily harsh under the circumstances, in its discretion,
744 place the offending party on probation for a period of not more
745 than 2 years. If the department determines that the terms of
746 such probation have been violated, it may reinstitute license or
747 certification or state aid denial, suspension, or revocation
748 proceedings.

749 Section 26. Section 388.381, Florida Statutes, is amended
750 to read:

751 388.381 Cooperation by programs ~~counties and district.~~—Any
752 program conducting county or district carrying on an arthropod
753 control ~~program~~ may cooperate with another county, district, or
754 municipality in carrying out work ~~a program~~ for the control of
755 mosquitoes and other arthropods, by agreement as to the program
756 and reimbursement thereof, when approved by the department.

757 Section 27. Section 388.391, Florida Statutes, is amended
758 to read:

759 388.391 Control measures in municipalities and portions of
760 counties located outside boundaries of programs ~~districts.~~—Any
761 program ~~district~~ whose operation is limited to a portion of the
762 county in which it is located may perform any control measures
763 authorized by this chapter in any municipality located in the
764 same county or in any portions of the same county, where there



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765 is no established program ~~district~~, when requested to do so by
766 the municipality or county, pursuant to s. 388.381.

767 Section 28. Section 388.401, Florida Statutes, is amended
768 to read:

769 388.401 Penalty for damage to property or operations.—
770 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of
771 any program ~~county or district~~ created under this or other
772 chapters, or any works constructed, maintained, or controlled by
773 such program ~~county or district~~, or who obstructs ~~shall obstruct~~
774 or causes ~~cause~~ to be obstructed any of the operations of such
775 program ~~county or district~~, or who ~~shall~~ knowingly or willfully
776 violates ~~violate~~ any provisions of this chapter or any rule or
777 regulation promulgated by any board of commissioners of any
778 program, ~~commits~~ ~~county or district shall be guilty of a~~
779 misdemeanor of the second degree, punishable as provided in s.
780 775.082 or s. 775.083.

781 Section 29. Paragraph (a) of subsection (2) of section
782 388.46, Florida Statutes, is amended to read:

783 388.46 Florida Coordinating Council on Mosquito Control;
784 establishment; membership; organization; responsibilities.—

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

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

- 789 1. The Secretary of Environmental Protection.
- 790 2. The State Surgeon General.
- 791 3. The executive director of the Fish and Wildlife
792 Conservation Commission.
- 793 4. The state epidemiologist.



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794 5. The Commissioner of Agriculture.
795 6. The Board of Trustees of the Internal Improvement Trust
796 Fund.

797 7. Representatives from:

798 a. The University of Florida, Institute of Food and
799 Agricultural Sciences, Florida Medical Entomological Research
800 Laboratory.

801 b. The United States Environmental Protection Agency.

802 c. The United States Department of Agriculture, Center of
803 Medical, Agricultural, and Veterinary Entomology Insects
804 Affecting Man Laboratory.

805 d. The United States Fish and Wildlife Service.

806 8. Four ~~Two~~ mosquito control directors to be nominated by
807 the Florida Mosquito Control Association, two representatives of
808 Florida environmental groups, and two private citizens who are
809 property owners whose lands are regularly subject to mosquito
810 control operations, to be appointed to 4-year terms by the
811 Commissioner of Agriculture and serve until his or her successor
812 is appointed.

813 Section 30. Paragraph (d) of subsection (7) of section
814 403.067, Florida Statutes, is amended to read:

815 403.067 Establishment and implementation of total maximum
816 daily loads.—

817 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND
818 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

819 (d) *Enforcement and verification of basin management action*
820 *plans and management strategies*.—

821 1. Basin management action plans are enforceable pursuant
822 to this section and ss. 403.121, 403.141, and 403.161.



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823 Management strategies, including best management practices and
824 water quality monitoring, are enforceable under this chapter.

825 2. No later than January 1, 2017:

826 a. The department, in consultation with the water
827 management districts and the Department of Agriculture and
828 Consumer Services, shall initiate rulemaking to adopt procedures
829 to verify implementation of water quality monitoring required in
830 lieu of implementation of best management practices or other
831 measures pursuant to sub-subparagraph (b)2.g.;

832 b. The department, in consultation with the water
833 management districts and the Department of Agriculture and
834 Consumer Services, shall initiate rulemaking to adopt procedures
835 to verify implementation of nonagricultural interim measures,
836 best management practices, or other measures adopted by rule
837 pursuant to subparagraph (c)1.; and

838 c. The Department of Agriculture and Consumer Services, in
839 consultation with the water management districts and the
840 department, shall initiate rulemaking to adopt procedures to
841 verify implementation of agricultural interim measures, best
842 management practices, or other measures adopted by rule pursuant
843 to subparagraph (c)2.

844
845 The rules required under this subparagraph shall include
846 enforcement procedures applicable to the landowner, discharger,
847 or other responsible person required to implement applicable
848 management strategies, including best management practices or
849 water quality monitoring as a result of noncompliance.

850 3. At least every 2 years, the Department of Agriculture
851 and Consumer Services shall perform onsite inspections of each



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852 agricultural producer that enrolls in a best management
853 practice, except those enrolled by rule in subparagraph 4., to
854 ensure that such practice is being properly implemented. Such
855 verification must include a collection and review of the best
856 management practice documentation from the previous 2 years
857 required by rules adopted pursuant to subparagraph (c)2.,
858 including, but not limited to, nitrogen and phosphorus
859 ~~fertilizer~~ application records, which must be collected and
860 retained pursuant to subparagraphs (c)3., 4., and 6. The
861 Department of Agriculture and Consumer Services shall initially
862 prioritize the inspection of agricultural producers located in
863 the basin management action plans for Lake Okeechobee, the
864 Indian River Lagoon, the Caloosahatchee River and Estuary, and
865 Silver Springs.

866 4. The Department of Agriculture and Consumer Services is
867 authorized to adopt rules establishing an enrollment in best
868 management practices by rule process that agricultural pollutant
869 sources and agricultural producers may use in lieu of the best
870 management practices adopted in paragraph (c) and identify best
871 management practices for landowners of parcels which meet the
872 following requirements:

873 a. A parcel not more than 25 acres in size;

874 b. A parcel designated as agricultural land use by the
875 county in which it is located or the parcel is granted
876 agricultural tax classification by the county property appraiser
877 of the county in which it is located;

878 c. A parcel with water use not exceeding 100,000 gallons
879 per day on average unless the entire use is met using recycled
880 water from wet detention treatment ponds or reuse water;



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881 d. A parcel where the agricultural activity on the parcel
882 is not a vegetable crop, an agronomic crop, a nursery, or a
883 dairy operation;
884 e. A parcel not abutting an impaired water body identified
885 in subsection (4); and
886 f. A parcel not part of a larger operation that is enrolled
887 in the Department of Agriculture and Consumer Services best
888 management practices or conducting water quality monitoring
889 prescribed by the department or a water management district.
890
891 Such requirements must specify design or performance criteria
892 that, if applied, would result in compliance with appropriate
893 water quality standards. The Department of Agriculture and
894 Consumer Services is authorized to adopt additional eligibility
895 criteria for landowners or producers to use enrollment by rule
896 and to revoke enrollment by rule.
897 5. The Department of Agriculture and Consumer Services
898 shall annually perform onsite inspections of 20 percent for all
899 enrollments that meet the qualifications pursuant to
900 subparagraph 4. by rule within basin management action plan
901 areas, to ensure that practices are being properly implemented.
902 Such inspections must include a collection and review of the
903 identified best management practice documentation from the
904 previous 2 years required by rules adopted pursuant to
905 subparagraph (c)2. All agricultural producers enrolled by rule
906 in a best management practice must annually submit nutrient
907 records, including nitrogen and phosphorus application records
908 for the previous calendar year, to the Department of Agriculture
909 and Consumer Services as required by rules adopted pursuant to



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910 subparagraph (c)2. The Department of Agriculture and Consumer
911 Services shall collect and retain these nutrient records
912 pursuant to subparagraphs (c)3., 4., and 6.

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

915 403.852 Definitions; ss. 403.850-403.864.—As used in ss.
916 403.850-403.864:

917 (19) “Water quality additive” means any chemical or
918 additive which is used in a public water system for the purpose
919 of removing contaminants or increasing water quality. The term
920 does not include additives used for health-related purposes.

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

923 403.859 Prohibited acts.—The following acts and the causing
924 thereof are prohibited and are violations of this act:

925 (8) The use of any additive in a public water system which
926 does not meet the definition of a water quality additive as
927 defined in s. 403.852(19), or the use of any additive included
928 primarily for health-related purposes.

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

931 482.111 Pest control operator’s certificate.—

932 (10) In order to renew a certificate, the certificateholder
933 must complete 2 hours of approved continuing education on
934 legislation, safety, pesticide labeling, and integrated pest
935 management and 2 hours of approved continuing education in each
936 category of her or his certificate or must pass an examination
937 that the department shall provide in person and remotely through
938 a third-party vendor. The third-party vendor may collect and



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939 retain a convenience fee given by the department. The department
940 may not renew a certificate if the continuing education or
941 examination requirement is not met.

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

944 1. The law and rules of this state pertaining to pest
945 control.

946 2. Precautions necessary to safeguard life, health, and
947 property in the conducting of pest control and the application
948 of pesticides.

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

951 4. Current accepted industry practices in the conducting of
952 fumigation, termites and other wood-destroying organisms pest
953 control, lawn and ornamental pest control, and household pest
954 control.

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

958 6. Integrated pest management.

959 (b) The certificateholder must submit with her or his
960 application for renewal a statement certifying that she or he
961 has completed the required number of hours of continuing
962 education. The statement must be on a form prescribed by the
963 department and must identify at least the date, location,
964 provider, and subject of the training and must provide such
965 other information as required by the department.

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



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

970 482.141 Examinations.—

971 (1) Each individual seeking certification must
972 satisfactorily pass an examination which must be written but
973 ~~which~~ may include practical demonstration. The department shall
974 provide in-person and remote testing through a third-party
975 vendor. A third-party vendor may collect and retain a
976 convenience fee ~~hold at least two examinations each year.~~ An
977 applicant may seek certification in one or more categories.

978 Section 35. Paragraph (b) of subsection (1) of section
979 482.155, Florida Statutes, is amended to read:

980 482.155 Limited certification for governmental pesticide
981 applicators or private applicators.—

982 (1)

983 (b) A person seeking limited certification under this
984 subsection must pass an examination that the department shall
985 provide in person and remotely through a third-party vendor. The
986 third-party vendor may collect and retain a convenience fee
987 ~~given or approved by the department.~~ Each application for
988 examination must be accompanied by an examination fee set by the
989 department, in an amount of not more than \$150 or less than \$50;
990 and a recertification fee of \$25 every 4 years. Until rules
991 setting these fees are adopted by the department, the
992 examination fee is \$50. Application for recertification must be
993 accompanied by proof of having completed 4 classroom hours of
994 acceptable continuing education. The limited certificate expires
995 4 years after the date of issuance. If the certificateholder
996 fails to renew his or her certificate and provide proof of



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997 completion of the required continuing education units within 60
998 days after the expiration date, the certificateholder may be
999 recertified only after reexamination. The department shall make
1000 available ~~provide~~ the appropriate reference material and ~~make~~
1001 ~~the examination readily accessible and available to all~~
1002 ~~applicants at least quarterly or as necessary in each county.~~

1003 Section 36. Subsection (2) of section 482.156, Florida
1004 Statutes, is amended to read:

1005 482.156 Limited certification for commercial landscape
1006 maintenance personnel.—

1007 (2) (a) A person seeking limited certification under this
1008 section must pass an examination that the department shall
1009 provide in person and remotely through a third-party vendor. The
1010 third-party vendor may collect and retain a convenience fee
1011 ~~given by the department.~~ Each application for examination must
1012 be accompanied by an examination fee set by rule of the
1013 department, in an amount of not more than \$150 or less than \$50.
1014 Before the department issues a limited certification under this
1015 section, each person applying for the certification must furnish
1016 proof of having a certificate of insurance which states that the
1017 employer meets the requirements for minimum financial
1018 responsibility for bodily injury and property damage required by
1019 s. 482.071(4).

1020 (b) The department shall make available ~~provide~~ the
1021 appropriate reference materials for the examination and provide
1022 in-person and remote testing through a third-party vendor. A
1023 third-party vendor may collect and retain a convenience fee ~~make~~
1024 ~~the examination readily accessible and available to applicants~~
1025 ~~at least quarterly or as necessary in each county.~~



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1026 Section 37. Subsection (2) of section 482.157, Florida
1027 Statutes, is amended to read:

1028 482.157 Limited certification for commercial wildlife
1029 management personnel.—

1030 (2) The department shall issue a limited certificate to an
1031 applicant who:

1032 (a) Submits an application and examination fee of at least
1033 \$150, but not more than \$300, as prescribed by the department by
1034 rule;

1035 (b) Passes an examination that the department shall provide
1036 in person and remotely through a third-party vendor. The third-
1037 party vendor may collect and retain a convenience fee
1038 ~~administered by the department.~~ The department shall make
1039 available ~~provide~~ the appropriate study materials for the
1040 examination ~~and make the examination readily available to~~
1041 ~~applicants in each county as necessary, but not less frequently~~
1042 ~~than quarterly;~~ and

1043 (c) Provides proof, including a certificate of insurance,
1044 that the applicant has met the minimum bodily injury and
1045 property damage insurance requirements in s. 482.071(4).

1046 Section 38. Paragraph (m) is added to subsection (1) of
1047 section 482.161, Florida Statutes, to read:

1048 482.161 Disciplinary grounds and actions; reinstatement.—

1049 (1) The department may issue a written warning to or impose
1050 a fine against, or deny the application for licensure or
1051 licensure renewal of, a licensee, certified operator, limited
1052 certificateholder, identification cardholder, or special
1053 identification cardholder or any other person, or may suspend,
1054 revoke, or deny the issuance or renewal of any license,



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1055 certificate, limited certificate, identification card, or
1056 special identification card that is within the scope of this
1057 chapter, in accordance with chapter 120, upon any of the
1058 following grounds:

1059 (m) Upon the issuance of a final order imposing civil
1060 penalties under subsection 14(a) of the Federal Insecticide,
1061 Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction
1062 under subsection 14(b), of FIFRA.

1063 Section 39. Subsection (2) of section 487.044, Florida
1064 Statutes, is amended to read:

1065 487.044 Certification; examination.-

1066 (2) The department shall require each applicant for a
1067 certified applicator's license to demonstrate competence by a
1068 written or oral examination in which the applicant must
1069 demonstrate adequate knowledge concerning the proper use and
1070 application of restricted-use pesticides in each classification
1071 for which application for license is made. The department shall
1072 provide in-person and remote testing through a third-party
1073 vendor. A third-party vendor may collect and retain a
1074 convenience fee. The examination may be prepared, administered,
1075 and evaluated by the department. Each applicant for a certified
1076 applicator's license must ~~shall~~ demonstrate minimum competence
1077 as to:

1078 (a) The proper use of the equipment.

1079 (b) The environmental hazards that may be involved in
1080 applying restricted-use pesticides.

1081 (c) Calculating the concentration of restricted-use
1082 pesticides to be used in particular circumstances.

1083 (d) Identification of common pests to be controlled and the



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1084 damages caused by such pests.

1085 (e) Protective clothing and respiratory equipment required
1086 during the handling and application of restricted-use
1087 pesticides.

1088 (f) General precautions to be followed in the disposal of
1089 containers, as well as the cleaning and decontamination of the
1090 equipment which the applicant proposes to use.

1091 (g) Applicable state and federal pesticide laws, rules, and
1092 regulations.

1093 (h) General safety precautions.

1094 Section 40. Subsection (6) is added to section 487.175,
1095 Florida Statutes, to read:

1096 487.175 Penalties; administrative fine; injunction.—

1097 (6) Licensure may be suspended, revoked, or denied by the
1098 department, upon the issuance of a final order to a licensee
1099 imposing civil penalties under subsection 14(a) of the Federal
1100 Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a
1101 criminal conviction under subsection 14(b) of FIFRA.

1102 Section 41. Present subsections (13) through (28) of
1103 section 496.404, Florida Statutes, are redesignated as
1104 subsections (15) through (30), respectively, and new subsections
1105 (13) and (14) are added to that section, to read:

1106 496.404 Definitions.—As used in ss. 496.401-496.424, the
1107 term:

1108 (13) "Foreign country of concern" means the People's
1109 Republic of China, the Russian Federation, the Islamic Republic
1110 of Iran, the Venezuelan regime of Nicolás Maduro, or the Syrian
1111 Arab Republic, including any agency of or any other entity under
1112 significant control of such foreign country of concern.



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1113 (14) "Foreign source of concern" means any of the
1114 following:

1115 (a) The government or any official of the government of a
1116 foreign country of concern;

1117 (b) A political party or member of a political party or any
1118 subdivision of a political party in a foreign country of
1119 concern;

1120 (c) A partnership, an association, a corporation, an
1121 organization, or other combination of persons organized under
1122 the laws of or having its principal place of business in a
1123 foreign country of concern, or a subsidiary of such entity;

1124 (d) Any person who is domiciled in a foreign country of
1125 concern and is not a citizen or lawful permanent citizen of the
1126 United States;

1127 (e) An agent, including a subsidiary or an affiliate of a
1128 foreign legal entity, acting on behalf of a foreign source of
1129 concern; or

1130 (f) An entity in which a person, entity, or collection of
1131 persons or entities described in paragraphs (a)-(e) has a
1132 controlling interest. As used in this paragraph, the term
1133 "controlling interest" means the possession of the power to
1134 direct or cause the direction of the management or policies of
1135 an entity, whether through ownership of securities, by contract,
1136 or otherwise. A person or an entity that directly or indirectly
1137 has the right to vote 25 percent or more of the voting interest
1138 of the company or is entitled to 25 percent or more of its
1139 profits is presumed to possess a controlling interest.

1140 Section 42. Present paragraphs (d) through (g) of
1141 subsection (2) of section 496.405, Florida Statutes, are



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1142 redesignated as paragraphs (f) through (i), respectively, new
1143 paragraphs (d) and (e) are added to that subsection, subsection
1144 (11) is added to that section, and subsection (1) and paragraph
1145 (b) of subsection (7) of that section are amended, to read:

1146 496.405 Registration statements by charitable organizations
1147 and sponsors.—

1148 (1) A charitable organization or sponsor, unless exempted
1149 pursuant to s. 496.406, which intends to solicit contributions
1150 in or from this state by any means or have funds solicited on
1151 its behalf by any other person, charitable organization,
1152 sponsor, commercial co-venturer, or professional solicitor, or
1153 that participates in a charitable sales promotion or sponsor
1154 sales promotion, must, before engaging in any of these
1155 activities, file an initial registration statement, which
1156 includes an attestation statement, and a renewal statement
1157 annually thereafter, with the department.

1158 (a) Except as provided in paragraph (b), any changes in the
1159 information submitted on the initial registration statement or
1160 the last renewal statement must be updated annually on a renewal
1161 statement provided by the department on or before the date that
1162 marks 1 year after the date the department approved the initial
1163 registration statement as provided in this section. The
1164 department shall annually provide a renewal statement to each
1165 registrant by mail or by electronic mail at least 30 days before
1166 the renewal date.

1167 (b) Any changes to the information submitted to the
1168 department pursuant to paragraph (2) (f) ~~(2) (d)~~ on the initial
1169 registration statement, which includes an attestation statement,
1170 or the last renewal statement must be reported to the department



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1171 on a form prescribed by the department within 10 days after the
1172 change occurs.

1173 (c) A charitable organization or sponsor that is required
1174 to file an initial registration statement or annual renewal
1175 statement may not, before approval of its statement by the
1176 department in accordance with subsection (7), solicit
1177 contributions or have contributions solicited on its behalf by
1178 any other person, charitable organization, sponsor, commercial
1179 co-venturer, or professional solicitor or participate in a
1180 charitable sales promotion or sponsor sales promotion.

1181 (d) The registration of a charitable organization or
1182 sponsor may not continue in effect and shall expire without
1183 further action of the department under either of the following
1184 circumstances:

1185 1. After the date the charitable organization or sponsor
1186 should have filed, but failed to file, its renewal statement in
1187 accordance with this section.

1188 2. For failure to provide a financial statement within any
1189 extension period provided under s. 496.407.

1190 (2) The initial registration statement must be submitted on
1191 a form prescribed by the department, signed by an authorized
1192 official of the charitable organization or sponsor who shall
1193 certify that the registration statement is true and correct, and
1194 include the following information or material:

1195 (d) An attestation statement, which must be submitted on a
1196 form prescribed by the department and signed by an authorized
1197 official of the charitable organization, who shall certify and
1198 attest that the charitable organization, if engaged in
1199 activities that would require registration pursuant to chapter



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1200 106 is registered with the Department of State, pursuant to
1201 chapter 106.

1202 (e) An attestation statement on a form prescribed by the
1203 department, signed by an authorized official of the charitable
1204 organization, who shall certify and attest that the charitable
1205 organization, if prohibited by applicable federal or state law,
1206 is not engaged in activities that would require registration
1207 with the Department of State pursuant to chapter 106.

1208 (7)

1209 (b) If a charitable organization or sponsor discloses
1210 information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~
1211 in the initial registration statement or annual renewal
1212 statement, the time limits set forth in paragraph (a) are
1213 waived, and the department shall process such initial
1214 registration statement or annual renewal statement in accordance
1215 with the time limits set forth in chapter 120. The registration
1216 of a charitable organization or sponsor shall be automatically
1217 suspended for failure to disclose any information specified in
1218 subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the
1219 required information is submitted to the department.

1220 (11) The department may investigate and refer a charitable
1221 organization or sponsor to the Florida Elections Commission for
1222 investigation of violations pursuant to chapters 104 and 106.

1223 Section 43. Subsection (20) is added to section 496.415,
1224 Florida Statutes, to read:

1225 496.415 Prohibited acts.—It is unlawful for any person in
1226 connection with the planning, conduct, or execution of any
1227 solicitation or charitable or sponsor sales promotion to:

1228 (20) Solicit or accept contributions or anything of value



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1229 from a foreign source of concern.

1230 Section 44. Section 496.417, Florida Statutes, is amended
1231 to read:

1232 496.417 Criminal penalties.—Except as otherwise provided in
1233 ss. 496.401-496.424, and in addition to any administrative or
1234 civil penalties, any person who willfully and knowingly violates
1235 ss. 496.401-496.424 commits a felony of the third degree,
1236 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
1237 For a second or subsequent conviction, such violation
1238 constitutes a felony of the second degree, punishable as
1239 provided in s. 775.082, s. 775.083, or s. 775.084. The
1240 department may also investigate and refer a charitable
1241 organization or sponsor to the Florida Elections Commission for
1242 investigation of violations pursuant to chapters 104 and 106.

1243 Section 45. Subsection (11) is added to section 496.419,
1244 Florida Statutes, to read:

1245 496.419 Powers of the department.—

1246 (11) A charitable organization or sponsor whose
1247 registration is denied or revoked for submitting a false
1248 attestation required pursuant to s. 496.405(2)(d) or (2)(e) is
1249 subject to the penalties specified in subsection (5) at the
1250 discretion of the department.

1251 Section 46. Section 496.431, Florida Statutes, is created
1252 to read:

1253 496.431 Honest Service Registry.—

1254 (1) The department shall create the Honest Services
1255 Registry to provide the residents of this state with the
1256 information necessary to make an informed choice when deciding
1257 which charitable organizations to support.



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1258 (2) To be included on the Honest Services Registry, a
1259 charitable organization must, at a minimum, submit to the
1260 department an attestation statement on a form prescribed by the
1261 department, verified as provided in s. 92.525, attesting to all
1262 of the following:

1263 (a) That the organization does not solicit or accept,
1264 directly or indirectly, contributions, funding, support, or
1265 services from a foreign source of concern.

1266 (b) That the organization's messaging and content are not
1267 directly or indirectly produced or influenced by a foreign
1268 source of concern.

1269 (3) The department shall publish the Honest Services
1270 Registry on the department's website.

1271 (4) The department shall adopt rules to implement this
1272 section.

1273 Section 47. Paragraph (j) of subsection (1) of section
1274 500.03, Florida Statutes, is amended to read:

1275 500.03 Definitions; construction; applicability.—

1276 (1) For the purpose of this chapter, the term:

1277 (j) "Cottage food product" means food that is not time or
1278 temperature controlled for safety or a potentially hazardous
1279 food as defined by department rule which is sold by a cottage
1280 food operation in accordance with s. 500.80.

1281 Section 48. Paragraphs (a) and (b) of subsection (1) of
1282 section 500.12, Florida Statutes, are amended to read:

1283 500.12 Food permits; building permits.—

1284 (1)(a) A food permit from the department is required of any
1285 person or business that ~~who~~ operates a food establishment,
1286 except:



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1287 1. Persons or businesses operating minor food outlets that
1288 sell food that is commercially prepackaged, not potentially
1289 hazardous, not age restricted, and not time or temperature
1290 controlled for safety, if the shelf space for those items does
1291 not exceed 12 total linear feet and no other food is sold by the
1292 person or business minor food outlet.

1293 2. Persons subject to continuous, onsite federal or state
1294 inspection.

1295 3. Persons selling only legumes in the shell, either
1296 parched, roasted, or boiled.

1297 4. Persons selling sugar cane or sorghum syrup that has
1298 been boiled and bottled on a premise located within this state.
1299 Such bottles must contain a label listing the producer's name
1300 and street address, all added ingredients, the net weight or
1301 volume of the product, and a statement that reads, "This product
1302 has not been produced in a facility permitted by the Florida
1303 Department of Agriculture and Consumer Services."

1304 (b) Each food establishment regulated under this chapter
1305 must apply for and receive a food permit before operation
1306 begins. An application for a food permit from the department
1307 must be accompanied by a fee in an amount determined by
1308 department rule. The department shall adopt by rule a schedule
1309 of fees to be paid by each food establishment as a condition of
1310 issuance or renewal of a food permit. Such fees may not exceed
1311 \$650 and must be used solely for the recovery of costs for the
1312 services provided, except that the fee accompanying an
1313 application for a food permit for operating a bottled water
1314 plant may not exceed \$1,000 and the fee accompanying an
1315 application for a food permit for operating a packaged ice plant



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1316 may not exceed \$250. The fee for operating a bottled water plant
1317 or a packaged ice plant must be set by rule of the department.
1318 Food permits are not transferable from one person or physical
1319 location to another. Food permits must be renewed in accordance
1320 with subparagraphs 1.-3. If an application for renewal of a food
1321 permit is not received by the department on or before its due
1322 date, a late fee not exceeding \$100 must be paid in addition to
1323 the food permit fee before the department may issue the food
1324 permit. The moneys collected must be deposited in the General
1325 Inspection Trust Fund.

1326 1. A food permit issued to a new food establishment ~~on or~~
1327 ~~after September 1, 2023,~~ is valid for 1 calendar year after the
1328 date of issuance and must be renewed annually on or before that
1329 date thereafter.

1330 2. ~~Effective January 1, 2024,~~ A food permit issued before
1331 September 1, 2023, expires on the month and day the initial
1332 permit was issued to the food establishment and must be renewed
1333 annually on or before that date thereafter. The department may
1334 charge a prorated permit fee for purposes of this subparagraph.

1335 3. The department may establish a single permit renewal
1336 date for multiple food establishments owned by the same entity
1337 ~~The owner of 100 or more permitted food establishment locations~~
1338 ~~may elect to set the expiration of food permits for such~~
1339 ~~establishments as December 31 of each calendar year.~~

1340 Section 49. Section 500.166, Florida Statutes, is amended
1341 to read:

1342 500.166 Records of interstate shipment.—For the purpose of
1343 enforcing this chapter, carriers engaged in interstate commerce
1344 and persons receiving food in interstate commerce shall retain



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1345 all records for 3 years from the date of the record showing the
1346 movement in interstate commerce of any food, and the quantity,
1347 shipper and consignee thereof and, upon the request by an
1348 officer or employee duly designated by the department, permit
1349 the officer or employee to have access to and to copy all
1350 records showing the movement in interstate commerce of any food,
1351 and the quantity, shipper, and consignee thereof.

1352 Section 50. Subsection (1) of section 500.172, Florida
1353 Statutes, is amended to read:

1354 500.172 Embargoing, detaining, destroying of food, food
1355 processing equipment, or areas that are in violation.-

1356 (1) When the department, or its duly authorized agent who
1357 has received appropriate education and training regarding the
1358 legal requirements of this chapter, finds or has probable cause
1359 to believe that any food, food processing equipment, food
1360 processing area, or food storage area is in violation of this
1361 chapter or any rule adopted under this chapter so as to be
1362 dangerous, unwholesome, mislabeled, fraudulent, or insanitary
1363 within the meaning of this chapter, an agent of the department
1364 may issue and enforce a stop-sale, stop-use, removal, or hold
1365 order, which order gives notice that such article, processing
1366 equipment, processing area, or storage area is or is suspected
1367 of being in violation and has been detained or embargoed and
1368 which order warns all persons not to remove, use, or dispose of
1369 such article, processing equipment, processing area, or storage
1370 area by sale or otherwise until permission for removal, use, or
1371 disposal is given by the department or the court. The department
1372 is authorized to enter into a written agreement with the owner
1373 of such food, food processing equipment, food processing area,



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1374 or food storage area, or otherwise facilitate the destruction of
1375 any article found or suspected by the department to be in
1376 violation of this section. A person may not remove, use, or
1377 dispose of such detained or embargoed article, processing
1378 equipment, processing area, or storage area by sale or otherwise
1379 without such permission from or in accordance with a written
1380 agreement with the department.

1381 Section 51. Section 500.75, Florida Statutes, is created to
1382 read:

1383 500.75 Mushrooms spores and mycelium; offenses.—It is
1384 unlawful to transport, import, sell, offer for sale, furnish, or
1385 give away spores or mycelium capable of producing mushrooms or
1386 other material which will contain a controlled substance,
1387 including psilocybin or psilocyn, during its lifecycle. A person
1388 who transports, imports into this state, sells, offers for sale,
1389 furnishes, gives away, or offers to transport, import into this
1390 state, sell, furnish, or give away any spores or mycelium
1391 capable of producing mushrooms or other material which will
1392 contain a controlled substance commits a misdemeanor of the
1393 first degree, punishable as provided in s. 775.082 or s.
1394 775.083.

1395 Section 52. Section 500.93, Florida Statutes, is created to
1396 read:

1397 500.93 Mislabeling of plant-based products as milk, meat,
1398 or poultry.—

1399 (1) As used in this section, the term:

1400 (a) "Egg" and "egg product" have the same meanings as in 21
1401 U.S.C. s. 1033 and the Egg Products Inspection Act.

1402 (b) "FDA" means the United States Food and Drug



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1403 Administration.
1404 (c) "Meat" has the same meaning as in 9 C.F.R. s. 301.2 and
1405 the Federal Meat Inspection Act.
1406 (d) "Milk" has the same meaning as in 21 C.F.R. s. 131.110
1407 and the Grade "A" pasteurized milk ordinance.
1408 (e) "Poultry" and "poultry product" have the same meanings
1409 as in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.
1410 (2) (a) In accordance with the established standard of
1411 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade
1412 "A" pasteurized milk ordinance, the department shall adopt rules
1413 to enforce the FDA's standard of identity for milk, as adopted
1414 in state law, to prohibit the sale of plant-based products
1415 mislabeled as milk in this state.
1416 (b) This subsection is effective upon the enactment into
1417 law of a mandatory labeling requirement to prohibit the sale of
1418 plant-based products mislabeled as milk that is consistent with
1419 this section by any 11 of the group of 14 states composed of
1420 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
1421 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
1422 Texas, Virginia, and West Virginia.
1423 (3) (a) In accordance with the established standard of
1424 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal
1425 Meat Inspection Act, and both poultry and poultry products
1426 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection
1427 Act, the department shall adopt rules to enforce the FDA's
1428 standard of identity for meat, poultry, and poultry products as
1429 adopted in this section, to prohibit the sale of plant-based
1430 products mislabeled as meat, poultry, or poultry products in
1431 this state.



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1432 (b) This subsection is effective upon the enactment into
1433 law of a mandatory labeling requirement to prohibit the sale of
1434 plant-based products mislabeled as meat, poultry, or poultry
1435 products which is consistent with this section by any 11 of the
1436 group of 14 states composed of Alabama, Arkansas, Florida,
1437 Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,
1438 South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1439 (4) (a) In accordance with the established standard of
1440 identity for eggs and egg products defined in 21 U.S.C. s. 1033
1441 and the Egg Products Inspection Act, the department shall adopt
1442 rules to enforce the FDA's standard of identity for eggs and egg
1443 products, as adopted in state law, to prohibit the sale of
1444 plant-based products mislabeled as egg or egg products in this
1445 state.

1446 (b) This subsection is effective upon the enactment into
1447 law of a mandatory labeling requirement to prohibit the sale of
1448 plant-based products mislabeled as egg or egg products that is
1449 consistent with this section by any 11 of the group of 14 states
1450 composed of Alabama, Arkansas, Florida, Georgia, Kentucky,
1451 Louisiana, Maryland, Mississippi, Oklahoma, South Carolina,
1452 Tennessee, Texas, Virginia, and West Virginia.

1453 (5) The Department of Agriculture and Consumer Services
1454 shall notify the Division of Law Revision upon the enactment
1455 into law by any 11 of the group of 14 states composed of
1456 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
1457 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
1458 Texas, Virginia, and West Virginia of the mandatory labeling
1459 requirements pursuant to subsections (2) and (3).

1460 (6) The department shall adopt rules to implement this



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1461 section.

1462 (7) This section may not be construed to limit the
1463 department's authority to enforce its laws and regulations.

1464 Section 53. Section 501.135, Florida Statutes, is repealed.

1465 Section 54. Subsection (1) of section 501.912, Florida
1466 Statutes, is amended to read:

1467 501.912 Definitions.—As used in ss. 501.91-501.923:

1468 (1) "Antifreeze" means any substance or preparation,
1469 including, but not limited to, coolant, antifreeze-coolant,
1470 antifreeze and summer coolant, or summer coolant, that is sold,
1471 distributed, or intended for use:

1472 (a) As the cooling liquid, or to be added to the cooling
1473 liquid, in the cooling system of ~~internal combustion engines of~~
1474 motor vehicles to prevent freezing of the cooling liquid or to
1475 lower its freezing point; or

1476 (b) To raise the boiling point of water, aid in vehicle
1477 component cooling, or for the prevention of engine overheating,
1478 whether or not the liquid is used as a year-round cooling system
1479 fluid.

1480 Section 55. Section 525.19, Florida Statutes, is created to
1481 read:

1482 525.19 Petroleum registration.—

1483 (1) The department shall create an annual petroleum
1484 registration program for petroleum owners or operators and shall
1485 adopt rules detailing the requirements for such registration
1486 that include, at minimum:

1487 (a) Name of the petroleum owner or operator;

1488 (b) Address of the petroleum owner or operator;

1489 (c) Phone number of the petroleum owner or operator;



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1490 (d) E-mail address of the petroleum owner or operator;
1491 (e) Requirements for the transfer switch;
1492 (f) Fuel and petroleum infrastructure; and
1493 (g) Fuel and petroleum inventory and delivery information.
1494 (2) The registration program must be free for all
1495 registrants.

1496 (3) The department has the authority to require registrants
1497 to provide updates related to the status of infrastructure,
1498 inventory, and delivery information during a state of emergency
1499 as declared by an executive order issued by the Governor.

1500 Section 56. Section 526.147, Florida Statutes, is created
1501 to read:

1502 526.147 Florida Retail Fuel Transfer Switch Modernization
1503 Grant Program.—

1504 (1)(a) There is created, subject to appropriation, the
1505 Florida Retail Fuel Transfer Switch Modernization Grant Program
1506 within the Department of Agriculture and Consumer Services.

1507 (b) The grant program shall provide grant funds, not to
1508 exceed \$10,000 per retail fuel facility, to be used for
1509 installation and equipment costs related to installing or
1510 modernizing transfer switch infrastructure at retail fuel
1511 facilities to allow for the continuity of fueling operations
1512 under generated power.

1513 (c) The department shall award funds based upon the
1514 following criteria:

1515 1. Up to \$10,000, of costs for transfer switch purchase and
1516 installation for retail fuel locations in fiscally constrained
1517 counties as designated under s. 218.67(1).

1518 2. Up to \$5,000, of costs for transfer switch purchase and



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1519 installation for all other retail fuel locations.

1520 (d) Retail fuel facilities which are awarded grant funds
1521 must comply with s. 526.143 and must install a transfer switch
1522 capable of operating all fuel pumps, dispensing equipment, life
1523 safety systems, and payment acceptance equipment using an
1524 alternative generated power source.

1525 (e) Before being awarded funding from the department,
1526 retail fuel facilities must provide documentation on transfer
1527 switch installation and required generator sizing to the
1528 department.

1529 (f) Marinas and fueling facilities with fewer than 4
1530 fueling positions are excluded from being awarded funding
1531 through this program.

1532 (g) Fueling facilities subject to s. 526.143(2) are
1533 excluded from being awarded funding through this program.

1534 (2) The department, in consultation with the Division of
1535 Emergency Management, shall adopt rules to implement and
1536 administer this section, including establishing grant
1537 application processes for the Florida Retail Fuel Transfer
1538 Switch Modernization Grant Program. The rules must include
1539 application deadlines and establish the supporting documentation
1540 necessary to be provided to the department.

1541 Section 57. Section 531.48, Florida Statutes, is amended to
1542 read:

1543 531.48 Declarations of unit price on random packages.—In
1544 addition to the declarations required by s. 531.47, any package
1545 being one of a lot containing random weights of the same
1546 commodity must ~~and bearing the total selling price of the~~
1547 ~~package shall~~ bear on the outside of the package a plain and



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1548 conspicuous declaration of the price per single unit of weight
1549 and the total retail price of the package, as defined by
1550 department rule.

1551 Section 58. Section 531.49, Florida Statutes, is amended to
1552 read:

1553 531.49 Advertising packages for sale. ~~Whenever~~ A packaged
1554 commodity ~~is advertised in any manner with the retail price~~
1555 ~~stated, there shall be~~ closely and conspicuously associated with
1556 the retail price must have a declaration of quantity as is
1557 required by law or rule to appear on the package.

1558 Section 59. Present subsections (44), (45), and (46) of
1559 section 570.07, Florida Statutes, are redesignated as
1560 subsections (47), (48), and (49), respectively, and new
1561 subsections (44), (45), and (46) are added to that section, to
1562 read:

1563 570.07 Department of Agriculture and Consumer Services;
1564 functions, powers, and duties.—The department shall have and
1565 exercise the following functions, powers, and duties:

1566 (44) (a) To foster and encourage the employment and
1567 retention of qualified veterinary pathologists. The department
1568 may reimburse the educational expenses of qualified veterinary
1569 pathologists who enter into an agreement with the department to
1570 retain employment for a specified period of time.

1571 (b) The department shall adopt rules to administer this
1572 subsection.

1573 (45) Subject to appropriation, to extend state and national
1574 Future Farmers of America opportunities to any public school
1575 student enrolled in agricultural education, at little or no cost
1576 to the student or school district, and to support statewide



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1577 Future Farmers of America programming that helps such students
1578 develop their potential for premier leadership, personal growth,
1579 and career success.

1580 (46) (a) Notwithstanding ss. 287.042 and 287.057, to use
1581 contracts procured by another agency.

1582 (b) As used in this subsection, the term "agency" has the
1583 same meaning as provided in s. 287.012.

1584 Section 60. Subsection (2) of section 570.544, Florida
1585 Statutes, is amended to read:

1586 570.544 Division of Consumer Services; director; powers;
1587 processing of complaints; records.—

1588 (2) The director shall supervise, direct, and coordinate
1589 the activities of the division and shall, under the direction of
1590 the department, enforce the provisions of ss. 366.94 and ~~ss.~~
1591 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526,
1592 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

1593 Section 61. Section 570.546, Florida Statutes, is created
1594 to read:

1595 570.546 Licensing.—

1596 (1) The department is authorized to:

1597 (a) Create a process for the bulk renewal of licenses which
1598 will allow licensees the ability, upon request, to submit all
1599 license applications of the same type, notwithstanding any
1600 provisions of law applicable to each application process.

1601 (b) Create a process that will allow licensees, upon
1602 request, to align the expiration dates of licenses within a
1603 statutory program.

1604 (c) Change the expiration dates for current licensees for
1605 the purpose of reducing large numbers of license expirations



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1606 that occur during the same month.

1607 (2) The department shall prorate any licensing fee for
1608 which the term of the license was reduced for the purposes of
1609 alignment.

1610 (3) The department shall adopt rules to implement this
1611 section.

1612 Section 62. Section 570.694, Florida Statutes, is created
1613 to read:

1614 570.694 Florida Aquaculture Foundation.—

1615 (1) The Florida Aquaculture Foundation is established as a
1616 direct-support organization within the Department of Agriculture
1617 and Consumer Services. The purpose of the foundation is to:

1618 (a) Conduct programs and activities related to the
1619 assistance, promotion, and furtherance of aquaculture and
1620 aquaculture producers in this state.

1621 (b) Identify and pursue methods to provide statewide
1622 resources and materials for these programs.

1623 (2) The foundation shall be governed by s. 570.691.

1624 (3) The department is authorized to appoint an advisory
1625 committee adjunct to the foundation pursuant to s. 570.232.

1626 Section 63. Section 570.822, Florida Statutes, is amended
1627 to read:

1628 570.822 Agriculture and Aquaculture Producers Emergency
1629 ~~Natural Disaster~~ Recovery Loan Program.—

1630 (1) DEFINITIONS.—As used in this section, the term:

1631 (a) "Bona fide farm operation" means a farm operation
1632 engaged in a good faith commercial agricultural use of land on
1633 land classified as agricultural pursuant to s. 193.461 or on
1634 sovereign submerged land that is leased to the applicant by the



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1635 department pursuant to s. 597.010 and that produces agricultural
1636 products within the definition of agriculture under s. 570.02.

1637 (b) "Declared emergency natural disaster" means an
1638 emergency ~~a natural disaster~~ for which a state of emergency is
1639 declared pursuant to s. 252.36 or s. 570.07(21).

1640 (c) "Department" means the Department of Agriculture and
1641 Consumer Services.

1642 (d) "Essential physical property" means fences; equipment;
1643 structural production facilities, such as shade houses and
1644 greenhouses; or other agriculture or aquaculture facilities or
1645 infrastructure.

1646 (e) "Program" means the Agriculture and Aquaculture
1647 Producers Emergency Natural Disaster Recovery Loan Program.

1648 (2) USE OF LOAN FUNDS; LOAN TERMS.—

1649 (a) The program is established within the department to
1650 make loans to agriculture and aquaculture producers that have
1651 experienced damage or destruction from a declared emergency
1652 ~~natural disaster~~. Loan funds may be used to restore, repair, or
1653 replace essential physical property or remove vegetative debris
1654 from essential physical property, or restock aquaculture. A
1655 structure or building constructed using loan proceeds must
1656 comply with storm-hardening standards for nonresidential farm
1657 buildings as defined in s. 604.50(2). The department shall adopt
1658 such standards by rule.

1659 (b) The department may make a low-interest or interest-free
1660 loan to an eligible applicant. The maximum amount that an
1661 applicant may receive during the application period for a loan
1662 is \$500,000. An applicant may not receive more than one loan per
1663 application period and no more than two loans per year or no



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1664 more than five loans in any 3-year period. A loan term is 10
1665 years.

1666 (3) ELIGIBLE APPLICANTS.—To be eligible for the program, an
1667 applicant must:

1668 (a) Own or lease a bona fide farm operation that is located
1669 in a county named in a declared emergency ~~natural disaster~~ and
1670 that was damaged or destroyed as a result of such declared
1671 emergency ~~natural disaster~~.

1672 (b) Maintain complete and acceptable farm records, pursuant
1673 to criteria published by the department, and present them as
1674 proof of production levels and bona fide farm operations.

1675 (4) LOAN APPLICATION AND AGREEMENT.—

1676 (a) Requests for loans must be made by application to the
1677 department. Upon a determination that funding for loans is
1678 available, the department shall publicly notice an application
1679 period for the declared emergency ~~natural disaster~~, beginning
1680 within 60 days after the date of the declared emergency ~~natural~~
1681 ~~disaster~~ and running up to 1 year after the date of the declared
1682 emergency ~~natural disaster~~ or until all available loan funds are
1683 exhausted, whichever occurs first. The application may be
1684 renewed upon a determination from the department and pursuant to
1685 an active declared emergency.

1686 (b) An applicant must demonstrate the need for financial
1687 assistance and an ability to repay or meet a standard credit
1688 rating determined by the department.

1689 (c) Loans must be made pursuant to written agreements
1690 specifying the terms and conditions agreed to by the approved
1691 applicant and the department. The loan agreement must specify
1692 that the loan is due upon sale if the property or other



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1693 collateral for the loan is sold.

1694 (d) An approved applicant must agree to stay in production
1695 for the duration of the loan. A loan is not assumable.

1696 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured
1697 by a lien, subordinate only to any mortgage held by a financial
1698 institution as defined in s. 655.005, on property or other
1699 collateral as set forth in the loan agreement. The specific type
1700 of collateral required may vary depending upon the loan purpose,
1701 repayment ability, and the particular circumstances of the
1702 applicant. The department shall record the lien in public
1703 records in the county where the property is located and, in the
1704 case of personal property, perfect the security interest by
1705 filing appropriate Uniform Commercial Code forms with the
1706 Florida Secured Transaction Registry as required pursuant to
1707 chapter 679.

1708 (6) LOAN REPAYMENT.—

1709 (a) A loan is due and payable in accordance with the terms
1710 of the loan agreement.

1711 (b) The department shall defer payments for the first 3
1712 years of the loan. After 3 years, the department shall reduce
1713 the principal balance annually through the end of the loan term
1714 such that the original principal balance is reduced by 30
1715 percent. If the principal balance is repaid before the end of
1716 the 10th year, the applicant may not be required to pay more
1717 than 70 percent of the original principal balance. The approved
1718 applicant must continue to be actively engaged in production in
1719 order to receive the original principal balance reductions and
1720 must continue to meet the loan agreement terms to the
1721 satisfaction of the department.



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1722 (c) An approved applicant may make payments on the loan at
1723 any time without penalty. Early repayment is encouraged as other
1724 funding sources or revenues become available to the approved
1725 applicant.

1726 (d) All repayments of principal and interest, if
1727 applicable, received by the department in a fiscal year must be
1728 returned to the loan fund and made available for loans to other
1729 applicants in the next application period.

1730 (e) The department may periodically review an approved
1731 applicant to determine whether he or she continues to be in
1732 compliance with the terms of the loan agreement. If the
1733 department finds that an applicant is no longer in production or
1734 has otherwise violated the loan agreement, the department may
1735 seek repayment of the full original principal balance
1736 outstanding, including any interest or costs, as applicable, and
1737 excluding any applied or anticipated original principal balance
1738 reductions.

1739 (f) The department may defer or waive loan payments if at
1740 any time during the repayment period of a loan, the approved
1741 applicant experiences a significant hardship such as crop loss
1742 from a weather-related event or from impacts from a natural
1743 disaster or declared emergency.

1744 (7) ADMINISTRATION.—

1745 (a) The department shall create and maintain a separate
1746 account in the General Inspection Trust Fund as a fund for the
1747 program. All repayments must be returned to the loan fund and
1748 made available as provided in this section. Notwithstanding s.
1749 216.301, funds appropriated for the loan program are not subject
1750 to reversion. The department shall manage the fund, establishing



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1751 loan practices that must include, but are not limited to,
1752 procedures for establishing loan interest rates, uses of
1753 funding, application procedures, and application review
1754 procedures. The department is authorized to contract with a
1755 third-party administrator to administer the program and manage
1756 the loan fund. A contract for a third-party administrator that
1757 includes management of the loan fund must, at a minimum, require
1758 maintenance of the loan fund to ensure that the program may
1759 operate in a revolving manner.

1760 (b) The department shall coordinate with other state
1761 agencies and other entities to ensure to the greatest extent
1762 possible that agriculture and aquaculture producers in this
1763 state have access to the maximum financial assistance available
1764 following a declared emergency ~~natural disaster~~. The
1765 coordination must endeavor to ensure that there is no
1766 duplication of financial assistance between the loan program and
1767 other funding sources, such as any federal or other state
1768 programs, including public assistance requests to the Federal
1769 Emergency Management Agency or financial assistance from the
1770 United States Department of Agriculture, which could render the
1771 approved applicant ineligible for other financial assistance.

1772 (8) PUBLIC RECORDS EXEMPTION.—

1773 (a) The following information held by the department
1774 pursuant to its administration of the program is exempt from s.
1775 119.07(1) and s. 24(a), Art. I of the State Constitution:

1776 1. Tax returns.

1777 2. Credit history information, credit reports, and credit
1778 scores.

1779 (b) This subsection does not prohibit the disclosure of



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1780 information held by the department pursuant to its
1781 administration of the program in an aggregated and anonymized
1782 format.

1783 (c) This subsection is subject to the Open Government
1784 Sunset Review Act in accordance with s. 119.15 and shall stand
1785 repealed on October 2, 2029, unless reviewed and saved from
1786 repeal through reenactment by the Legislature.

1787 (9) RULES.—The department shall adopt rules to implement
1788 this section.

1789 (10) REPORTS.—By December 1, 2024, and each December 1
1790 thereafter, the department shall provide a report on program
1791 activities during the previous fiscal year to the President of
1792 the Senate and the Speaker of the House of Representatives. The
1793 report must include information on noticed application periods,
1794 the number and value of loans awarded under the program for each
1795 application period, the number and value of loans outstanding,
1796 the number and value of any loan repayments received, and an
1797 anticipated repayment schedule for all loans.

1798 (11) SUNSET.—This section expires July 1, 2043, unless
1799 reviewed and saved from repeal through reenactment by the
1800 Legislature.

1801 Section 64. Section 570.823, Florida Statutes, is created
1802 to read:

1803 570.823 Silviculture emergency recovery program.—

1804 (1) DEFINITIONS.—As used in this section, the term:

1805 (a) "Bona fide farm operation" means a farm operation
1806 engaged in a good faith commercial agricultural use of land on
1807 land classified as agricultural pursuant to s. 193.461 that
1808 produces agricultural products within the definition of



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1809 agriculture under s. 570.02.

1810 (b) "Declared emergency" means an emergency for which a
1811 state of emergency is declared pursuant to s. 252.36 or s.
1812 570.07(21).

1813 (c) "Department" means the Department of Agriculture and
1814 Consumer Services.

1815 (d) "Program" means the silviculture emergency recovery
1816 program.

1817 (2) USE OF GRANT FUNDS; GRANT TERMS.—

1818 (a) The silviculture emergency recovery program is
1819 established within the department to administer a grant program
1820 to assist timber landowners whose timber land was damaged as a
1821 result of a declared emergency. Grants provided to eligible
1822 timber landowners must be used for:

1823 1. Timber stand restoration, including downed tree removal
1824 on land which will retain the existing trees on site which are
1825 lightly or completely undamaged;

1826 2. Site preparation, and tree replanting; or

1827 3. Road and trail clearing on private timber lands to
1828 provide emergency access and facilitate salvage operations.

1829 (b) Only timber land located on lands classified as
1830 agricultural lands under s. 193.461 are eligible for the
1831 program.

1832 (c) The department shall coordinate with state agencies and
1833 other entities to ensure to the greatest extent possible that
1834 timber landowners have access to the maximum financial
1835 assistance available following a specified declared emergency.
1836 The coordination must endeavor to ensure that there is no
1837 duplication of financial assistance between these funds and



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1838 other funding sources, such as any federal or other state
1839 programs, including public assistance requests to the Federal
1840 Emergency Management Agency or financial assistance from the
1841 United States Department of Agriculture, which would render the
1842 approved applicant ineligible for other financial assistance.

1843 (d) The department is authorized to adopt rules to
1844 implement this section, including emergency rules.
1845 Notwithstanding any other provision of law, emergency rules
1846 adopted pursuant to this subsection are effective for 6 months
1847 after adoption and may be renewed during the pendency of
1848 procedures to adopt permanent rules addressing the subject of
1849 the emergency rules.

1850 Section 65. Subsections (2) and (5) of section 581.1843,
1851 Florida Statutes, are amended to read:

1852 581.1843 Citrus nursery stock propagation and production
1853 and the establishment of regulated areas around citrus
1854 nurseries.—

1855 (2) Effective January 1, 2007, it is unlawful for any
1856 person to propagate for sale or movement any citrus nursery
1857 stock that was not propagated or grown on a site and within a
1858 protective structure approved by the department ~~and that is not~~
1859 ~~at least 1 mile away from commercial citrus groves. A citrus~~
1860 ~~nursery registered with the department prior to April 1, 2006,~~
1861 ~~shall not be required to comply with the 1-mile setback from~~
1862 ~~commercial citrus groves while continuously operating at the~~
1863 ~~same location for which it was registered.~~ However, the nursery
1864 shall be required to propagate citrus within a protective
1865 structure approved by the department. Effective January 1, 2008,
1866 it is ~~shall be~~ unlawful to distribute any citrus nursery stock



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1867 that was not produced in a protective structure approved by the
1868 department.

1869 ~~(5) The department shall establish regulated areas around~~
1870 ~~the perimeter of commercial citrus nurseries that were~~
1871 ~~established on sites after April 1, 2006, not to exceed a radius~~
1872 ~~of 1 mile. The planting of citrus in an established regulated~~
1873 ~~area is prohibited. The planting of citrus within a 1-mile~~
1874 ~~radius of commercial citrus nurseries that were established on~~
1875 ~~sites prior to April 1, 2006, must be approved by the~~
1876 ~~department. Citrus plants planted within a regulated area prior~~
1877 ~~to the establishment of the regulated area may remain in the~~
1878 ~~regulated area unless the department determines the citrus~~
1879 ~~plants to be infected or infested with citrus canker or citrus~~
1880 ~~greening. The department shall require the removal of infected~~
1881 ~~or infested citrus, nonapproved planted citrus, and citrus that~~
1882 ~~has sprouted by natural means in regulated areas. The property~~
1883 ~~owner shall be responsible for the removal of citrus planted~~
1884 ~~without proper approval. Notice of the removal of citrus trees,~~
1885 ~~by immediate final order of the department, shall be provided to~~
1886 ~~the owner of the property on which the trees are located. An~~
1887 ~~immediate final order issued by the department under this~~
1888 ~~section shall notify the property owner that the citrus trees,~~
1889 ~~which are the subject of the immediate final order, must be~~
1890 ~~removed and destroyed unless the property owner, no later than~~
1891 ~~10 days after delivery of the immediate final order, requests~~
1892 ~~and obtains a stay of the immediate final order from the~~
1893 ~~district court of appeal with jurisdiction to review such~~
1894 ~~requests. The property owner shall not be required to seek a~~
1895 ~~stay from the department of the immediate final order prior to~~



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1896 ~~seeking a stay from the district court of appeal.~~

1897 Section 66. Sections 593.101, 593.102, 593.103, 593.104,
1898 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,
1899 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116,
1900 and 593.117, Florida Statutes, are repealed.

1901 Section 67. Subsection (11) of section 595.404, Florida
1902 Statutes, is amended to read:

1903 595.404 School food and other nutrition programs; powers
1904 and duties of the department.—The department has the following
1905 powers and duties:

1906 (11) To adopt and implement an appeal process by rule, as
1907 required by federal regulations, for applicants and participants
1908 under the programs implemented pursuant to this chapter,
1909 notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss.~~
1910 ~~120.569 and 120.57-120.595.~~

1911 Section 68. Section 599.002, Florida Statutes, is amended
1912 to read:

1913 599.002 Florida Wine Viticulture ~~Viticulture~~ Advisory Council.—

1914 (1) There is created within the Department of Agriculture
1915 and Consumer Services the Florida Wine Viticulture ~~Viticulture~~ Advisory
1916 Council, to be composed ~~consist~~ of eight members as follows: the
1917 president of the Florida Wine and Grape Growers Association
1918 ~~Florida Grape Growers' Association~~ or a designee thereof; a
1919 representative from the Institute of Food and Agricultural
1920 Sciences; a representative from the viticultural science program
1921 at Florida Agricultural and Mechanical University; and five
1922 additional commercial members, to be appointed for a 2-year term
1923 each by the Commissioner of Agriculture, including a wine
1924 producer, a fresh fruit producer, a nonwine product (juice,



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1925 jelly, pie fillings, etc.) producer, and a viticultural nursery
1926 operator.

1927 (2) The meetings, powers and duties, procedures, and
1928 recordkeeping of the Florida Wine Viticulture Advisory Council
1929 shall be pursuant to s. 570.232.

1930 (3) The primary responsibilities of the Florida Wine
1931 Viticulture Advisory Council are to submit to the Commissioner
1932 of Agriculture, annually, the industry's recommendations for
1933 wine and viticultural research, promotion, and education and, as
1934 necessary, the industry's recommendations for revisions to the
1935 State Wine Viticulture Plan.

1936 Section 69. Section 599.003, Florida Statutes, is amended
1937 to read:

1938 599.003 State Wine Viticulture Plan.—

1939 (1) The Commissioner of Agriculture, in consultation with
1940 the Florida Wine Viticulture Advisory Council, shall develop and
1941 coordinate the implementation of the State Wine Viticulture
1942 Plan, which shall identify problems and constraints of the wine
1943 and viticulture industry, propose possible solutions to those
1944 problems, and develop planning mechanisms for the orderly growth
1945 of the industry, including:

1946 (a) Criteria for wine and viticultural research, service,
1947 and management priorities.

1948 (b) Additional proposed legislation that may be required.

1949 (c) Plans and goals to improve research and service
1950 capabilities at Florida Agricultural and Mechanical University
1951 and the University of Florida in their efforts to address
1952 current and future needs of the industry.

1953 (d) The potential for viticulture products in terms of



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1954 market and needs for development.

1955 (e) Evaluation of wine policy alternatives, including, but
1956 not limited to, continued improvement in wine quality, blending
1957 considerations, promotion and advertising, labeling and vineyard
1958 designations, and development of production and marketing
1959 strategies.

1960 (f) Evaluation of production and fresh fruit policy
1961 alternatives, including, but not limited to, setting minimum
1962 grades and standards, promotion and advertising, development of
1963 production and marketing strategies, and setting minimum
1964 standards on types and quality of nursery plants.

1965 (g) Evaluation of policy alternatives for nonwine processed
1966 products, including, but not limited to, setting minimum quality
1967 standards and development of production and marketing
1968 strategies.

1969 (h) Research and service priorities for further development
1970 of the wine and viticulture industry.

1971 (i) The identification of state agencies and public and
1972 private institutions concerned with research, education,
1973 extension, services, planning, promotion, and marketing
1974 functions related to wine and viticultural development and the
1975 delineation of contributions and responsibilities.

1976 (j) Business planning, investment potential, financial
1977 risks, and economics of production and utilization.

1978 (2) A revision and update of the State Wine Viticulture
1979 Plan must ~~shall~~ be submitted biennially to the President of the
1980 Senate, the Speaker of the House of Representatives, and the
1981 chairs of appropriate committees of the Senate and House of
1982 Representatives, and a progress report and budget request must



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1983 ~~shall~~ be submitted annually.

1984 Section 70. Paragraph (a) of subsection (2) and subsection
1985 (3) of section 599.004, Florida Statutes, are amended, and
1986 paragraph (d) is added to subsection (2) of that section, to
1987 read:

1988 599.004 Florida Farm Winery Program; registration; logo;
1989 fees.-

1990 (2) (a) The department, in coordination with the Florida
1991 Wine Viticulture Advisory Council, shall develop and designate
1992 by rule a Florida Farm Winery logo, emblem, and directional sign
1993 to guide the public to certified Florida Farm Wineries ~~Winery~~
1994 ~~tourist attractions~~. The logo and emblem of certified Florida
1995 Farm Winery signs must ~~shall~~ be uniform.

1996 (d) Wineries that fail to recertify annually or pay the
1997 licensing fee required in paragraph (c) are subject to having
1998 the signs referenced in paragraph (b) removed and will be
1999 responsible for all costs incurred by the Department of
2000 Transportation in connection with the removal.

2001 (3) All fees collected, except as otherwise provided by
2002 this section, shall be deposited into the Florida Wine
2003 Viticulture Trust Fund and used to develop consumer information
2004 on the native characteristics and proper use of wines.

2005 Section 71. Section 599.012, Florida Statutes, is amended
2006 to read:

2007 599.012 Wine Viticulture Trust Fund; creation.-

2008 (1) There is established the Viticulture Trust Fund within
2009 the Department of Agriculture and Consumer Services. The
2010 department shall use the moneys deposited in the trust fund
2011 pursuant to subsection (2) to do all the following:



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2012 (a) Develop and coordinate the implementation of the State
2013 Viticulture Plan.

2014 (b) Promote viticulture products manufactured from products
2015 grown in the state.

2016 (c) Provide grants for viticultural research.

2017 (2) Fifty percent of the revenues collected from the excise
2018 taxes imposed under s. 564.06 on wine produced by manufacturers
2019 in this state from products grown in the state will be deposited
2020 in the Viticulture Trust Fund in accordance with that section.

2021 Section 72. Subsection (1) of section 616.12, Florida
2022 Statutes, is amended to read:

2023 616.12 Licenses upon certain shows; distribution of fees;
2024 exemptions.-

2025 (1) Each person who operates any traveling show,
2026 exhibition, amusement enterprise, carnival, vaudeville, exhibit,
2027 ~~minstrel~~, rodeo, theatrical, game or test of skill, riding
2028 device, dramatic repertoire, other show or amusement, or
2029 concession, including a concession operating in a tent,
2030 enclosure, or other temporary structure, within the grounds of,
2031 and in connection with, any annual public fair held by a fair
2032 association shall pay the license taxes provided by law.

2033 However, if the association satisfies the requirements of this
2034 chapter, including securing the required fair permit from the
2035 department, the license taxes and local business tax authorized
2036 in chapter 205 are waived and the department shall issue a tax
2037 exemption certificate. The department shall adopt the proper
2038 forms and rules to administer this section, including the
2039 necessary tax exemption certificate, showing that the fair
2040 association has met all requirements and that the traveling



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2041 show, exhibition, amusement enterprise, carnival, vaudeville,
2042 exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill,
2043 riding device, dramatic repertoire, other show or amusement, or
2044 concession is exempt.

2045 Section 73. Section 687.16, Florida Statutes, is created to
2046 read:

2047 687.16 Florida Farmer Financial Protection Act.-

2048 (1) SHORT TITLE.-This section may be cited as the "Florida
2049 Farmer Financial Protection Act."

2050 (2) DEFINITIONS.-

2051 (a) "Agriculture producer" means a person or company
2052 authorized to do business in this state and engaged in the
2053 production of goods derived from plants or animals, including,
2054 but not limited to, the growing of crops, silviculture, animal
2055 husbandry, or the production of livestock or dairy products.

2056 (b) "Agritourism activity" has the same meaning as provided
2057 in s. 570.86.

2058 (c) "Commissioner" means the Commissioner of Agriculture.

2059 (d) "Company" means a for-profit organization, association,
2060 corporation, partnership, joint venture, sole proprietorship,
2061 limited partnership, limited liability partnership, or limited
2062 liability company, including a wholly owned subsidiary,
2063 majority-owned subsidiary, parent company, or affiliate of those
2064 entities or business associations authorized to do business in
2065 this state.

2066 (e) "Denies or restricts" means refusing to provide
2067 services, terminating existing services, or restricting or
2068 burdening the scope or nature of services offered or provided.

2069 (f) "Discriminate in the provision of financial services"



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2070 means to deny or restrict services and thereby decline to
2071 provide financial services.

2072 (g) "ESG factor" means any factor or consideration that is
2073 collateral to or not reasonably likely to affect or impact
2074 financial risk and includes the promotion, furtherance, or
2075 achievement of environmental, social, or political goals,
2076 objectives, or outcomes, which may include the agriculture
2077 producer's greenhouse gas emissions, use of fossil-fuel derived
2078 fertilizer, or use of fossil-fuel powered machinery.

2079 (h) "Farm" means the land, buildings, support facilities,
2080 machinery, and other appurtenances used in the production of
2081 farm or aquaculture products.

2082 (i) "Financial institution" means a company authorized to
2083 do business in this state which has total assets of more than
2084 \$100 million and offers financial services. A financial
2085 institution includes any affiliate or subsidiary company, even
2086 if that affiliate or subsidiary company is also a financial
2087 institution.

2088 (j) "Financial service" means any product or service that
2089 is of a financial nature and is offered by a financial
2090 institution.

2091 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.-

2092 (a) A financial institution may not discriminate in the
2093 provision of financial services to an agriculture producer
2094 based, in whole or in part, upon an ESG factor.

2095 (b) If a financial institution has made any ESG commitment
2096 related to agriculture, there is an inference that the
2097 institution's denial or restriction of a financial service to an
2098 agriculture producer violates paragraph (a).



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2099 (c) A financial institution may overcome the inference in
2100 paragraph (b) by demonstrating that its denial or restriction of
2101 a financial service was based solely on documented risk
2102 analysis, and not on any ESG factor.

2103 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney
2104 General, in consultation with the Office of Financial
2105 Regulation, is authorized to enforce subsection (3). Any
2106 violation of subsection (3) constitutes an unfair trade practice
2107 under part II of chapter 501 and the Attorney General is
2108 authorized to investigate and seek remedies as provided in
2109 general law. Actions for damages may be sought by an aggrieved
2110 party.

2111 Section 74. Paragraph (a) of subsection (3) of section
2112 741.0305, Florida Statutes, is amended to read:

2113 741.0305 Marriage fee reduction for completion of
2114 premarital preparation course.—

2115 (3)(a) All individuals electing to participate in a
2116 premarital preparation course shall choose from the following
2117 list of qualified instructors:

- 2118 1. A psychologist licensed under chapter 490.
- 2119 2. A clinical social worker licensed under chapter 491.
- 2120 3. A marriage and family therapist licensed under chapter
2121 491.
- 2122 4. A mental health counselor licensed under chapter 491.
- 2123 5. An official representative of a religious institution
2124 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the
2125 representative has relevant training.
- 2126 6. Any other provider designated by a judicial circuit,
2127 including, but not limited to, school counselors who are



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2128 certified to offer such courses. Each judicial circuit may
2129 establish a roster of area course providers, including those who
2130 offer the course on a sliding fee scale or for free.

2131 Section 75. Paragraph (h) of subsection (2), subsection
2132 (3), paragraph (c) of subsection (6), and subsection (10) of
2133 section 790.06, Florida Statutes, are amended to read:

2134 790.06 License to carry concealed weapon or concealed
2135 firearm.—

2136 (2) The Department of Agriculture and Consumer Services
2137 shall issue a license if the applicant:

2138 (h) Demonstrates competence with a firearm by any one of
2139 the following:

2140 1. Completion of any hunter education or hunter safety
2141 course approved by the Fish and Wildlife Conservation Commission
2142 or a similar agency of another state;

2143 2. Completion of any National Rifle Association firearms
2144 safety or training course;

2145 3. Completion of any firearms safety or training course or
2146 class available to the general public offered by a law
2147 enforcement agency, junior college, college, or private or
2148 public institution or organization or firearms training school,
2149 using instructors certified by the National Rifle Association,
2150 Criminal Justice Standards and Training Commission, or the
2151 Department of Agriculture and Consumer Services;

2152 4. Completion of any law enforcement firearms safety or
2153 training course or class offered for security guards,
2154 investigators, special deputies, or any division or subdivision
2155 of a law enforcement agency or security enforcement;

2156 5. Presents evidence of equivalent experience with a



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2157 firearm through participation in organized shooting competition
2158 or United States military service;

2159 6. Is licensed or has been licensed to carry a concealed
2160 weapon or concealed firearm in this state or a county or
2161 municipality of this state, unless such license has been revoked
2162 for cause; or

2163 7. Completion of any firearms training or safety course or
2164 class conducted by a state-certified or National Rifle
2165 Association certified firearms instructor;

2166
2167 A photocopy of a certificate of completion of any of the courses
2168 or classes; an affidavit from the instructor, school, club,
2169 organization, or group that conducted or taught such course or
2170 class attesting to the completion of the course or class by the
2171 applicant; or a copy of any document that shows completion of
2172 the course or class or evidences participation in firearms
2173 competition shall constitute evidence of qualification under
2174 this paragraph. A person who conducts a course pursuant to
2175 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as
2176 an instructor, attests to the completion of such courses, must
2177 maintain records certifying that he or she observed the student
2178 safely handle and discharge the firearm in his or her physical
2179 presence and that the discharge of the firearm included live
2180 fire using a firearm and ammunition as defined in s. 790.001;

2181 (3) (a) The Department of Agriculture and Consumer Services
2182 shall deny a license if the applicant has been found guilty of,
2183 had adjudication of guilt withheld for, or had imposition of
2184 sentence suspended for one or more crimes of violence
2185 constituting a misdemeanor, unless 3 years have elapsed since



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2186 probation or any other conditions set by the court have been
2187 fulfilled or the record has been sealed or expunged. The
2188 Department of Agriculture and Consumer Services shall revoke a
2189 license if the licensee has been found guilty of, had
2190 adjudication of guilt withheld for, or had imposition of
2191 sentence suspended for one or more crimes of violence within the
2192 preceding 3 years. The department shall, upon notification by a
2193 law enforcement agency, a court, clerk's office, or the Florida
2194 Department of Law Enforcement ~~and subsequent written~~
2195 ~~verification,~~ temporarily suspend a license or the processing of
2196 an application for a license if the licensee or applicant is
2197 arrested or formally charged with a crime that would disqualify
2198 such person from having a license under this section, until
2199 final disposition of the case. The department shall suspend a
2200 license or the processing of an application for a license if the
2201 licensee or applicant is issued an injunction that restrains the
2202 licensee or applicant from committing acts of domestic violence
2203 or acts of repeat violence. The department shall notify the
2204 licensee or applicant suspended under this section of his or her
2205 right to a hearing pursuant to chapter 120. A hearing conducted
2206 regarding the temporary suspension must be for the limited
2207 purpose of determining whether the licensee has been arrested or
2208 charged with a disqualifying crime or issued an injunction or
2209 court order. If the criminal case or injunction results in a
2210 nondisqualifying disposition, the department must issue an order
2211 lifting the suspension upon the applicant or licensee's
2212 submission to the department of a certified copy of the final
2213 resolution. If the criminal case results in a disqualifying
2214 disposition, the suspension remains in effect and the department



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2215 must proceed with denial or revocation proceedings pursuant to
2216 chapter 120.

2217 (b) This subsection may not be construed to limit,
2218 restrict, or inhibit the constitutional right to bear arms and
2219 carry a concealed weapon in this state. The Legislature finds it
2220 a matter of public policy and public safety that it is necessary
2221 to ensure that potentially disqualifying information about an
2222 applicant or licensee is investigated and processed in a timely
2223 manner by the department pursuant to this section. The
2224 Legislature intends to clarify that suspensions pursuant to this
2225 section are temporary, and the department has the duty to make
2226 an eligibility determination and issue a license in the time
2227 frame prescribed in this subsection.

2228 (6)

2229 (c) The Department of Agriculture and Consumer Services
2230 shall, within 90 days after the date of receipt of the items
2231 listed in subsection (5):

2232 1. Issue the license; or

2233 2. Deny the application based solely on the ground that the
2234 applicant fails to qualify under the criteria listed in
2235 subsection (2) or subsection (3). If the Department of
2236 Agriculture and Consumer Services denies the application, it
2237 shall notify the applicant in writing, stating the ground for
2238 denial and informing the applicant of any right to a hearing
2239 pursuant to chapter 120.

2240 3. In the event the result of the criminal history
2241 screening identifies ~~department receives~~ criminal history
2242 information related to a crime that may disqualify the applicant
2243 but does not contain ~~with no~~ final disposition of the crime or



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2244 lacks sufficient information to make an eligibility
2245 determination ~~on a crime which may disqualify the applicant~~, the
2246 time limitation prescribed by this paragraph may be extended for
2247 up to an additional 90 days from the receipt of the information
2248 suspended until receipt of the final disposition or proof of
2249 restoration of civil and firearm rights. The department may make
2250 a request for information to the jurisdiction where the criminal
2251 history information originated but must issue a license if it
2252 does not obtain a disposition or sufficient information to make
2253 an eligibility determination during the additional 90 days if
2254 the applicant is otherwise eligible. The department may take any
2255 action authorized in this section if it receives disqualifying
2256 criminal history information during the additional 90-day review
2257 or after issuance of a license.

2258 (10) A license issued under this section must ~~shall~~ be
2259 temporarily suspended as provided for in subparagraph (6)(c)3.,
2260 or revoked pursuant to chapter 120 if the license was issued in
2261 error or if the licensee:

2262 (a) Is found to be ineligible under the criteria set forth
2263 in subsection (2);

2264 (b) Develops or sustains a physical infirmity which
2265 prevents the safe handling of a weapon or firearm;

2266 (c) Is convicted of a felony which would make the licensee
2267 ineligible to possess a firearm pursuant to s. 790.23;

2268 (d) Is found guilty of a crime under chapter 893, or
2269 similar laws of any other state, relating to controlled
2270 substances;

2271 (e) Is committed as a substance abuser under chapter 397,
2272 or is deemed a habitual offender under s. 856.011(3), or similar



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2273 laws of any other state;

2274 (f) Is convicted of a second violation of s. 316.193, or a
2275 similar law of another state, within 3 years after a first
2276 conviction of such section or similar law of another state, even
2277 though the first violation may have occurred before the date on
2278 which the application was submitted;

2279 (g) Is adjudicated an incapacitated person under s.
2280 744.331, or similar laws of any other state; or

2281 (h) Is committed to a mental institution under chapter 394,
2282 or similar laws of any other state.

2283
2284 Notwithstanding s. 120.60(5), service of a notice of the
2285 suspension or revocation of a concealed weapon or concealed
2286 firearm license must be given by either certified mail, return
2287 receipt requested, to the licensee at his or her last known
2288 mailing address furnished to the Department of Agriculture and
2289 Consumer Services, or by personal service. If a notice given by
2290 certified mail is returned as undeliverable, a second attempt
2291 must be made to provide notice to the licensee at that address,
2292 by either first-class mail in an envelope, postage prepaid,
2293 addressed to the licensee at his or her last known mailing
2294 address furnished to the department, or, if the licensee has
2295 provided an e-mail address to the department, by e-mail. Such
2296 mailing by the department constitutes notice, and any failure by
2297 the licensee to receive such notice does not stay the effective
2298 date or term of the suspension or revocation. A request for
2299 hearing must be filed with the department within 21 days after
2300 notice is received by personal delivery, or within 26 days after
2301 the date the department deposits the notice in the United States



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2302 mail (21 days plus 5 days for mailing). The department shall
2303 document its attempts to provide notice, and such documentation
2304 is admissible in the courts of this state and constitutes
2305 sufficient proof that notice was given.

2306 Section 76. Subsection (2) of section 812.0151, Florida
2307 Statutes, is amended to read:

2308 812.0151 Retail fuel theft.-

2309 (2) (a) A person commits a felony of the third degree,
2310 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2311 if he or she willfully, knowingly, and without authorization:

2312 1. Breaches a retail fuel dispenser or accesses any
2313 internal portion of a retail fuel dispenser; ~~or~~

2314 2. Possesses any device constructed for the purpose of
2315 fraudulently altering, manipulating, or interrupting the normal
2316 functioning of a retail fuel dispenser; or

2317 3. Possesses any form of a payment instrument that can be
2318 used, alone or in conjunction with another access device, to
2319 authorize a fuel transaction or obtain fuel, including, but not
2320 limited to, a plastic payment card with a magnetic stripe or a
2321 chip encoded with account information or both, with the intent
2322 to defraud the fuel retailer, the authorized payment instrument
2323 financial account holder, or the banking institution that issued
2324 the payment instrument financial account.

2325 (b) A person commits a felony of the second degree,
2326 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2327 if he or she willfully, knowingly, and without authorization:

2328 1. Physically tampers with, manipulates, removes, replaces,
2329 or interrupts any mechanical or electronic component located on
2330 ~~within~~ the internal or external portion of a retail fuel



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2331 dispenser; or

2332 2. Uses any form of electronic communication to
2333 fraudulently alter, manipulate, or interrupt the normal
2334 functioning of a retail fuel dispenser.

2335 (c) A person commits a felony of the third degree,
2336 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2337 if he or she:

2338 1. Obtains fuel as a result of violating paragraph (a) or
2339 paragraph (b); ~~or~~

2340 2. Modifies a vehicle's factory installed fuel tank or
2341 possesses any item used to hold fuel which was not fitted to a
2342 vehicle or conveyance at the time of manufacture with the intent
2343 to use such fuel tank or item to hold or transport fuel obtained
2344 as a result of violating paragraph (a) or paragraph (b); or

2345 3. Uses any form of a payment instrument that can be used,
2346 alone or in conjunction with another access device, to authorize
2347 a fuel transaction or obtain fuel, including, but not limited
2348 to, a plastic payment card with a magnetic stripe or a chip
2349 encoded with account information or both, with the intent to
2350 defraud the fuel retailer, the authorized payment instrument
2351 financial account holder, or the banking institution that issued
2352 the payment instrument financial account.

2353 Section 77. Section 812.136, Florida Statutes, is created
2354 to read:

2355 812.136 Mail theft.—

2356 (1) As used in this section, unless the context otherwise
2357 requires:

2358 (a) "Mail" means any letter, postal card, parcel, envelope,
2359 package, bag, or any other sealed article addressed to another,



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2360 along with its contents.

2361 (b) "Mail depository" means a mail box, letter box, mail
2362 route, or mail receptacle of a postal service, an office of a
2363 postal service, or mail carrier of a postal service, or a
2364 vehicle of a postal service.

2365 (c) "Postal service" means the United States Postal Service
2366 or its contractors, or any commercial courier that delivers
2367 mail.

2368 (2) Any of the following acts constitutes mail theft:

2369 (a) Removing mail from a mail depository or taking mail
2370 from a mail carrier of a postal service with an intent to steal.

2371 (b) Obtaining custody of mail by fraud or deception with an
2372 intent to steal.

2373 (c) Selling, receiving, possessing, transferring, buying,
2374 or concealing mail obtained by acts described in paragraph (a)
2375 or paragraph (b) of this subsection, while knowing or having
2376 reason to know the mail was obtained illegally.

2377 (3) Any of the following constitutes theft of or
2378 unauthorized reproduction of a mail depository key or lock:

2379 (a) Stealing or obtaining by false pretense any key or lock
2380 adopted by a postal service for a mail depository or other
2381 authorized receptacle for the deposit or delivery of mail.

2382 (b) Knowingly and unlawfully making, forging, or
2383 counterfeiting any such key or possessing any such key or lock
2384 adopted by a postal service with the intent to unlawfully or
2385 improperly use, sell, or otherwise dispose of the key or lock,
2386 or to cause the key or lock to be unlawfully or improperly used,
2387 sold, or otherwise disposed.

2388 (4) The first violation of this section constitutes a



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2389 misdemeanor of the first degree, punishable by a term of
2390 imprisonment not exceeding 1 year pursuant to s. 775.082(4) (a)
2391 or a fine not to exceed \$1,000 pursuant to s. 775.083(1) (d), or
2392 both. A second or subsequent violation of this section
2393 constitutes a felony of the third degree, punishable by a term
2394 of imprisonment not exceeding 5 years pursuant to s.
2395 775.82(3) (e) or a fine not to exceed \$5,000 pursuant to s.
2396 775.083(1) (c), or both.

2397 Section 78. Paragraph (i) of subsection (4) of section
2398 934.50, Florida Statutes, is amended to read:

2399 934.50 Searches and seizure using a drone.—

2400 (4) EXCEPTIONS.—This section does not prohibit the use of a
2401 drone:

2402 ~~(i) By a person or an entity engaged in a business or~~
2403 ~~profession licensed by the state, or by an agent, employee, or~~
2404 ~~contractor thereof, if the drone is used only to perform~~
2405 ~~reasonable tasks within the scope of practice or activities~~
2406 ~~permitted under such person's or entity's license. However, this~~
2407 ~~exception does not apply to a profession in which the licensee's~~
2408 ~~authorized scope of practice includes obtaining information~~
2409 ~~about the identity, habits, conduct, movements, whereabouts,~~
2410 ~~affiliations, associations, transactions, reputation, or~~
2411 ~~character of any society, person, or group of persons.~~

2412 Section 79. Section 1013.373, Florida Statutes, is created
2413 to read:

2414 1013.373 Educational facilities used for agricultural
2415 education.—

2416 (1) Notwithstanding any other provision of law, a local
2417 government may not adopt any ordinance, regulation, rule, or



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2418 policy to prohibit, restrict, regulate, or otherwise limit any
2419 activities of public educational facilities and auxiliary
2420 facilities constructed by a board for agricultural education,
2421 for Future Farmers of America or 4-H activities, or the storage
2422 of any animal or equipment therein.

2423 (2) Lands used for agricultural education or for Future
2424 Farmers of America or 4-H activities are considered agricultural
2425 lands pursuant to s. 193.461 and subject to s. 823.14.

2426 Section 80. For the purpose of incorporating the amendment
2427 made by this act to section 110.205, Florida Statutes, in a
2428 reference thereto, paragraph (a) of subsection (5) of section
2429 295.07, Florida Statutes, is reenacted to read:

2430 295.07 Preference in appointment and retention.—

2431 (5) The following positions are exempt from this section:

2432 (a) Those positions that are exempt from the state Career
2433 Service System under s. 110.205(2); however, all positions under
2434 the University Support Personnel System of the State University
2435 System as well as all Career Service System positions under the
2436 Florida College System and the School for the Deaf and the
2437 Blind, or the equivalent of such positions at state
2438 universities, Florida College System institutions, or the School
2439 for the Deaf and the Blind, are not exempt.

2440 Section 81. For the purpose of incorporating the amendment
2441 made by this act to section 193.461, Florida Statutes, in a
2442 reference thereto, paragraph (r) of subsection (1) of section
2443 125.01, Florida Statutes, is reenacted to read:

2444 125.01 Powers and duties.—

2445 (1) The legislative and governing body of a county shall
2446 have the power to carry on county government. To the extent not



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2447 inconsistent with general or special law, this power includes,
2448 but is not restricted to, the power to:

2449 (r) Levy and collect taxes, both for county purposes and
2450 for the providing of municipal services within any municipal
2451 service taxing unit, and special assessments; borrow and expend
2452 money; and issue bonds, revenue certificates, and other
2453 obligations of indebtedness, which power shall be exercised in
2454 such manner, and subject to such limitations, as may be provided
2455 by general law. There shall be no referendum required for the
2456 levy by a county of ad valorem taxes, both for county purposes
2457 and for the providing of municipal services within any municipal
2458 service taxing unit.

2459 1. Notwithstanding any other provision of law, a county may
2460 not levy special assessments on lands classified as agricultural
2461 lands under s. 193.461 unless the revenue from such assessments
2462 has been pledged for debt service and is necessary to meet
2463 obligations of bonds or certificates issued by the county which
2464 remain outstanding on July 1, 2023, including refundings thereof
2465 for debt service savings where the maturity of the debt is not
2466 extended. For bonds or certificates issued after July 1, 2023,
2467 special assessments securing such bonds may not be levied on
2468 lands classified as agricultural under s. 193.461.

2469 2. The provisions of subparagraph 1. do not apply to
2470 residential structures and their curtilage.

2471 Section 82. For the purpose of incorporating the amendment
2472 made by this act to section 193.461, Florida Statutes, in
2473 references thereto, paragraphs (a) through (d) of subsection (3)
2474 of section 163.3162, Florida Statutes, are reenacted to read:

2475 163.3162 Agricultural lands and practices.—



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2476 (3) DUPLICATION OF REGULATION.—Except as otherwise provided
2477 in this section and s. 487.051(2), and notwithstanding any other
2478 law, including any provision of chapter 125 or this chapter:

2479 (a) A governmental entity may not exercise any of its
2480 powers to adopt or enforce any ordinance, resolution,
2481 regulation, rule, or policy to prohibit, restrict, regulate, or
2482 otherwise limit an activity of a bona fide farm operation on
2483 land classified as agricultural land pursuant to s. 193.461, if
2484 such activity is regulated through implemented best management
2485 practices, interim measures, or regulations adopted as rules
2486 under chapter 120 by the Department of Environmental Protection,
2487 the Department of Agriculture and Consumer Services, or a water
2488 management district as part of a statewide or regional program;
2489 or if such activity is expressly regulated by the United States
2490 Department of Agriculture, the United States Army Corps of
2491 Engineers, or the United States Environmental Protection Agency.

2492 (b) A governmental entity may not charge a fee on a
2493 specific agricultural activity of a bona fide farm operation on
2494 land classified as agricultural land pursuant to s. 193.461, if
2495 such agricultural activity is regulated through implemented best
2496 management practices, interim measures, or regulations adopted
2497 as rules under chapter 120 by the Department of Environmental
2498 Protection, the Department of Agriculture and Consumer Services,
2499 or a water management district as part of a statewide or
2500 regional program; or if such agricultural activity is expressly
2501 regulated by the United States Department of Agriculture, the
2502 United States Army Corps of Engineers, or the United States
2503 Environmental Protection Agency.

2504 (c) A governmental entity may not charge an assessment or



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2505 fee for stormwater management on a bona fide farm operation on
2506 land classified as agricultural land pursuant to s. 193.461, if
2507 the farm operation has a National Pollutant Discharge
2508 Elimination System permit, environmental resource permit, or
2509 works-of-the-district permit or implements best management
2510 practices adopted as rules under chapter 120 by the Department
2511 of Environmental Protection, the Department of Agriculture and
2512 Consumer Services, or a water management district as part of a
2513 statewide or regional program.

2514 (d) For each governmental entity that, before March 1,
2515 2009, adopted a stormwater utility ordinance or resolution,
2516 adopted an ordinance or resolution establishing a municipal
2517 services benefit unit, or adopted a resolution stating the
2518 governmental entity's intent to use the uniform method of
2519 collection pursuant to s. 197.3632 for such stormwater
2520 ordinances, the governmental entity may continue to charge an
2521 assessment or fee for stormwater management on a bona fide farm
2522 operation on land classified as agricultural pursuant to s.
2523 193.461, if the ordinance or resolution provides credits against
2524 the assessment or fee on a bona fide farm operation for the
2525 water quality or flood control benefit of:

2526 1. The implementation of best management practices adopted
2527 as rules under chapter 120 by the Department of Environmental
2528 Protection, the Department of Agriculture and Consumer Services,
2529 or a water management district as part of a statewide or
2530 regional program;

2531 2. The stormwater quality and quantity measures required as
2532 part of a National Pollutant Discharge Elimination System
2533 permit, environmental resource permit, or works-of-the-district



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2534 permit; or

2535 3. The implementation of best management practices or
2536 alternative measures which the landowner demonstrates to the
2537 governmental entity to be of equivalent or greater stormwater
2538 benefit than those provided by implementation of best management
2539 practices adopted as rules under chapter 120 by the Department
2540 of Environmental Protection, the Department of Agriculture and
2541 Consumer Services, or a water management district as part of a
2542 statewide or regional program, or stormwater quality and
2543 quantity measures required as part of a National Pollutant
2544 Discharge Elimination System permit, environmental resource
2545 permit, or works-of-the-district permit.

2546 Section 83. For the purpose of incorporating the amendment
2547 made by this act to section 193.461, Florida Statutes, in a
2548 reference thereto, paragraph (c) of subsection (3) of section
2549 163.3163, Florida Statutes, is reenacted to read:

2550 163.3163 Applications for development permits; disclosure
2551 and acknowledgment of contiguous sustainable agricultural land.—

2552 (3) As used in this section, the term:

2553 (c) "Sustainable agricultural land" means land classified
2554 as agricultural land pursuant to s. 193.461 which is used for a
2555 farm operation that uses current technology, based on science or
2556 research and demonstrated measurable increases in productivity,
2557 to meet future food, feed, fiber, and energy needs, while
2558 considering the environmental impacts and the social and
2559 economic benefits to the rural communities.

2560 Section 84. For the purpose of incorporating the amendment
2561 made by this act to section 193.461, Florida Statutes, in a
2562 reference thereto, subsection (4) of section 163.3164, Florida



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2563 Statutes, is reenacted to read:

2564 163.3164 Community Planning Act; definitions.—As used in
2565 this act:

2566 (4) "Agricultural enclave" means an unincorporated,
2567 undeveloped parcel that:

2568 (a) Is owned by a single person or entity;

2569 (b) Has been in continuous use for bona fide agricultural
2570 purposes, as defined by s. 193.461, for a period of 5 years
2571 prior to the date of any comprehensive plan amendment
2572 application;

2573 (c) Is surrounded on at least 75 percent of its perimeter
2574 by:

2575 1. Property that has existing industrial, commercial, or
2576 residential development; or

2577 2. Property that the local government has designated, in
2578 the local government's comprehensive plan, zoning map, and
2579 future land use map, as land that is to be developed for
2580 industrial, commercial, or residential purposes, and at least 75
2581 percent of such property is existing industrial, commercial, or
2582 residential development;

2583 (d) Has public services, including water, wastewater,
2584 transportation, schools, and recreation facilities, available or
2585 such public services are scheduled in the capital improvement
2586 element to be provided by the local government or can be
2587 provided by an alternative provider of local government
2588 infrastructure in order to ensure consistency with applicable
2589 concurrency provisions of s. 163.3180; and

2590 (e) Does not exceed 1,280 acres; however, if the property
2591 is surrounded by existing or authorized residential development



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2592 that will result in a density at buildout of at least 1,000
2593 residents per square mile, then the area shall be determined to
2594 be urban and the parcel may not exceed 4,480 acres.

2595 Section 85. For the purpose of incorporating the amendment
2596 made by this act to section 193.461, Florida Statutes, in a
2597 reference thereto, subsection (5) of section 163.3194, Florida
2598 Statutes, is reenacted to read:

2599 163.3194 Legal status of comprehensive plan.—

2600 (5) The tax-exempt status of lands classified as
2601 agricultural under s. 193.461 shall not be affected by any
2602 comprehensive plan adopted under this act as long as the land
2603 meets the criteria set forth in s. 193.461.

2604 Section 86. For the purpose of incorporating the amendment
2605 made by this act to section 193.461, Florida Statutes, in a
2606 reference thereto, subsection (4) of section 170.01, Florida
2607 Statutes, is reenacted to read:

2608 170.01 Authority for providing improvements and levying and
2609 collecting special assessments against property benefited.—

2610 (4) Notwithstanding any other provision of law, a
2611 municipality may not levy special assessments for the provision
2612 of fire protection services on lands classified as agricultural
2613 lands under s. 193.461 unless the land contains a residential
2614 dwelling or nonresidential farm building, with the exception of
2615 an agricultural pole barn, provided the nonresidential farm
2616 building exceeds a just value of \$10,000. Such special
2617 assessments must be based solely on the special benefit accruing
2618 to that portion of the land consisting of the residential
2619 dwelling and curtilage, and qualifying nonresidential farm
2620 buildings. As used in this subsection, the term "agricultural



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2621 pole barn" means a nonresidential farm building in which 70
2622 percent or more of the perimeter walls are permanently open and
2623 allow free ingress and egress.

2624 Section 87. For the purpose of incorporating the amendment
2625 made by this act to section 193.461, Florida Statutes, in a
2626 reference thereto, subsection (2) of section 193.052, Florida
2627 Statutes, is reenacted to read:

2628 193.052 Preparation and serving of returns.—

2629 (2) No return shall be required for real property the
2630 ownership of which is reflected in instruments recorded in the
2631 public records of the county in which the property is located,
2632 unless otherwise required in this title. In order for land to be
2633 considered for agricultural classification under s. 193.461 or
2634 high-water recharge classification under s. 193.625, an
2635 application for classification must be filed on or before March
2636 1 of each year with the property appraiser of the county in
2637 which the land is located, except as provided in s.
2638 193.461(3)(a). The application must state that the lands on
2639 January 1 of that year were used primarily for bona fide
2640 commercial agricultural or high-water recharge purposes.

2641 Section 88. For the purpose of incorporating the amendment
2642 made by this act to section 193.461, Florida Statutes, in a
2643 reference thereto, section 193.4615, Florida Statutes, is
2644 reenacted to read:

2645 193.4615 Assessment of obsolete agricultural equipment.—For
2646 purposes of ad valorem property taxation, agricultural equipment
2647 that is located on property classified as agricultural under s.
2648 193.461 and that is no longer usable for its intended purpose
2649 shall be deemed to have a market value no greater than its value



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2650 for salvage.

2651 Section 89. For the purpose of incorporating the amendment
2652 made by this act to section 193.461, Florida Statutes, in
2653 references thereto, paragraph (a) of subsection (5) and
2654 paragraph (a) of subsection (19) of section 212.08, Florida
2655 Statutes, are reenacted to read:

2656 212.08 Sales, rental, use, consumption, distribution, and
2657 storage tax; specified exemptions.—The sale at retail, the
2658 rental, the use, the consumption, the distribution, and the
2659 storage to be used or consumed in this state of the following
2660 are hereby specifically exempt from the tax imposed by this
2661 chapter.

2662 (5) EXEMPTIONS; ACCOUNT OF USE.—

2663 (a) *Items in agricultural use and certain nets.*—There are
2664 exempt from the tax imposed by this chapter nets designed and
2665 used exclusively by commercial fisheries; disinfectants,
2666 fertilizers, insecticides, pesticides, herbicides, fungicides,
2667 and weed killers used for application on crops or groves,
2668 including commercial nurseries and home vegetable gardens, used
2669 in dairy barns or on poultry farms for the purpose of protecting
2670 poultry or livestock, or used directly on poultry or livestock;
2671 animal health products that are administered to, applied to, or
2672 consumed by livestock or poultry to alleviate pain or cure or
2673 prevent sickness, disease, or suffering, including, but not
2674 limited to, antiseptics, absorbent cotton, gauze for bandages,
2675 lotions, vaccines, vitamins, and worm remedies; aquaculture
2676 health products that are used by aquaculture producers, as
2677 defined in s. 597.0015, to prevent or treat fungi, bacteria, and
2678 parasitic diseases; portable containers or movable receptacles



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2679 in which portable containers are placed, used for processing
2680 farm products; field and garden seeds, including flower seeds;
2681 nursery stock, seedlings, cuttings, or other propagative
2682 material purchased for growing stock; seeds, seedlings,
2683 cuttings, and plants used to produce food for human consumption;
2684 cloth, plastic, and other similar materials used for shade,
2685 mulch, or protection from frost or insects on a farm; hog wire
2686 and barbed wire fencing, including gates and materials used to
2687 construct or repair such fencing, used in agricultural
2688 production on lands classified as agricultural lands under s.
2689 193.461; materials used to construct or repair permanent or
2690 temporary fencing used to contain, confine, or process cattle,
2691 including gates and energized fencing systems, used in
2692 agricultural operations on lands classified as agricultural
2693 lands under s. 193.461; stakes used by a farmer to support
2694 plants during agricultural production; generators used on
2695 poultry farms; and liquefied petroleum gas or other fuel used to
2696 heat a structure in which started pullets or broilers are
2697 raised; however, such exemption is not allowed unless the
2698 purchaser or lessee signs a certificate stating that the item to
2699 be exempted is for the exclusive use designated herein. Also
2700 exempt are cellophane wrappers, glue for tin and glass
2701 (apiarists), mailing cases for honey, shipping cases, window
2702 cartons, and baling wire and twine used for baling hay, when
2703 used by a farmer to contain, produce, or process an agricultural
2704 commodity.

2705 (19) FLORIDA FARM TEAM CARD.—

2706 (a) Notwithstanding any other law, a farmer whose property
2707 has been classified as agricultural pursuant to s. 193.461 or



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2708 who has implemented agricultural best management practices
2709 adopted by the Department of Agriculture and Consumer Services
2710 pursuant to s. 403.067(7)(c)2. may apply to the department for a
2711 Florida farm tax exempt agricultural materials (TEAM) card to
2712 claim the applicable sales tax exemptions provided in this
2713 section. A farmer may present the Florida farm TEAM card to a
2714 selling dealer in lieu of a certificate or affidavit otherwise
2715 required by this chapter.

2716 Section 90. For the purpose of incorporating the amendment
2717 made by this act to section 193.461, Florida Statutes, in a
2718 reference thereto, subsection (2) of section 373.406, Florida
2719 Statutes, is reenacted to read:

2720 373.406 Exemptions.—The following exemptions shall apply:

2721 (2) Notwithstanding s. 403.927, nothing herein, or in any
2722 rule, regulation, or order adopted pursuant hereto, shall be
2723 construed to affect the right of any person engaged in the
2724 occupation of agriculture, silviculture, floriculture, or
2725 horticulture to alter the topography of any tract of land,
2726 including, but not limited to, activities that may impede or
2727 divert the flow of surface waters or adversely impact wetlands,
2728 for purposes consistent with the normal and customary practice
2729 of such occupation in the area. However, such alteration or
2730 activity may not be for the sole or predominant purpose of
2731 impeding or diverting the flow of surface waters or adversely
2732 impacting wetlands. This exemption applies to lands classified
2733 as agricultural pursuant to s. 193.461 and to activities
2734 requiring an environmental resource permit pursuant to this
2735 part. This exemption does not apply to any activities previously
2736 authorized by an environmental resource permit or a management



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2737 and storage of surface water permit issued pursuant to this part
2738 or a dredge and fill permit issued pursuant to chapter 403. This
2739 exemption has retroactive application to July 1, 1984.

2740 Section 91. For the purpose of incorporating the amendment
2741 made by this act to section 193.461, Florida Statutes, in a
2742 reference thereto, paragraph (a) of subsection (11) of section
2743 403.182, Florida Statutes, is reenacted to read:

2744 403.182 Local pollution control programs.—

2745 (11) (a) Notwithstanding this section or any existing local
2746 pollution control programs, the Secretary of Environmental
2747 Protection has exclusive jurisdiction in setting standards or
2748 procedures for evaluating environmental conditions and assessing
2749 potential liability for the presence of contaminants on land
2750 that is classified as agricultural land pursuant to s. 193.461
2751 and being converted to a nonagricultural use. The exclusive
2752 jurisdiction includes defining what constitutes all appropriate
2753 inquiry consistent with 40 C.F.R. part 312 and guidance
2754 thereunder.

2755 Section 92. For the purpose of incorporating the amendment
2756 made by this act to section 193.461, Florida Statutes, in a
2757 reference thereto, subsection (4) of section 403.9337, Florida
2758 Statutes, is reenacted to read:

2759 403.9337 Model Ordinance for Florida-Friendly Fertilizer
2760 Use on Urban Landscapes.—

2761 (4) This section does not apply to the use of fertilizer on
2762 farm operations as defined in s. 823.14 or on lands classified
2763 as agricultural lands pursuant to s. 193.461.

2764 Section 93. For the purpose of incorporating the amendment
2765 made by this act to section 193.461, Florida Statutes, in a



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2766 reference thereto, paragraph (d) of subsection (2) of section
2767 472.029, Florida Statutes, is reenacted to read:

2768 472.029 Authorization to enter lands of third parties;
2769 conditions.—

2770 (2) LIABILITY AND DUTY OF CARE ON AGRICULTURAL LAND.—

2771 (d) This subsection applies only to land classified as
2772 agricultural pursuant to s. 193.461.

2773 Section 94. For the purpose of incorporating the amendment
2774 made by this act to section 193.461, Florida Statutes, in a
2775 reference thereto, subsection (5) of section 474.2021, Florida
2776 Statutes, is reenacted to read:

2777 474.2021 Veterinary telehealth.—

2778 (5) A veterinarian personally acquainted with the caring
2779 and keeping of an animal or group of animals on food-producing
2780 animal operations on land classified as agricultural pursuant to
2781 s. 193.461 who has recently seen the animal or group of animals
2782 or has made medically appropriate and timely visits to the
2783 premises where the animal or group of animals is kept may
2784 practice veterinary telehealth for animals on such operations.

2785 Section 95. For the purpose of incorporating the amendment
2786 made by this act to section 193.461, Florida Statutes, in a
2787 reference thereto, paragraph (d) of subsection (4) of section
2788 474.2165, Florida Statutes, is reenacted to read:

2789 474.2165 Ownership and control of veterinary medical
2790 patient records; report or copies of records to be furnished.—

2791 (4) Except as otherwise provided in this section, such
2792 records may not be furnished to, and the medical condition of a
2793 patient may not be discussed with, any person other than the
2794 client or the client's legal representative or other



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2795 veterinarians involved in the care or treatment of the patient,
2796 except upon written authorization of the client. However, such
2797 records may be furnished without written authorization under the
2798 following circumstances:

2799 (d) In any criminal action or situation where a
2800 veterinarian suspects a criminal violation. If a criminal
2801 violation is suspected, a veterinarian may, without notice to or
2802 authorization from the client, report the violation to a law
2803 enforcement officer, an animal control officer who is certified
2804 pursuant to s. 828.27(4)(a), or an agent appointed under s.
2805 828.03. However, if a suspected violation occurs at a commercial
2806 food-producing animal operation on land classified as
2807 agricultural under s. 193.461, the veterinarian must provide
2808 notice to the client or the client's legal representative before
2809 reporting the suspected violation to an officer or agent under
2810 this paragraph. The report may not include written medical
2811 records except upon the issuance of an order from a court of
2812 competent jurisdiction.

2813 Section 96. For the purpose of incorporating the amendment
2814 made by this act to section 193.461, Florida Statutes, in a
2815 reference thereto, subsection (6) of section 487.081, Florida
2816 Statutes, is reenacted to read:

2817 487.081 Exemptions.—

2818 (6) The Department of Environmental Protection is not
2819 authorized to institute proceedings against any property owner
2820 or leaseholder of property under the provisions of s. 376.307(5)
2821 to recover any costs or damages associated with pesticide
2822 contamination of soil or water, or the evaluation, assessment,
2823 or remediation of pesticide contamination of soil or water,



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2824 including sampling, analysis, and restoration of soil or potable
2825 water supplies, subject to the following conditions:

2826 (a) The pesticide contamination of soil or water is
2827 determined to be the result of the use of pesticides by the
2828 property owner or leaseholder, in accordance with state and
2829 federal law, applicable registered labels, and rules on property
2830 classified as agricultural land pursuant to s. 193.461;

2831 (b) The property owner or leaseholder maintains records of
2832 such pesticide applications and such records are provided to the
2833 department upon request;

2834 (c) In the event of pesticide contamination of soil or
2835 water, the department, upon request, shall make such records
2836 available to the Department of Environmental Protection;

2837 (d) This subsection does not limit regulatory authority
2838 under a federally delegated or approved program; and

2839 (e) This subsection is remedial in nature and shall apply
2840 retroactively.

2841
2842 The department, in consultation with the secretary of the
2843 Department of Environmental Protection, may adopt rules
2844 prescribing the format, content, and retention time for records
2845 to be maintained under this subsection.

2846 Section 97. For the purpose of incorporating the amendment
2847 made by this act to section 193.461, Florida Statutes, in a
2848 reference thereto, subsection (1) of section 570.85, Florida
2849 Statutes, is reenacted to read:

2850 570.85 Agritourism.—

2851 (1) It is the intent of the Legislature to promote
2852 agritourism as a way to support bona fide agricultural



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2853 production by providing a stream of revenue and by educating the
2854 general public about the agricultural industry. It is also the
2855 intent of the Legislature to eliminate duplication of regulatory
2856 authority over agritourism as expressed in this section. Except
2857 as otherwise provided for in this section, and notwithstanding
2858 any other law, a local government may not adopt or enforce a
2859 local ordinance, regulation, rule, or policy that prohibits,
2860 restricts, regulates, or otherwise limits an agritourism
2861 activity on land classified as agricultural land under s.
2862 193.461. This subsection does not limit the powers and duties of
2863 a local government to address substantial offsite impacts of
2864 agritourism activities or an emergency as provided in chapter
2865 252.

2866 Section 98. For the purpose of incorporating the amendment
2867 made by this act to section 193.461, Florida Statutes, in a
2868 reference thereto, subsection (1) of section 570.87, Florida
2869 Statutes, is reenacted to read:

2870 570.87 Agritourism participation impact on land
2871 classification.—

2872 (1) In order to promote and perpetuate agriculture
2873 throughout this state, farm operations are encouraged to engage
2874 in agritourism. An agricultural classification pursuant to s.
2875 193.461 may not be denied or revoked solely due to the conduct
2876 of agritourism activity on a bona fide farm or the construction,
2877 alteration, or maintenance of a nonresidential farm building,
2878 structure, or facility on a bona fide farm which is used to
2879 conduct agritourism activities. So long as the building,
2880 structure, or facility is an integral part of the agricultural
2881 operation, the land it occupies shall be considered agricultural



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2882 in nature. However, such buildings, structures, and facilities,
2883 and other improvements on the land, must be assessed under s.
2884 193.011 at their just value and added to the agriculturally
2885 assessed value of the land.

2886 Section 99. For the purpose of incorporating the amendment
2887 made by this act to section 193.461, Florida Statutes, in a
2888 reference thereto, subsection (3) of section 570.94, Florida
2889 Statutes, is reenacted to read:

2890 570.94 Best management practices for wildlife.—The
2891 department and the Fish and Wildlife Conservation Commission
2892 recognize that agriculture provides a valuable benefit to the
2893 conservation and management of fish and wildlife in the state
2894 and agree to enter into a memorandum of agreement to develop and
2895 adopt by rule voluntary best management practices for the
2896 state's agriculture industry which reflect the industry's
2897 existing contribution to the conservation and management of
2898 freshwater aquatic life and wild animal life in the state.

2899 (3) Notwithstanding any other provision of law, including
2900 s. 163.3162, the implementation of the best management practices
2901 pursuant to this section is voluntary and except as specifically
2902 provided under this section and s. 9, Art. IV of the State
2903 Constitution, an agency, department, district, or unit of local
2904 government may not adopt or enforce any ordinance, resolution,
2905 regulation, rule, or policy regarding the best management
2906 practices on land classified as agricultural land pursuant to s.
2907 193.461.

2908 Section 100. For the purpose of incorporating the amendment
2909 made by this act to section 193.461, Florida Statutes, in a
2910 reference thereto, paragraph (a) of subsection (1) of section



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2911 582.19, Florida Statutes, is reenacted to read:

2912 582.19 Qualifications and tenure of supervisors.—

2913 (1) The governing body of the district shall consist of
2914 five supervisors, elected as provided in s. 582.18.

2915 (a) To qualify to serve on the governing body of a
2916 district, a supervisor must be an eligible voter who resides in
2917 the district and who:

2918 1. Is actively engaged in, or retired after 10 years of
2919 being engaged in, agriculture as defined in s. 570.02;

2920 2. Is employed by an agricultural producer; or

2921 3. Owns, leases, or is actively employed on land classified
2922 as agricultural under s. 193.461.

2923 Section 101. For the purpose of incorporating the amendment
2924 made by this act to section 193.461, Florida Statutes, in a
2925 reference thereto, section 586.055, Florida Statutes, is
2926 reenacted to read:

2927 586.055 Location of apiaries.—An apiary may be located on
2928 land classified as agricultural under s. 193.461 or on land that
2929 is integral to a beekeeping operation.

2930 Section 102. For the purpose of incorporating the amendment
2931 made by this act to section 193.461, Florida Statutes, in
2932 references thereto, paragraphs (a) and (d) of subsection (2) of
2933 section 604.50, Florida Statutes, are reenacted to read:

2934 604.50 Nonresidential farm buildings; farm fences; farm
2935 signs.—

2936 (2) As used in this section, the term:

2937 (a) “Bona fide agricultural purposes” has the same meaning
2938 as provided in s. 193.461(3)(b).

2939 (d) “Nonresidential farm building” means any temporary or



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2940 permanent building or support structure that is classified as a
2941 nonresidential farm building on a farm under s. 553.73(10)(c) or
2942 that is used primarily for agricultural purposes, is located on
2943 land that is an integral part of a farm operation or is
2944 classified as agricultural land under s. 193.461, and is not
2945 intended to be used as a residential dwelling. The term may
2946 include, but is not limited to, a barn, greenhouse, shade house,
2947 farm office, storage building, or poultry house.

2948 Section 103. For the purpose of incorporating the amendment
2949 made by this act to section 193.461, Florida Statutes, in a
2950 reference thereto, paragraph (b) of subsection (3) of section
2951 604.73, Florida Statutes, is reenacted to read:

2952 604.73 Urban agriculture pilot projects; local regulation
2953 of urban agriculture.—

2954 (3) DEFINITIONS.—As used in this section, the term:

2955 (b) "Urban agriculture" means any new or existing
2956 noncommercial agricultural uses on land that is:

2957 1. Within a dense urban land area, as described in s.
2958 380.0651(3)(a);

2959 2. Not classified as agricultural pursuant to s. 193.461;

2960 3. Not zoned as agricultural as its principal use; and

2961 4. Designated by a municipality for inclusion in an urban
2962 agricultural pilot project that has been approved by the
2963 department.

2964
2965 The term does not include vegetable gardens, as defined in s.
2966 604.71(4), for personal consumption on residential properties.

2967 Section 104. For the purpose of incorporating the amendment
2968 made by this act to section 193.461, Florida Statutes, in a



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2969 reference thereto, subsection (1) of section 692.201, Florida
2970 Statutes, is reenacted to read:

2971 692.201 Definitions.—As used in this part, the term:

2972 (1) "Agricultural land" means land classified as
2973 agricultural under s. 193.461.

2974 Section 105. For the purpose of incorporating the amendment
2975 made by this act to section 193.461, Florida Statutes, in
2976 references thereto, paragraph (a) of subsection (5) and
2977 paragraph (a) of subsection (6) of section 741.30, Florida
2978 Statutes, are reenacted to read:

2979 741.30 Domestic violence; injunction; powers and duties of
2980 court and clerk; petition; notice and hearing; temporary
2981 injunction; issuance of injunction; statewide verification
2982 system; enforcement; public records exemption.—

2983 (5)(a) If it appears to the court that an immediate and
2984 present danger of domestic violence exists, the court may grant
2985 a temporary injunction ex parte, pending a full hearing, and may
2986 grant such relief as the court deems proper, including an
2987 injunction:

2988 1. Restraining the respondent from committing any acts of
2989 domestic violence.

2990 2. Awarding to the petitioner the temporary exclusive use
2991 and possession of the dwelling that the parties share or
2992 excluding the respondent from the residence of the petitioner.

2993 3. On the same basis as provided in s. 61.13, providing the
2994 petitioner a temporary parenting plan, including a time-sharing
2995 schedule, which may award the petitioner up to 100 percent of
2996 the time-sharing. If temporary time-sharing is awarded to the
2997 respondent, the exchange of the child must occur at a neutral



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2998 safe exchange location as provided in s. 125.01(8) or a location
2999 authorized by a supervised visitation program as defined in s.
3000 753.01 if the court determines it is in the best interests of
3001 the child after consideration of all of the factors specified in
3002 s. 61.13(3). The temporary parenting plan remains in effect
3003 until the order expires or an order is entered by a court of
3004 competent jurisdiction in a pending or subsequent civil action
3005 or proceeding affecting the placement of, access to, parental
3006 time with, adoption of, or parental rights and responsibilities
3007 for the minor child.

3008 4. If the petitioner and respondent have an existing
3009 parenting plan or time-sharing schedule under another court
3010 order, designating that the exchange of the minor child or
3011 children of the parties must occur at a neutral safe exchange
3012 location as provided in s. 125.01(8) or a location authorized by
3013 a supervised visitation program as defined in s. 753.01 if the
3014 court determines it is in the best interests of the child after
3015 consideration of all of the factors specified in s. 61.13(3).

3016 5. Awarding to the petitioner the temporary exclusive care,
3017 possession, or control of an animal that is owned, possessed,
3018 harbored, kept, or held by the petitioner, the respondent, or a
3019 minor child residing in the residence or household of the
3020 petitioner or respondent. The court may order the respondent to
3021 temporarily have no contact with the animal and prohibit the
3022 respondent from taking, transferring, encumbering, concealing,
3023 harming, or otherwise disposing of the animal. This subparagraph
3024 does not apply to an animal owned primarily for a bona fide
3025 agricultural purpose, as defined under s. 193.461, or to a
3026 service animal, as defined under s. 413.08, if the respondent is



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3027 the service animal's handler.

3028 (6) (a) Upon notice and hearing, when it appears to the
3029 court that the petitioner is either the victim of domestic
3030 violence as defined by s. 741.28 or has reasonable cause to
3031 believe he or she is in imminent danger of becoming a victim of
3032 domestic violence, the court may grant such relief as the court
3033 deems proper, including an injunction:

3034 1. Restraining the respondent from committing any acts of
3035 domestic violence.

3036 2. Awarding to the petitioner the exclusive use and
3037 possession of the dwelling that the parties share or excluding
3038 the respondent from the residence of the petitioner.

3039 3. On the same basis as provided in chapter 61, providing
3040 the petitioner with 100 percent of the time-sharing in a
3041 temporary parenting plan that remains in effect until the order
3042 expires or an order is entered by a court of competent
3043 jurisdiction in a pending or subsequent civil action or
3044 proceeding affecting the placement of, access to, parental time
3045 with, adoption of, or parental rights and responsibilities for
3046 the minor child.

3047 4. If the petitioner and respondent have an existing
3048 parenting plan or time-sharing schedule under another court
3049 order, designating that the exchange of the minor child or
3050 children of the parties must occur at a neutral safe exchange
3051 location as provided in s. 125.01(8) or a location authorized by
3052 a supervised visitation program as defined in s. 753.01 if the
3053 court determines it is in the best interests of the child after
3054 consideration of all of the factors specified in s. 61.13(3).

3055 5. On the same basis as provided in chapter 61,



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3056 establishing temporary support for a minor child or children or
3057 the petitioner. An order of temporary support remains in effect
3058 until the order expires or an order is entered by a court of
3059 competent jurisdiction in a pending or subsequent civil action
3060 or proceeding affecting child support.

3061 6. Ordering the respondent to participate in treatment,
3062 intervention, or counseling services to be paid for by the
3063 respondent. When the court orders the respondent to participate
3064 in a batterers' intervention program, the court, or any entity
3065 designated by the court, must provide the respondent with a list
3066 of batterers' intervention programs from which the respondent
3067 must choose a program in which to participate.

3068 7. Referring a petitioner to a certified domestic violence
3069 center. The court must provide the petitioner with a list of
3070 certified domestic violence centers in the circuit which the
3071 petitioner may contact.

3072 8. Awarding to the petitioner the exclusive care,
3073 possession, or control of an animal that is owned, possessed,
3074 harbored, kept, or held by the petitioner, the respondent, or a
3075 minor child residing in the residence or household of the
3076 petitioner or respondent. The court may order the respondent to
3077 have no contact with the animal and prohibit the respondent from
3078 taking, transferring, encumbering, concealing, harming, or
3079 otherwise disposing of the animal. This subparagraph does not
3080 apply to an animal owned primarily for a bona fide agricultural
3081 purpose, as defined under s. 193.461, or to a service animal, as
3082 defined under s. 413.08, if the respondent is the service
3083 animal's handler.

3084 9. Ordering such other relief as the court deems necessary



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3085 for the protection of a victim of domestic violence, including
3086 injunctions or directives to law enforcement agencies, as
3087 provided in this section.

3088 Section 106. For the purpose of incorporating the amendment
3089 made by this act to section 193.461, Florida Statutes, in a
3090 reference thereto, paragraph (a) of subsection (5) of section
3091 810.011, Florida Statutes, is reenacted to read:

3092 810.011 Definitions.—As used in this chapter:

3093 (5) (a) "Posted land" is land upon which any of the
3094 following are placed:

3095 1. Signs placed not more than 500 feet apart along and at
3096 each corner of the boundaries of the land or, for land owned by
3097 a water control district that exists pursuant to chapter 298 or
3098 was created by special act of the Legislature, signs placed at
3099 or near the intersection of any district canal right-of-way and
3100 a road right-of-way or, for land classified as agricultural
3101 pursuant to s. 193.461, signs placed at each point of ingress
3102 and at each corner of the boundaries of the agricultural land,
3103 which prominently display in letters of not less than 2 inches
3104 in height the words "no trespassing" and the name of the owner,
3105 lessee, or occupant of the land. The signs must be placed along
3106 the boundary line of posted land in a manner and in such
3107 position as to be clearly noticeable from outside the boundary
3108 line; or

3109 2.a. A conspicuous no trespassing notice is painted on
3110 trees or posts on the property, provided that the notice is:

3111 (I) Painted in an international orange color and displaying
3112 the stenciled words "No Trespassing" in letters no less than 2
3113 inches high and 1 inch wide either vertically or horizontally;



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3114 (II) Placed so that the bottom of the painted notice is not
3115 less than 3 feet from the ground or more than 5 feet from the
3116 ground; and

3117 (III) Placed at locations that are readily visible to any
3118 person approaching the property and no more than 500 feet apart
3119 on agricultural land.

3120 b. When a landowner uses the painted no trespassing posting
3121 to identify a no trespassing area, those painted notices must be
3122 accompanied by signs complying with subparagraph 1. and must be
3123 placed conspicuously at all places where entry to the property
3124 is normally expected or known to occur.

3125 Section 107. For the purpose of incorporating the amendment
3126 made by this act to section 193.461, Florida Statutes, in a
3127 reference thereto, subsection (6) of section 823.14, Florida
3128 Statutes, is reenacted to read:

3129 823.14 Florida Right to Farm Act.—

3130 (6) LIMITATION ON DUPLICATION OF GOVERNMENT REGULATION.—It
3131 is the intent of the Legislature to eliminate duplication of
3132 regulatory authority over farm operations as expressed in this
3133 subsection. Except as otherwise provided for in this section and
3134 s. 487.051(2), and notwithstanding any other provision of law, a
3135 local government may not adopt any ordinance, regulation, rule,
3136 or policy to prohibit, restrict, regulate, or otherwise limit an
3137 activity of a bona fide farm operation on land classified as
3138 agricultural land pursuant to s. 193.461, where such activity is
3139 regulated through implemented best management practices or
3140 interim measures developed by the Department of Environmental
3141 Protection, the Department of Agriculture and Consumer Services,
3142 or water management districts and adopted under chapter 120 as



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3143 part of a statewide or regional program. When an activity of a
3144 farm operation takes place within a wellfield protection area as
3145 defined in any wellfield protection ordinance adopted by a local
3146 government, and the adopted best management practice or interim
3147 measure does not specifically address wellfield protection, a
3148 local government may regulate that activity pursuant to such
3149 ordinance. This subsection does not limit the powers and duties
3150 provided for in s. 373.4592 or limit the powers and duties of
3151 any local government to address an emergency as provided for in
3152 chapter 252.

3153 Section 108. For the purpose of incorporating the amendment
3154 made by this act to section 388.271, Florida Statutes, in a
3155 reference thereto, paragraph (a) of subsection (1) of section
3156 189.062, Florida Statutes, is reenacted to read:

3157 189.062 Special procedures for inactive districts.—

3158 (1) The department shall declare inactive any special
3159 district in this state by documenting that:

3160 (a) The special district meets one of the following
3161 criteria:

3162 1. The registered agent of the district, the chair of the
3163 governing body of the district, or the governing body of the
3164 appropriate local general-purpose government notifies the
3165 department in writing that the district has taken no action for
3166 2 or more years;

3167 2. The registered agent of the district, the chair of the
3168 governing body of the district, or the governing body of the
3169 appropriate local general-purpose government notifies the
3170 department in writing that the district has not had a governing
3171 body or a sufficient number of governing body members to



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3172 constitute a quorum for 2 or more years;

3173 3. The registered agent of the district, the chair of the
3174 governing body of the district, or the governing body of the
3175 appropriate local general-purpose government fails to respond to
3176 an inquiry by the department within 21 days;

3177 4. The department determines, pursuant to s. 189.067, that
3178 the district has failed to file any of the reports listed in s.
3179 189.066;

3180 5. The district has not had a registered office and agent
3181 on file with the department for 1 or more years;

3182 6. The governing body of a special district provides
3183 documentation to the department that it has unanimously adopted
3184 a resolution declaring the special district inactive. The
3185 special district is responsible for payment of any expenses
3186 associated with its dissolution;

3187 7. The district is an independent special district or a
3188 community redevelopment district created under part III of
3189 chapter 163 that has reported no revenue, no expenditures, and
3190 no debt under s. 189.016(9) or s. 218.32 for at least 5
3191 consecutive fiscal years beginning no earlier than October 1,
3192 2018. This subparagraph does not apply to a community
3193 development district established under chapter 190 or to any
3194 independent special district operating pursuant to a special act
3195 that provides that any amendment to chapter 190 to grant
3196 additional powers constitutes a power of that district; or

3197 8. For a mosquito control district created pursuant to
3198 chapter 388, the department has received notice from the
3199 Department of Agriculture and Consumer Services that the
3200 district has failed to file a tentative work plan and tentative



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3201 detailed work plan budget as required by s. 388.271.

3202 Section 109. For the purpose of incorporating the amendment
3203 made by this act to section 388.271, Florida Statutes, in a
3204 reference thereto, subsection (7) of section 388.261, Florida
3205 Statutes, is reenacted to read:

3206 388.261 State aid to counties and districts for arthropod
3207 control; distribution priorities and limitations.—

3208 (7) The department may use state funds appropriated for a
3209 county or district under subsection (1) or subsection (2) to
3210 provide state mosquito or other arthropod control equipment,
3211 supplies, or services when requested by a county or district
3212 eligible to receive state funds under s. 388.271.

3213 Section 110. For the purpose of incorporating the amendment
3214 made by this act to section 482.161, Florida Statutes, in a
3215 reference thereto, paragraph (b) of subsection (3) of section
3216 482.072, Florida Statutes, is reenacted to read:

3217 482.072 Pest control customer contact centers.—

3218 (3)

3219 (b) Notwithstanding any other provision of this section:

3220 1. A customer contact center licensee is subject to
3221 disciplinary action under s. 482.161 for a violation of this
3222 section or a rule adopted under this section committed by a
3223 person who solicits pest control services or provides customer
3224 service in a customer contact center.

3225 2. A pest control business licensee may be subject to
3226 disciplinary action under s. 482.161 for a violation of this
3227 section or a rule adopted under this section committed by a
3228 person who solicits pest control services or provides customer
3229 service in a customer contact center operated by a licensee if



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3230 the licensee participates in the violation.

3231 Section 111. For the purpose of incorporating the amendment
3232 made by this act to section 482.161, Florida Statutes, in a
3233 reference thereto, section 482.163, Florida Statutes, is
3234 reenacted to read:

3235 482.163 Responsibility for pest control activities of
3236 employee.—Proper performance of pest control activities by a
3237 pest control business employee is the responsibility not only of
3238 the employee but also of the certified operator in charge, and
3239 the certified operator in charge may be disciplined pursuant to
3240 the provisions of s. 482.161 for the pest control activities of
3241 an employee. A licensee may not automatically be considered
3242 responsible for violations made by an employee. However, the
3243 licensee may not knowingly encourage, aid, or abet violations of
3244 this chapter.

3245 Section 112. For the purpose of incorporating the amendment
3246 made by this act to section 487.044, Florida Statutes, in a
3247 reference thereto, section 487.156, Florida Statutes, is
3248 reenacted to read:

3249 487.156 Governmental agencies.—All governmental agencies
3250 shall be subject to the provisions of this part and rules
3251 adopted under this part. Public applicators using or supervising
3252 the use of restricted-use pesticides shall be subject to
3253 examination as provided in s. 487.044.

3254 Section 113. For the purpose of incorporating the amendment
3255 made by this act to section 496.405, Florida Statutes, in a
3256 reference thereto, subsection (2) of section 496.4055, Florida
3257 Statutes, is reenacted to read:

3258 496.4055 Charitable organization or sponsor board duties.—



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3259 (2) The board of directors, or an authorized committee
3260 thereof, of a charitable organization or sponsor required to
3261 register with the department under s. 496.405 shall adopt a
3262 policy regarding conflict of interest transactions. The policy
3263 shall require annual certification of compliance with the policy
3264 by all directors, officers, and trustees of the charitable
3265 organization. A copy of the annual certification shall be
3266 submitted to the department with the annual registration
3267 statement required by s. 496.405.

3268 Section 114. For the purpose of incorporating the amendment
3269 made by this act to section 496.405, Florida Statutes, in
3270 references thereto, subsections (2) and (4) of section 496.406,
3271 Florida Statutes, are reenacted to read:

3272 496.406 Exemption from registration.—

3273 (2) Before soliciting contributions, a charitable
3274 organization or sponsor claiming to be exempt from the
3275 registration requirements of s. 496.405 under paragraph (1)(d)
3276 must submit annually to the department, on forms prescribed by
3277 the department:

3278 (a) The name, street address, and telephone number of the
3279 charitable organization or sponsor, the name under which it
3280 intends to solicit contributions, the purpose for which it is
3281 organized, and the purpose or purposes for which the
3282 contributions to be solicited will be used.

3283 (b) The tax exempt status of the organization.

3284 (c) The date on which the organization's fiscal year ends.

3285 (d) The names, street addresses, and telephone numbers of
3286 the individuals or officers who have final responsibility for
3287 the custody of the contributions and who will be responsible for



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3288 the final distribution of the contributions.

3289 (e) A financial statement of support, revenue, and expenses
3290 and a statement of functional expenses that must include, but
3291 not be limited to, expenses in the following categories:
3292 program, management and general, and fundraising. In lieu of the
3293 financial statement, a charitable organization or sponsor may
3294 submit a copy of its Internal Revenue Service Form 990 and all
3295 attached schedules or Internal Revenue Service Form 990-EZ and
3296 Schedule O.

3297 (4) Exemption from the registration requirements of s.
3298 496.405 does not limit the applicability of other provisions of
3299 this section to a charitable organization or sponsor.

3300 Section 115. For the purpose of incorporating the amendment
3301 made by this act to section 500.12, Florida Statutes, in a
3302 reference thereto, paragraph (a) of subsection (1) of section
3303 500.80, Florida Statutes, is reenacted to read:

3304 500.80 Cottage food operations.—

3305 (1)(a) A cottage food operation must comply with the
3306 applicable requirements of this chapter but is exempt from the
3307 permitting requirements of s. 500.12 if the cottage food
3308 operation complies with this section and has annual gross sales
3309 of cottage food products that do not exceed \$250,000.

3310 Section 116. For the purpose of incorporating the amendment
3311 made by this act to section 500.172, Florida Statutes, in a
3312 reference thereto, subsection (6) of section 500.121, Florida
3313 Statutes, is reenacted to read:

3314 500.121 Disciplinary procedures.—

3315 (6) If the department determines that a food offered in a
3316 food establishment is labeled with nutrient claims that are in



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3317 violation of this chapter, the department shall retest or
3318 reexamine the product within 90 days after notification to the
3319 manufacturer and to the firm at which the product was collected.
3320 If the product is again found in violation, the department shall
3321 test or examine the product for a third time within 60 days
3322 after the second notification. The product manufacturer shall
3323 reimburse the department for the cost of the third test or
3324 examination. If the product is found in violation for a third
3325 time, the department shall exercise its authority under s.
3326 500.172 and issue a stop-sale or stop-use order. The department
3327 may impose additional sanctions for violations of this
3328 subsection.

3329 Section 117. For the purpose of incorporating the amendment
3330 made by this act to section 790.06, Florida Statutes, in a
3331 reference thereto, section 790.061, Florida Statutes, is
3332 reenacted to read:

3333 790.061 Judges and justices; exceptions from licensure
3334 provisions.—A county court judge, circuit court judge, district
3335 court of appeal judge, justice of the supreme court, federal
3336 district court judge, or federal court of appeals judge serving
3337 in this state is not required to comply with the provisions of
3338 s. 790.06 in order to receive a license to carry a concealed
3339 weapon or firearm, except that any such justice or judge must
3340 comply with the provisions of s. 790.06(2)(h). The Department of
3341 Agriculture and Consumer Services shall issue a license to carry
3342 a concealed weapon or firearm to any such justice or judge upon
3343 demonstration of competence of the justice or judge pursuant to
3344 s. 790.06(2)(h).

3345 Section 118. This act shall take effect July 1, 2025.



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to the Department of Agriculture and
Consumer Services; amending s. 110.205, F.S.;
providing that certain positions in the department are
exempt from the Career Service System; amending s.
163.3162, F.S.; defining terms; prohibiting
governmental entities from adopting or enforcing any
legislation that inhibits the construction of housing
for legally verified agricultural workers on
agricultural land operated as a bona fide farm;
requiring that the construction or installation of
such housing units on agricultural lands satisfies
certain criteria; requiring that local ordinances
comply with certain regulations; authorizing
governmental entities to adopt local land use
regulations that are less restrictive; requiring
property owners to maintain certain records for a
specified timeframe; requiring that use of a housing
site be discontinued and authorizing the removal of a
such site under certain circumstances; specifying
applicability of permit allocation systems in certain
areas of critical state concern; authorizing the
continued use of housing sites constructed before the
effective date of the act if certain conditions are



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3375 met; requiring the department to adopt certain rules;
3376 providing for enforcement; requiring the department to
3377 submit certain information to the State Board of
3378 Immigration Enforcement on a certain schedule;
3379 amending s. 201.25, F.S.; conforming a provision to
3380 changes made by the act; amending s. 253.0341, F.S.;
3381 authorizing the department to surplus certain lands
3382 determined to be suitable for bona fide agricultural
3383 production; requiring the department to consult with
3384 the Department of Environmental Protection before
3385 making such determination; requiring the Department of
3386 Agriculture and Consumer Services to retain a rural-
3387 lands-protection easement for all surplus lands and
3388 deposit all proceeds into a specified trust fund;
3389 requiring the department to provide a report of lands
3390 surplus to the board of trustees; providing that
3391 certain lands are ineligible to be surplus;
3392 providing for retroactive applicability; amending s.
3393 330.41, F.S.; defining terms; prohibiting a person
3394 from knowingly or willfully performing certain actions
3395 on lands classified as agricultural; providing
3396 criminal penalties; providing applicability;
3397 prohibiting a person from knowingly or willfully
3398 performing certain actions on private property, state
3399 wildlife management lands, or a sport shooting and
3400 training range; providing criminal penalties;
3401 providing applicability; creating s. 366.20, F.S.;;
3402 requiring that certain lands acquired or owned by an
3403 electric utility be offered for fee simple acquisition



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3404 by the department before the land may be offered for
3405 sale or transfer to a private individual or entity;
3406 providing retroactive applicability; amending s.
3407 366.94, F.S.; defining the term "electric vehicle
3408 charging station"; authorizing the department to adopt
3409 rules; requiring local governmental entities to issue
3410 permits for electric vehicle charging stations based
3411 on specified standards and provisions of law;
3412 requiring that an electric vehicle charger be
3413 registered with the department before being placed
3414 into service for use by the public; providing the
3415 department with certain authority relating to electric
3416 vehicle charging stations; providing a penalty;
3417 authorizing the department to issue an immediate final
3418 order to an electric vehicle charging station under
3419 certain circumstances; providing that the department
3420 may bring an action to enjoin a violation of specified
3421 provisions or rules; requiring the court to issue a
3422 temporary or permanent injunction under certain
3423 circumstances; amending s. 388.011, F.S.; revising the
3424 definition of the terms "board of commissioners" and
3425 "district"; defining the term "program"; amending s.
3426 388.021, F.S.; making a technical change; amending s.
3427 388.181, F.S.; authorizing programs to perform
3428 specified actions; amending s. 388.201, F.S.;
3429 conforming provisions to changes made by the act;
3430 requiring that the tentative work plan budget covering
3431 the proposed operations and requirements for arthropod
3432 control measures show the estimated amount to be



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3433 raised by county, municipality, or district taxes;
3434 requiring that county commissioners' or a similar
3435 governing body's mosquito control budget be made and
3436 adopted pursuant to specified provisions and requiring
3437 that summary figures be incorporated into the county
3438 budgets as prescribed by the department; amending s.
3439 388.241, F.S.; providing that certain rights, powers,
3440 and duties be vested in the board of county
3441 commissioners or similar governing body of a county,
3442 city, or town; amending s. 388.261, F.S.; increasing
3443 the amount of state funds, supplies, services, or
3444 equipment for a certain number of years for any new
3445 program for the control of mosquitos and other
3446 arthropods which serves an area not previously served
3447 by a county, municipality, or district; conforming a
3448 provision to changes made by the act; amending s.
3449 388.271, F.S.; requiring each program participating in
3450 arthropod control activities to file a tentative
3451 integrated arthropod management plan with the
3452 department by a specified date; conforming provisions
3453 to changes made by the act; amending s. 388.281, F.S.;
3454 requiring that all funds, supplies, and services
3455 released to programs be used in accordance with the
3456 integrated arthropod management plan and certified
3457 budget; requiring that such integrated arthropod
3458 management plan and certified budget be approved by
3459 both the department and the board of county
3460 commissioners and an appropriate representative;
3461 conforming provisions to changes made by the act;



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3462 amending s. 388.291, F.S.; providing that a program
3463 may perform certain source reduction measures in any
3464 area providing that the department has approved the
3465 operating or construction plan as outlined in the
3466 integrated arthropod management plan; conforming
3467 provisions to changes made by the act; amending s.
3468 388.301, F.S.; revising the schedule by which state
3469 funds for the control of mosquitos and other
3470 arthropods may be paid; conforming provisions to
3471 changes made by the act; amending s. 388.311, F.S.;;
3472 conforming provisions to changes made by the act;
3473 amending s. 388.321, F.S.; conforming provisions to
3474 changes made by the act; amending s. 388.322, F.S.;;
3475 requiring the department to maintain a record and
3476 inventory of certain property purchased with state
3477 funds for arthropod control use; conforming provisions
3478 to changes made by the act; amending s. 388.323, F.S.;;
3479 providing that certain equipment no longer needed by a
3480 program be first offered for sale to other programs
3481 engaged in arthropod control at a specified price;
3482 requiring that all proceeds from the sale of certain
3483 property owned by a program and purchased using state
3484 funds be deposited in the program's state fund
3485 account; conforming provisions to changes made by the
3486 act; amending s. 388.341, F.S.; requiring a program
3487 receiving state aid to submit a monthly report of all
3488 expenditures from all funds for arthropod control by a
3489 specified timeframe as may be required by the
3490 department; conforming provisions to changes made by



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3491 the act; amending s. 388.351, F.S.; conforming
3492 provisions to changes made by the act; amending s.
3493 388.361, F.S.; conforming provisions to changes made
3494 by the act; amending s. 388.3711, F.S.; revising the
3495 department's enforcement powers; amending s. 388.381,
3496 F.S.; conforming provisions to changes made by the
3497 act; amending s. 388.391, F.S.; conforming provisions
3498 to changes made by the act; amending s. 388.401, F.S.;
3499 conforming provisions to changes made by the act;
3500 amending s. 388.46, F.S.; revising the composition of
3501 the Florida Coordinating Council on Mosquito Control;
3502 amending s. 403.067, F.S.; providing an exception for
3503 inspection requirements for certain agricultural
3504 producers; authorizing the department to adopt rules
3505 establishing an enrollment in best management
3506 practices by rule process; authorizing the department
3507 to identify best management practices for specified
3508 landowners; requiring the department to perform onsite
3509 inspections annually of a certain percentage of all
3510 enrollments that meet specified qualifications within
3511 a specified area; providing requirements for such
3512 inspections; requiring agricultural producers enrolled
3513 by rule in a best management practice to submit
3514 nutrient records annually to the department; requiring
3515 the department to collect and retain such records;
3516 amending s. 403.852, F.S.; defining the term "water
3517 quality additive"; amending s. 403.859, F.S.;
3518 providing that the use of certain additives in a water
3519 system which do not meet the definition of water



3520 quality additive or certain other additives is
3521 prohibited and violates specified provisions; amending
3522 s. 482.111, F.S.; revising requirements for the
3523 renewal of a pest control operator's certificate;
3524 authorizing a third-party vendor to collect and retain
3525 a convenience fee; amending s. 482.141, F.S.;
3526 requiring the department to provide in-person and
3527 remote testing for the examination through a third-
3528 party vendor for an individual seeking pest control
3529 operator certification; authorizing a third-party
3530 vendor to collect and retain a convenience fee;
3531 amending s. 482.155, F.S.; requiring the department to
3532 provide in-person and remote testing for the
3533 examination through a third-party vendor for an
3534 individual seeking limited certification for a
3535 governmental pesticide applicator or a private
3536 applicator; authorizing a third-party vendor to
3537 collect and retain a convenience fee; deleting
3538 provisions requiring the department to make such
3539 examination readily accessible and available to all
3540 applicants on a specified schedule; amending s.
3541 482.156, F.S.; requiring the department to provide in-
3542 person and remote testing for the examination through
3543 a third-party vendor for an individual seeking a
3544 limited certification for commercial landscape
3545 maintenance; authorizing a third-party vendor to
3546 collect and retain a convenience fee; deleting
3547 provisions requiring the department to make such
3548 examination readily accessible and available to all



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3549 applicants on a specified schedule; amending s.
3550 482.157, F.S.; revising requirements for issuance of a
3551 limited certification for commercial wildlife
3552 management personnel; authorizing a third-party vendor
3553 to collect and retain a convenience fee; deleting
3554 provisions requiring the department to make an
3555 examination readily accessible and available to all
3556 applicants on a specified schedule; amending s.
3557 482.161, F.S.; authorizing the department to take
3558 specified disciplinary action upon the issuance of a
3559 final order imposing civil penalties or a criminal
3560 conviction pursuant to the Federal Insecticide,
3561 Fungicide, and Rodenticide Act; amending s. 487.044,
3562 F.S.; requiring the department to provide in-person
3563 and remote testing through a third-party vendor for
3564 the examination of an individual seeking a limited
3565 certification for pesticide application; authorizing a
3566 third-party vendor to collect and retain a convenience
3567 fee; amending s. 487.175, F.S.; providing that the
3568 department may suspend, revoke, or deny licensure of a
3569 pesticide applicator upon issuance of a final order to
3570 a licensee which imposes civil penalties or a criminal
3571 conviction under the Federal Insecticide, Fungicide,
3572 and Rodenticide Act; amending s. 496.404, F.S.;
3573 defining the terms "foreign country of concern" and
3574 "foreign source of concern"; amending s. 496.405,
3575 F.S.; revising which documents a charitable
3576 organization or sponsor must file before engaging in
3577 specified activities; requiring that any changes to



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3578 such documents be reported to the department on a
3579 specified form in a specified timeframe; revising the
3580 requirements of the charitable organization's initial
3581 registration statement; authorizing the department to
3582 investigate or refer to the Florida Elections
3583 Commission certain violations of the charitable
3584 organization or sponsor; amending s. 496.415, F.S.;
3585 prohibiting specified persons from soliciting or
3586 accepting anything of value from a foreign source of
3587 concern; amending s. 496.417, F.S.; authorizing the
3588 department to investigate or refer to the Florida
3589 Elections Commission certain violations of a
3590 charitable organization or sponsor; amending s.
3591 496.419, F.S.; providing penalties for a charitable
3592 organization or sponsor whose registration is denied
3593 or revoked for submitting a false attestation;
3594 creating s. 496.431, F.S.; requiring the department to
3595 create the Honest Service Registry to provide
3596 residents with information relating to charitable
3597 organizations; requiring a charitable organization
3598 included in the Honest Services Registry to submit an
3599 attestation statement to the department; requiring the
3600 department to publish the Honest Services Registry on
3601 the department's website; requiring the department to
3602 adopt rules; amending s. 500.03, F.S.; revising the
3603 definition of the term "cottage food product";
3604 amending s. 500.12, F.S.; providing that the
3605 department requires a food permit from any person or
3606 business that operates a food establishment; revising



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3607 exceptions; revising the schedule for renewing certain
3608 food permits; authorizing the department to establish
3609 a single permit renewal date for certain food
3610 establishments; amending s. 500.166, F.S.; requiring
3611 certain persons engaged in interstate commerce to
3612 retain all records that show certain information for a
3613 specified timeframe; amending s. 500.172, F.S.;

3614 authorizing the department to facilitate the
3615 destruction of certain articles that violate specified
3616 provisions; prohibiting certain persons from certain
3617 actions without permission from, or in accord with a
3618 written agreement with, the department; creating s.
3619 500.75, F.S.; providing that it is unlawful to import,
3620 sell, offer for sale, furnish, or give away certain
3621 spores or mycelium; providing a penalty for
3622 violations; creating s. 500.93, F.S.; defining terms;
3623 requiring the department to adopt rules to enforce the
3624 Food and Drug Administration's standard of identity
3625 for milk, meat, poultry, and poultry products, and
3626 eggs and egg products to prohibit the sale of plant-
3627 based products mislabeled as milk, meat, poultry, or
3628 poultry products, or egg or egg products; providing
3629 contingent effective dates; requiring the department
3630 to adopt rules; providing construction; repealing s.
3631 501.135, F.S., relating to consumer unit pricing;
3632 amending s. 501.912, F.S.; revising the definition of
3633 the term "antifreeze"; creating s. 525.19, F.S.;

3634 requiring the department to create an annual petroleum
3635 registration program for petroleum owners or



3636 operators; requiring the department to adopt rules for
3637 such registration which include specified information;
3638 requiring that the registration program be free for
3639 all registrants; authorizing the department to require
3640 registrants to provide certain information during a
3641 state of emergency; creating s. 526.147, F.S.;

3642 creating the Florida Retail Fuel Transfer Switch
3643 Modernization Grant Program within the department;
3644 requiring the grant program to provide funds up to a
3645 certain amount to be used for installation and
3646 equipment costs related to installing or modernizing
3647 transfer switch infrastructure at retail fuel
3648 facilities; requiring the department to award funds
3649 based on specified criteria; requiring retail fuel
3650 facilities awarded grant funds to comply with
3651 specified provisions; requiring such facilities to
3652 install a transfer switch with specified capabilities;
3653 requiring retail fuel facilities to provide specified
3654 documentation before being awarded funding;
3655 prohibiting certain facilities from being awarded
3656 funding; requiring the department, in consultation
3657 with the Division of Emergency Management, to adopt
3658 rules; requiring that such rules include specified
3659 information; amending s. 531.48, F.S.; requiring that
3660 certain packages bear specified information on the
3661 outside of the package; amending s. 531.49, F.S.;

3662 revising requirements for the advertising of a
3663 packaged commodity; amending s. 570.07, F.S.;

3664 requiring the department to foster and encourage the



3665 employment and retention of qualified veterinary
3666 pathologists; providing that the department may
3667 reimburse the educational expenses of certain
3668 veterinary pathologists who enter into a certain
3669 agreement with the department; requiring the
3670 department to adopt certain rules; requiring the
3671 department to extend certain opportunities to public
3672 school students enrolled in agricultural education to
3673 support Future Farmers of America programming;
3674 requiring the department to use contracts procured by
3675 agencies; defining the term "agency"; amending s.
3676 570.544, F.S.; revising which provisions the director
3677 of the Division of Consumer Services must enforce;
3678 creating s. 570.546, F.S.; authorizing the department
3679 to create a process for the bulk renewal of licenses;
3680 authorizing the department to create a process that
3681 will allow licensees to align the expiration dates of
3682 licenses within a specified program; authorizing the
3683 department to change the expiration date for current
3684 licenses for a certain purpose; requiring the
3685 department to prorate the licensing fee for certain
3686 licenses; requiring the department to adopt rules;
3687 amending s. 570.694, F.S.; creating the Florida
3688 Aquaculture Foundation as a direct support
3689 organization within the department; providing the
3690 purpose of the foundation; providing governance for
3691 the foundation; authorizing the department to appoint
3692 an advisory committee adjunct to the foundation;
3693 amending s. 570.822, F.S.; revising the definition of



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3694 the terms "declared natural disaster" and "program";
3695 providing that loan funds from the department may be
3696 used to restock aquaculture; authorizing the
3697 department to renew a loan application under certain
3698 circumstances; authorizing the department to defer or
3699 waive loan payments under certain circumstances;
3700 conforming provisions to changes made by the act;
3701 creating s. 570.823, F.S.; defining terms;
3702 establishing the silviculture emergency recovery
3703 program within the department to administer a grant
3704 program to assist certain timber landowners; requiring
3705 that such grants be used for certain purposes;
3706 requiring that only timber lands located on
3707 agricultural property are eligible for the program;
3708 requiring the department to coordinate with state
3709 agencies to provide financial assistance to timber
3710 landowners after a specified declared emergency;
3711 providing construction; authorizing the department to
3712 adopt rules to implement this section; providing
3713 construction; amending s. 581.1843, F.S.; deleting
3714 provisions that exclude certain citrus nurseries from
3715 certain requirements; deleting provisions relating to
3716 regulated areas around the perimeter of commercial
3717 citrus nurseries; repealing ss. 593.101, 593.102,
3718 593.103, 593.104, 593.105, 593.106, 593.107, 593.108,
3719 593.109, 593.11, 593.111, 593.112, 593.113, 593.114,
3720 593.1141, 593.1142, 593.115, 593.116, and 593.117,
3721 F.S., relating to the Florida Boll Weevil Eradication
3722 Law; definitions; powers and duties of Department of



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3723 Agriculture and Consumer Services; the entry of
3724 premises to carry out boll weevil eradication
3725 activities and inspections; reports by persons growing
3726 cotton; quarantine areas and the regulation of
3727 articles within a boll weevil eradication zone; the
3728 regulation of collection, transportation,
3729 distribution, and movement of cotton; cooperative
3730 programs for persons engaged in growing, processing,
3731 marketing, or handling cotton; the department's
3732 authority to designate eradication zones, prohibit
3733 planting of cotton, and require participation in
3734 eradication program; regulation of the pasturage of
3735 livestock, entry by persons, and location of honeybee
3736 colonies in eradication zones and other areas;
3737 eligibility for certification of cotton growers'
3738 organization; the certification of cotton growers'
3739 organization; a referendum; an assessment; the
3740 department's authority to enter agreements with the
3741 Farm Service Agency; liens; mandamus or injunction;
3742 penalty for violation; and the handling of moneys
3743 received, respectively; amending s. 595.404, F.S.;
3744 revising the department's powers and duties regarding
3745 school nutrition programs; amending s. 599.002, F.S.;
3746 renaming the Viticulture Advisory Council as the
3747 Florida Wine Advisory Council; revising the membership
3748 of the Florida Wine Advisory Council; conforming
3749 provisions to changes made by the act; amending s.
3750 599.003, F.S.; renaming the State Viticulture Plan as
3751 the State Wine Plan; conforming provisions to changes



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3752 made by the act; amending s. 599.004, F.S.; making
3753 technical changes; providing that wineries that fail
3754 to recertify annually or pay a specified licensing fee
3755 are subject to certain actions and costs; conforming
3756 provisions to changes made by the act; amending s.
3757 599.012, F.S.; conforming provisions to changes made
3758 by the act; amending s. 616.12, F.S.; deleting
3759 provisions requiring a person who operates a minstrel
3760 show in connection with any certain public fairs to
3761 pay specified license taxes; deleting a provision that
3762 exempts such person from paying specified taxes;
3763 creating s. 687.16, F.S.; providing a short title;
3764 defining terms; prohibiting a financial institution
3765 from discriminating in the provision of financial
3766 services to an agricultural producer based on an ESG
3767 factor; providing an inference with regard to a
3768 certain violation; providing that the financial
3769 institution may overcome the inference by making
3770 certain demonstrations regarding its denial or
3771 restriction of financial services to an agricultural
3772 producer; authorizing the Attorney General to enforce
3773 specified provisions; providing that a violation of
3774 specified provisions constitutes an unfair and
3775 deceptive trade practice; authorizing the Attorney
3776 General to investigate and seek remedies for such
3777 unfair trade practices; authorizing an aggrieved party
3778 to seek an action for damages; amending s. 741.0305,
3779 F.S.; conforming a cross-reference; amending s.
3780 790.06, F.S.; revising the circumstances under which



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3781 the department may temporarily suspend a person's
3782 license to carry a concealed weapon or concealed
3783 firearm or the processing of an application for such
3784 license; requiring the department to notify certain
3785 licensees or applicants of his or her right to a
3786 hearing; requiring that the hearing regarding such
3787 suspension of license be for a limited purpose;
3788 requiring the department to issue an order lifting the
3789 suspension of an applicant's license upon a certain
3790 disposition of the criminal case; requiring that the
3791 suspension remain in effect upon a certain disposition
3792 of the criminal case; providing construction;
3793 providing legislative findings; revising the duties of
3794 the department after the date of receipt of a
3795 completed application for a license to carry a
3796 concealed weapon or concealed firearm; requiring that
3797 a license issued under this section be temporarily
3798 suspended or revoked if the license was issued in
3799 error or if the licensee commits certain actions;
3800 amending s. 812.0151, F.S.; revising the elements of
3801 third degree and second degree felony retail fuel
3802 theft; creating s. 812.136, F.S.; defining terms;
3803 providing elements for the crime of mail theft;
3804 providing elements of theft of or unauthorized
3805 reproduction of a mail depository key or lock;
3806 providing criminal penalties; amending s. 934.50,
3807 F.S.; deleting certain exceptions from the prohibited
3808 uses of drones; creating s. 1013.373, F.S.;

3809 prohibiting a local government from adopting any



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3810 measure to limit the activities of public educational
3811 facilities or auxiliary facilities constructed by
3812 certain organizations; requiring that lands used for
3813 agricultural education or for the Future Farmers of
3814 America or 4-H activities be considered agricultural
3815 lands; reenacting s. 295.07(5)(a), F.S., relating to
3816 preference in appointment and retention, to
3817 incorporate the amendment made to s. 110.205, F.S., in
3818 a reference thereto; reenacting ss. 125.01(1)(r),
3819 163.3162(3)(a) through (d), 163.3163(3)(c),
3820 163.3164(4), 163.3194(5), 170.01(4), 193.052(2),
3821 193.4615, 212.08(5)(a) and (19)(a), 373.406(2),
3822 403.182(11)(a), 403.9337(4), 472.029(2)(d),
3823 474.2021(5), 474.2165(4)(d), 487.081(6), 570.85(1),
3824 570.87(1), 570.94(3), 582.19(1)(a), 586.055,
3825 604.50(2)(a) and (d), 604.73(3)(b), 692.201(1),
3826 741.30(5)(a) and (6)(a), 810.011(5)(a), and 823.14(6),
3827 F.S., relating to powers and duties; agricultural
3828 lands and practices; applications for development
3829 permits; community planning act; legal status of
3830 comprehensive plan; authority for providing
3831 improvements and levying and collecting special
3832 assessments against property benefited; preparation
3833 and serving of returns; assessment of obsolete
3834 agricultural equipment; storage tax; exemptions; local
3835 pollution control programs; the Model Ordinance for
3836 Florida-Friendly Fertilizer Use on Urban Landscapes;
3837 authorization to enter lands of third parties;
3838 veterinary telehealth; ownership and control of



3839 veterinary medical patient records; exemptions;
3840 agritourism; agritourism participation impact on land
3841 classification; best management practices for
3842 wildlife; qualifications and tenure of supervisors;
3843 location of apiaries; nonresidential farm buildings;
3844 urban agriculture pilot projects; definitions;
3845 domestic violence; definitions; and the Florida Right
3846 to Farm Act, respectively, to incorporate the
3847 amendment made to s. 193.461, F.S., in references
3848 thereto; reenacting ss. 189.062(1)(a) and 388.261(7),
3849 F.S., relating to special procedures for inactive
3850 districts and state aid to counties and districts for
3851 arthropod control, respectively, to incorporate the
3852 amendment made to s. 388.271, F.S., in references
3853 thereto; reenacting ss. 482.072(3)(b) and 482.163,
3854 F.S., relating to pest control customer contact
3855 centers and responsibility for pest control activities
3856 of employee, respectively, to incorporate the
3857 amendment made to s. 482.161, F.S., in references
3858 thereto; reenacting s. 487.156, F.S., relating to
3859 governmental agencies, to incorporate the amendment
3860 made to s. 487.044, F.S., in a reference thereto;
3861 reenacting ss. 496.4055(2) and 496.406(2) and (4),
3862 F.S., relating to charitable organization or sponsor
3863 board duties and exemption from registration,
3864 respectively, to incorporate the amendment made to s.
3865 496.405, F.S., in references thereto; reenacting s.
3866 500.80(1)(a), F.S., relating to cottage food
3867 operations, to incorporate the amendment made to s.



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3868 500.12, F.S., in a reference thereto; reenacting s.
3869 500.121(6), F.S., relating to disciplinary procedures,
3870 to incorporate the amendment made to s. 500.172, F.S.,
3871 in a reference thereto; reenacting s. 790.061, F.S.,
3872 relating to judges and justices, to incorporate the
3873 amendment made to s. 790.06, F.S., in a reference
3874 thereto; providing an effective date.

By Senator Truenow

13-00671B-25

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1 A bill to be entitled
 2 An act relating to the Department of Agriculture and
 3 Consumer Services; amending s. 110.205, F.S.;
 4 providing that certain positions in the department are
 5 exempt from the Career Service System; amending s.
 6 186.801, F.S.; requiring an electric utility to submit
 7 a 10-year site plan for a proposed power plant on
 8 certain lands to the county commission where such
 9 proposed power plant is located; requiring a county
 10 commission receiving such site plans to fulfill
 11 certain requirements; amending s. 193.461, F.S.;
 12 revising requirements for land to be classified as
 13 agricultural; amending s. 201.25, F.S.; conforming a
 14 provision to changes made by the act; amending s.
 15 330.41, F.S.; defining terms; prohibiting a person
 16 from knowingly or willfully performing certain actions
 17 on lands classified as agricultural; providing
 18 criminal penalties; providing applicability;
 19 prohibiting a person from knowingly or willfully
 20 performing certain actions on private property, state
 21 wildlife management lands, or a sport shooting and
 22 training range; providing criminal penalties;
 23 providing applicability; creating s. 366.20, F.S.;
 24 requiring that certain lands acquired by an electric
 25 utility be offered for sale for less than fee simple
 26 acquisition of development rights by the state;
 27 requiring that certain lands owned by an electric
 28 utility be offered for sale for less than fee simple
 29 acquisition of development rights by this state before

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30 certain circumstances; providing retroactive
 31 applicability; amending s. 366.94, F.S.; defining the
 32 term "electric vehicle charging station"; authorizing
 33 the department to adopt rules; requiring local
 34 governmental entities to issue permits for electric
 35 vehicle charging stations based on specified standards
 36 and provisions of law; requiring an electric vehicle
 37 charger to register with the department before being
 38 placed into service for use by the public; providing
 39 the department with certain authority relating to
 40 electric vehicle charging stations; providing a
 41 penalty; authorizing the department to issue an
 42 immediate final order to an electric vehicle charging
 43 station under certain circumstances; providing that
 44 the department may bring an action to enjoin a
 45 violation of specified provisions or rules; requiring
 46 the court to issue a temporary or permanent injunction
 47 under certain circumstances; amending s. 388.011,
 48 F.S.; revising the definition of "board of
 49 commissioners"; defining the term "program"; amending
 50 s. 388.021, F.S.; making a technical change; amending
 51 s. 388.181, F.S.; authorizing programs to perform
 52 specified actions; amending s. 388.201, F.S.;
 53 conforming provisions to changes made by the act;
 54 requiring that the tentative work plan budget covering
 55 the proposed operations and requirements for arthropod
 56 control measures show the estimated amount to be
 57 raised by county, municipality, or district taxes;
 58 requiring that county commissioners' or a similar

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59 governing body's mosquito control budget be made and
 60 adopted pursuant to specified provisions and requiring
 61 that summary figures be incorporated into the county
 62 budgets as prescribed by the department; amending s.
 63 388.241, F.S.; providing that certain rights, powers,
 64 and duties be vested in the board of county
 65 commissioners or similar governing body of a county,
 66 city, or town; amending s. 388.261, F.S.; increasing
 67 the amount of state funds, supplies, services, or
 68 equipment for a certain number of years for any new
 69 program for the control of mosquitos and other
 70 arthropods which serves an area not previously served
 71 by a county, municipality, or district; conforming a
 72 provision to changes made by the act; amending s.
 73 388.271, F.S.; requiring each program participating in
 74 arthropod control activities to file a tentative
 75 integrated arthropod management plan with the
 76 department by a specified date; conforming provisions
 77 with changes made by the act; amending s. 388.281,
 78 F.S.; requiring that all funds, supplies, and services
 79 released to programs be used in accordance with the
 80 integrated arthropod management plan and certified
 81 budget; requiring that such integrated arthropod
 82 management plan and certified budget be approved by
 83 both the board of county commissioners and appropriate
 84 representative; conforming provisions to changes made
 85 by the act; amending s. 388.291, F.S.; providing that
 86 a program may perform certain source reduction
 87 measures in any area providing that the department has

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88 approved the operating or construction plan as
 89 outlined in the integrated arthropod management plan;
 90 conforming provisions to changes made by the act;
 91 amending s. 388.301, F.S.; revising the schedule by
 92 which state funds for the control of mosquitos and
 93 other arthropods may be paid; conforming provisions to
 94 changes made by the act; amending s. 388.311, F.S.;
 95 conforming provisions to changes made by the act;
 96 amending s. 388.321, F.S.; conforming provisions to
 97 changes made by the act; amending s. 388.322, F.S.;
 98 requiring the department to maintain a record and
 99 inventory of certain property purchased with state
 100 funds for arthropod control use; conforming provisions
 101 to changes made by the act; amending s. 388.323, F.S.;
 102 providing that certain equipment no longer needed by a
 103 program be first offered for sale to other programs
 104 engaged in arthropod control at a specified price;
 105 requiring that all proceeds from the sale of certain
 106 property owned by a program and purchased using state
 107 funds be deposited in the program's state fund
 108 account; conforming provisions to changes made by the
 109 act; amending s. 388.341, F.S.; requiring a program
 110 receiving state aid to submit a monthly report of all
 111 expenditures from all funds for arthropod control by a
 112 specified timeframe as may be required by the
 113 department; conforming provisions to changes made by
 114 the act; amending s. 388.351, F.S.; conforming
 115 provisions to changes made by the act; amending s.
 116 388.361, F.S.; conforming provisions to changes made

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117 by the act; amending s. 388.3711, F.S.; revising the
 118 department's enforcement powers; amending s. 388.381,
 119 F.S.; conforming provisions to changes made by the
 120 act; amending s. 388.391, F.S.; conforming provisions
 121 to changes made by the act; amending s. 388.401, F.S.;
 122 conforming provisions to changes made by the act;
 123 amending s. 388.46, F.S.; revising the composition of
 124 the Florida Coordinating Council on Mosquito Control;
 125 amending s. 403.067, F.S.; providing an exception for
 126 inspection requirements for certain agricultural
 127 producers; authorizing the department to adopt rules
 128 establishing an enrollment in best management
 129 practices by rule process; authorizing the department
 130 to identify best management practices for specified
 131 landowners; requiring the department to annually
 132 perform onsite inspections of a certain percentage of
 133 all enrollments that meet specified qualifications
 134 within a specified area; providing requirements for
 135 such inspections; requiring agricultural producers
 136 enrolled by rule in a best management practice to
 137 annually submit nutrient records to the department;
 138 requiring the department to collect and retain such
 139 records; amending s. 403.852, F.S.; defining the term
 140 "water quality additive"; amending s. 403.859, F.S.;
 141 providing that the use of certain additives in a water
 142 system which do not meet the definition of water
 143 quality additive or certain other additives is
 144 prohibited and violates specified provisions; amending
 145 s. 482.111, F.S.; revising requirements for the

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146 renewal of a pest control operator's certificate;
 147 authorizing a third-party vendor to collect and retain
 148 a convenience fee; amending s. 482.141, F.S.;
 149 requiring the department to provide in-person and
 150 remote testing for the examination through a third-
 151 party vendor for an individual seeking pest control
 152 operator certification; authorizing a third-party
 153 vendor to collect and retain a convenience fee;
 154 amending s. 482.155, F.S.; requiring the department to
 155 provide in-person and remote testing for the
 156 examination through a third-party vendor for an
 157 individual seeking limited certification for a
 158 governmental pesticide applicator or a private
 159 applicator; authorizing a third-party vendor to
 160 collect and retain a convenience fee; deleting
 161 provisions requiring the department to make such
 162 examination readily accessible and available to all
 163 applicants on a specified schedule; amending s.
 164 482.156, F.S.; requiring the department to provide in-
 165 person and remote testing for the examination through
 166 a third-party vendor for an individual seeking a
 167 limited certification for commercial landscape
 168 maintenance; authorizing a third-party vendor to
 169 collect and retain a convenience fee; deleting
 170 provisions requiring the department to make such
 171 examination readily accessible and available to all
 172 applicants on a specified schedule; amending s.
 173 482.157, F.S.; revising requirements for issuance of a
 174 limited certification for commercial wildlife

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175 management personnel; authorizing a third-party vendor
 176 to collect and retain a convenience fee; deleting
 177 provisions requiring the department to make an
 178 examination readily accessible and available to all
 179 applicants on a specified schedule; amending s.
 180 482.161, F.S.; authorizing the department to take
 181 specified disciplinary action upon the issuance of a
 182 final order imposing civil penalties or a criminal
 183 conviction pursuant to the Federal Insecticide,
 184 Fungicide, and Rodenticide Act; amending s. 487.044,
 185 F.S.; requiring the department to provide in-person
 186 and remote testing through a third-party vendor for
 187 the examination of an individual seeking a limited
 188 certification for pesticide application; authorizing a
 189 third-party vendor to collect and retain a convenience
 190 fee; amending s. 487.175, F.S.; providing that the
 191 department may suspend, revoke, or deny licensure of a
 192 pesticide applicator upon issuance of a final order to
 193 a licensee which imposes civil penalties or a criminal
 194 conviction under the Federal Insecticide, Fungicide,
 195 and Rodenticide Act; amending s. 496.404, F.S.;
 196 defining the terms "foreign country of concern" and
 197 "foreign source of concern"; amending s. 496.405,
 198 F.S.; revising which documents a charitable
 199 organization or sponsor must file before engaging in
 200 specified activities; requiring that any changes to
 201 such documents be reported to the department on a
 202 specified form in a specified timeframe; revising the
 203 requirements of the charitable organization's initial

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204 registration statement; authorizing the department to
 205 investigate or refer to the Florida Elections
 206 Commission certain violations of the charitable
 207 organization or sponsor; amending s. 496.415, F.S.;
 208 prohibiting specified persons from soliciting or
 209 accepting anything of value from a foreign source of
 210 concern; amending s. 496.417, F.S.; authorizing the
 211 department to investigate or refer to the Florida
 212 Elections Commission certain violations of a
 213 charitable organization or sponsor; amending s.
 214 496.419, F.S.; prohibiting a charitable organization
 215 or sponsor from registering as a charitable
 216 organization for a specified timeframe if the
 217 charitable organization or sponsor submits a false
 218 attestation; prohibiting specified persons from
 219 serving in any capacity in the charitable organization
 220 for a specified timeframe if such person was serving
 221 in such charitable organization at the time the
 222 charitable organization submitted a false attestation;
 223 creating s. 496.431, F.S.; requiring the department to
 224 create the Honest Service Registry to provide
 225 residents with information relating to charitable
 226 organizations; requiring a charitable organization
 227 included in the Honest Services Registry to submit an
 228 attestation statement to the department; requiring the
 229 department to publish the Honest Services Registry on
 230 the department's website; requiring the department to
 231 adopt rules; amending s. 500.03, F.S.; revising the
 232 definition of the term "cottage food product";

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233 amending s. 500.12, F.S.; providing that the
 234 department requires a food permit from any person or
 235 business that operates a food establishment; revising
 236 exceptions; revising the schedule for renewing certain
 237 food permits; authorizing the department to establish
 238 a single permit renewal date for certain food
 239 establishments; amending s. 500.166, F.S.; requiring
 240 certain persons engaged in interstate commerce to
 241 retain all records that show certain information for a
 242 specified timeframe; amending s. 500.172, F.S.;
 243 authorizing the department to facilitate the
 244 destruction of certain articles that violate specified
 245 provisions; prohibiting certain persons from certain
 246 actions without permission from, or in accord with a
 247 written agreement with, the department; creating s.
 248 500.75, F.S.; providing that it is unlawful to import,
 249 sell, offer for sale, furnish, or give away certain
 250 spores or mycelium; providing a penalty for
 251 violations; creating s. 500.93, F.S.; defining terms;
 252 requiring the department to adopt rules to enforce the
 253 Food and Drug Administration's (FDA's) standard of
 254 identity for milk to prohibit the sale of plant-based
 255 products mislabeled as milk; providing a contingent
 256 effective date; requiring the department to adopt
 257 rules to enforce the FDA's standard of identity for
 258 meat, poultry, and poultry products to prohibit the
 259 sale of plant-based products mislabeled as meat;
 260 providing a contingent effective date; requiring the
 261 department to adopt rules; providing construction;

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262 repealing s. 501.135, F.S., relating to consumer unit
 263 pricing; amending s. 501.912, F.S.; revising the
 264 definition of "antifreeze"; creating s. 525.19, F.S.;
 265 requiring the department to create an annual petroleum
 266 registration program for petroleum owners or operators
 267 who own and operate vehicles for transporting
 268 petroleum; requiring the department to adopt rules for
 269 such registration which include specified information;
 270 requiring that the registration program be free for
 271 all registrants; authorizing the department to require
 272 registrants to provide certain information during a
 273 state of emergency; creating s. 526.147, F.S.;
 274 creating the Florida Retail Fuel Transfer Switch
 275 Modernization Grant Program within the department;
 276 requiring the grant program to provide funds up to a
 277 certain amount to be used for installation and
 278 equipment costs related to installing or modernizing
 279 transfer switch infrastructure at retail fuel
 280 facilities; requiring the department to award funds
 281 based on specified criteria; requiring retail fuel
 282 facilities awarded grant funds to comply with
 283 specified provisions; requiring such facilities to
 284 install a transfer switch with specified capabilities;
 285 requiring retail fuel facilities to provide specified
 286 documentation before being awarded funding;
 287 prohibiting certain facilities from being awarded
 288 funding; requiring the department, in consultation
 289 with the Division of Emergency Management, to adopt
 290 rules; requiring that such rules include specified

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291 information; amending s. 531.48, F.S.; requiring that
 292 certain packages bear specified information on the
 293 outside of the package; amending s. 531.49, F.S.;
 294 revising requirements for the advertising of a
 295 packaged commodity; amending s. 570.07, F.S.;
 296 requiring the department to foster and encourage the
 297 employment and retention of qualified veterinary
 298 pathologists; providing that the department may
 299 reimburse the educational expenses of certain
 300 veterinary pathologists who enter into a certain
 301 agreement with the department; requiring the
 302 department to administer rules; requiring the
 303 department to extend certain opportunities to public
 304 school students enrolled in agricultural education to
 305 support Future Farmers of America programming;
 306 amending s. 570.544, F.S.; revising which provisions
 307 the director of the Division of Consumer Services must
 308 enforce; creating s. 570.546, F.S.; authorizing the
 309 department to create a process for the bulk renewal of
 310 licenses; authorizing the department to create a
 311 process that will allow licensees to align the
 312 expiration dates of licenses within a specified
 313 program; authorizing the department to change the
 314 expiration date for current licenses for a certain
 315 purpose; requiring the department to pro-rate the
 316 licensing fee for certain licenses; requiring the
 317 department to adopt rules; amending s. 570.822, F.S.;
 318 defining the term "declared emergency"; revising the
 319 definition of the term "program"; providing that loan

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320 funds from the department may be used to restock
 321 aquaculture; authorizing the department to renew a
 322 loan application under certain circumstances;
 323 authorizing the department to defer or waive loan
 324 payments under certain circumstances; conforming
 325 provisions to changes made by the act; creating s.
 326 570.823, F.S.; defining terms; establishing the
 327 silviculture emergency recovery program within the
 328 department to administer a grant program to assist
 329 certain timber landowners; requiring that such grants
 330 be used for certain purposes; requiring that only
 331 timber lands located on agricultural property are
 332 eligible for the program; requiring the department to
 333 coordinate with state agencies to provide financial
 334 assistance to timber landowners after a specified
 335 declared emergency; providing construction;
 336 authorizing the department to adopt rules to implement
 337 this section; providing construction; amending s.
 338 581.1843, F.S.; deleting provisions that exclude
 339 certain citrus nurseries from certain requirements;
 340 deleting provisions relating to regulated areas around
 341 the perimeter of commercial citrus nurseries;
 342 repealing ss. 593.101, 593.102, 593.103, 593.104,
 343 593.105, 593.106, 593.107, 593.108, 593.109, 593.11,
 344 593.111, 593.112, 593.113, 593.114, 593.1141,
 345 593.1142, 593.115, 593.116, and 593.117, F.S.,
 346 relating to the Florida Boll Weevil Eradication Law;
 347 definitions; powers and duties of Department of
 348 Agriculture and Consumer Services; the entry of

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349 premises to carry out boll weevil eradication
 350 activities and inspections; reports by persons growing
 351 cotton; quarantine areas and the regulation of
 352 articles within a boll weevil eradication zone; the
 353 regulation of collection, transportation,
 354 distribution, and movement of cotton; cooperative
 355 programs for persons engaged in growing, processing,
 356 marketing, or handling cotton; the department's
 357 authority to designate eradication zones, prohibit
 358 planting of cotton, and require participation in
 359 eradication program; regulation of the pasturage of
 360 livestock, entry by persons, and location of honeybee
 361 colonies in eradication zones and other areas;
 362 eligibility for certification of cotton growers'
 363 organization; the certification of cotton growers'
 364 organization; a referendum; an assessment; the
 365 department's authority to enter agreements with the
 366 Farm Service Agency; liens; mandamus or injunction;
 367 penalty for violation; and the handling of moneys
 368 received, respectively; amending s. 595.404, F.S.;
 369 revising the department's powers and duties regarding
 370 school nutrition programs; amending s. 599.002, F.S.;
 371 renaming the Viticulture Advisory Council as the
 372 Florida Wine Advisory Council; revising the membership
 373 of the Florida Wine Advisory council; conforming
 374 provisions to changes made by the act; amending s.
 375 599.003, F.S.; renaming the State Viticulture Plan as
 376 the State Wine Plan; conforming provisions to changes
 377 made by the act; amending s. 599.004, F.S.; making

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378 technical changes; providing that wineries that fail
 379 to recertify annually or pay a specified licensing fee
 380 are subject to certain actions and costs; conforming
 381 provisions to changes made by the act; amending s.
 382 599.012, F.S.; conforming provisions to changes made
 383 by the act; amending s. 616.12, F.S.; deleting
 384 provisions requiring a person who operates a minstrel
 385 show in connection with any certain public fairs to
 386 pay specified license taxes; deleting a provision that
 387 exempts such person from paying specified taxes;
 388 creating s. 687.16, F.S.; providing a short title;
 389 defining terms; prohibiting a financial institution
 390 from discriminating in the provision of financial
 391 services to an agricultural producer based on an ESG
 392 factor; providing an inference with regard to a
 393 certain violation; providing that the financial
 394 institution may overcome the inference by making
 395 certain demonstrations regarding its denial or
 396 restriction of financial services to an agricultural
 397 producer; authorizing the Attorney General to enforce
 398 specified provisions; providing that a violation of
 399 specified provisions constitutes an unfair and
 400 deceptive trade practice; authorizing the Attorney
 401 General to investigate and seek remedies for such
 402 unfair trade practices; authorizing an aggrieved party
 403 to seek an action for damages; amending s. 741.0305,
 404 F.S.; conforming a cross-reference; amending s.
 405 790.06, F.S.; revising the circumstances under which
 406 the department may temporarily suspend a person's

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407 license to carry a concealed weapon or concealed
 408 firearm or the processing of an application for such
 409 license; requiring the department to notify certain
 410 licensees or applicants of his or her right to a
 411 hearing; requiring that the hearing regarding such
 412 suspension of license be for a limited purpose;
 413 requiring the department to issue an order lifting the
 414 suspension of an applicant's license upon a certain
 415 disposition of the criminal case; requiring that the
 416 suspension remain in effect upon a certain disposition
 417 of the criminal case; providing construction;
 418 providing legislative findings; revising the duties of
 419 the department after the date of receipt of a
 420 completed application for a license to carry a
 421 concealed weapon or concealed firearm; requiring that
 422 a license issued under this section be temporarily
 423 suspended or revoked if the license was issued in
 424 error or if the licensee commits certain actions;
 425 amending s. 790.33, F.S.; specifying requirements for
 426 the assessment of certain civil fines and attorney
 427 fees and costs; amending s. 812.0151, F.S.; revising
 428 the elements of third degree and second degree felony
 429 retail fuel theft; creating s. 812.136, F.S.; defining
 430 terms; providing elements for the crime of mail theft;
 431 providing elements of theft of or unauthorized
 432 reproduction of a mail depository key or lock;
 433 providing criminal penalties; creating s. 1013.373,
 434 F.S.; prohibiting a local government from adopting any
 435 measure to limit the activities of public educational

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436 facilities or auxiliary facilities constructed by
 437 certain organizations; requiring that lands used for
 438 agricultural education or for the Future Farmers of
 439 America or 4-H activities be considered agricultural
 440 lands; reenacting s. 295.07(5)(a), F.S., relating to
 441 preference in appointment and retention, to
 442 incorporate the amendment made to s. 110.205, F.S., in
 443 references thereto; reenacting ss. 125.01(1)(r),
 444 163.3162(3)(a)-(d), 163.3163(3)(c), 163.3164(4),
 445 163.3194(5), 170.01(4), 193.052(2), 193.4615,
 446 212.08(5)(a) and (19)(a), 373.406(2), 403.182(11)(a),
 447 403.9337(4), 472.029(2)(d), 474.2021(5),
 448 474.2165(4)(d), 487.081(6), 570.85(1), 570.87(1),
 449 570.94(3), 582.19(1)(a), 586.055, 604.50(2)(a) and
 450 (d), 604.73(3)(b), 692.201(1), 741.30(5)(a) and
 451 (6)(a), 810.011(5)(a), and 823.14(6), F.S., relating
 452 to powers and duties; agricultural lands and
 453 practices; applications for development permits;
 454 community planning act; legal status of comprehensive
 455 plan; authority for providing improvements and levying
 456 and collecting special assessments against property
 457 benefited; preparation and serving of returns;
 458 assessment of obsolete agricultural equipment; storage
 459 tax; exemptions; local pollution control programs; the
 460 Model Ordinance for Florida-Friendly Fertilizer Use on
 461 Urban Landscapes; authorization to enter lands of
 462 third parties; veterinary telehealth; ownership and
 463 control of veterinary medical patient records;
 464 exemptions; agritourism; agritourism participation

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465 impact on land classification; best management
 466 practices for wildlife; qualifications and tenure of
 467 supervisors; location of apiaries; nonresidential farm
 468 buildings; urban agriculture pilot projects;
 469 definitions; definitions; domestic violence; and the
 470 Florida Right to Farm Act, respectively, to
 471 incorporate the amendment made to s. 193.461, F.S., in
 472 references thereto; reenacting ss. 189.062(1)(a) and
 473 388.261(7), F.S., relating to special procedures for
 474 inactive districts and state aid to counties and
 475 districts for arthropod control, respectively, to
 476 incorporate the amendment made to s. 388.271, F.S., in
 477 references thereto; reenacting ss. 482.072(3)(b) and
 478 482.163, relating to pest control customer contact
 479 centers and responsibility for pest control activities
 480 of employee, respectively, to incorporate the
 481 amendment made to s. 482.161, F.S., in references
 482 thereto; reenacting s. 487.156, F.S., relating to
 483 governmental agencies, to incorporate the amendment
 484 made to s. 487.044, F.S., in a reference thereto;
 485 reenacting ss. 496.4055(2) and 496.406(2) and (4),
 486 F.S., relating to charitable organization or sponsor
 487 board duties and exemption from registration,
 488 respectively, to incorporate the amendment made to s.
 489 496.405, F.S., in references thereto; reenacting s.
 490 500.80(1)(a), F.S., relating to cottage food
 491 operations, to incorporate the amendment made to s.
 492 500.12, F.S., in a reference thereto; reenacting s.
 493 500.121(6), F.S., relating to disciplinary procedures,

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494 to incorporate the amendment made to s. 500.172, F.S.,
 495 in a reference thereto; reenacting s. 790.061, F.S.,
 496 relating to judges and justices, to incorporate the
 497 amendment made to s. 790.06, F.S., in a reference
 498 thereto; providing an effective date.
 499

500 Be It Enacted by the Legislature of the State of Florida:
 501

502 Section 1. Paragraph (m) of subsection (2) of section
 503 110.205, Florida Statutes, is amended to read:

504 110.205 Career service; exemptions.—

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

507 (m) All assistant division director, deputy division
 508 director, and bureau chief positions in any department, and
 509 those positions determined by the department to have managerial
 510 responsibilities comparable to such positions, which include,
 511 but are not limited to:

512 1. Positions in the Department of Health and the Department
 513 of Children and Families which are assigned primary duties of
 514 serving as the superintendent or assistant superintendent of an
 515 institution.

516 2. Positions in the Department of Corrections which are
 517 assigned primary duties of serving as the warden, assistant
 518 warden, colonel, or major of an institution or that are assigned
 519 primary duties of serving as the circuit administrator or deputy
 520 circuit administrator.

521 3. Positions in the Department of Transportation which are
 522 assigned primary duties of serving as regional toll managers and

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523 managers of offices, as specified in s. 20.23(3)(b) and (4)(c).

524 4. Positions in the Department of Environmental Protection
525 which are assigned the duty of an Environmental Administrator or
526 program administrator.

527 5. Positions in the Department of Health which are assigned
528 the duties of Environmental Administrator, Assistant County
529 Health Department Director, and County Health Department
530 Financial Administrator.

531 6. Positions in the Department of Highway Safety and Motor
532 Vehicles which are assigned primary duties of serving as
533 captains in the Florida Highway Patrol.

534 7. Positions in the Department of Agriculture and Consumer
535 Services which are assigned primary duties of serving as
536 captains or majors in the Office of Agricultural Law
537 Enforcement.

538
539 Unless otherwise fixed by law, the department shall set the
540 salary and benefits of the positions listed in this paragraph in
541 accordance with the rules established for the Selected Exempt
542 Service.

543 Section 2. Present subsections (3) and (4) of section
544 186.801, Florida Statutes, are redesignated as subsections (4)
545 and (5), respectively, a new subsection (3) is added to that
546 section, and subsection (1) of that section is amended, to read:
547 186.801 Ten-year site plans.—

548 (1) Each electric utility shall submit to the Public
549 Service Commission a 10-year site plan which shall estimate its
550 power-generating needs and the general location of its proposed
551 power plant sites. If the proposed power plant site is located

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552 on land that has, at any time during the previous 5 years, been
553 classified as agricultural lands pursuant to s. 193.461, the
554 electric utility must submit the plan to the county commission
555 of the county in which the proposed site is located. The county
556 commission shall comply with subsection (3). The 10-year plan
557 shall be reviewed and submitted not less frequently than every 2
558 years.

559 (3) A county commission that receives 10-year site plans
560 from electric utilities pursuant to subsection (1) must do all
561 of the following:

562 (a) Adhere to the same processes and procedures provided in
563 this section for the Public Service Commission.

564 (b) Provide the Public Service Commission with the county
565 commission's findings upon completion of the preliminary study
566 of the proposed plan.

567 Section 3. Paragraph (b) of subsection (3) of section
568 193.461, Florida Statutes, is amended to read:

569 193.461 Agricultural lands; classification and assessment;
570 mandated eradication or quarantine program; natural disasters.—

571 (3)

572 (b) Subject to the restrictions specified in this section,
573 only lands that are used primarily for bona fide agricultural
574 purposes shall be classified agricultural. The term "bona fide
575 agricultural purposes" means good faith commercial agricultural
576 use of the land.

577 1. In determining whether the use of the land for
578 agricultural purposes is bona fide, the following factors may be
579 taken into consideration:

580 a. The length of time the land has been so used.

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581 b. Whether the use has been continuous.

582 c. The purchase price paid.

583 d. Size, as it relates to specific agricultural use, but a

584 minimum acreage may not be required for agricultural assessment.

585 e. Whether an indicated effort has been made to care

586 sufficiently and adequately for the land in accordance with

587 accepted commercial agricultural practices, including, without

588 limitation, fertilizing, liming, tilling, mowing, reforestation,

589 and other accepted agricultural practices.

590 f. Whether the land is under lease and, if so, the

591 effective length, terms, and conditions of the lease.

592 g. Such other factors as may become applicable.

593 2. Offering property for sale does not constitute a primary

594 use of land and may not be the basis for denying an agricultural

595 classification if the land continues to be used primarily for

596 bona fide agricultural purposes while it is being offered for

597 sale.

598 3. Lands owned or leased by an electric utility as defined

599 in s. 361.11(2) which may also be the site of solar energy

600 systems as defined in s. 212.02(26) and bona fide agricultural

601 uses of the land, and which comply with all other provisions of

602 this section, must be classified agricultural by the property

603 appraiser.

604 Section 4. Subsection (3) of section 201.25, Florida

605 Statutes, is amended to read:

606 201.25 Tax exemptions for certain loans.—There shall be

607 exempt from all taxes imposed by this chapter:

608 (3) Any loan made by the Agriculture and Aquaculture

609 Producers ~~Emergency Natural Disaster~~ Recovery Loan Program

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610 pursuant to s. 570.822.

611 Section 5. Present paragraphs (a) through (d) and (e) of

612 subsection (2) and subsection (6) of section 330.41, Florida

613 Statutes, are redesignated as paragraphs (b) through (e) and (j)

614 of subsection (2) and subsection (8), respectively, new

615 paragraphs (a) and (f) and paragraphs (g), (h), and (i) are

616 added to subsection (2) and new subsection (6) and subsection

617 (7) are added to that section, and paragraph (d) of subsection

618 (4) of that section is amended, to read:

619 330.41 Unmanned Aircraft Systems Act.—

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

621 (a) "Commercial property" means real property other than

622 residential property. The term includes, but is not limited to,

623 a property zoned multifamily residential which is composed of

624 five or more dwelling units, and real property used for

625 commercial, industrial, or agricultural purposes.

626 (f) "Private property" means any residential or commercial

627 property.

628 (g) "Property owner" means the owner or owners of record of

629 real property. The term includes real property held in trust for

630 the benefit of one or more individuals, in which case the

631 individual or individuals may be considered as the property

632 owner or owners, provided that the trustee provides written

633 consent. The term does not include persons renting, using,

634 living, or otherwise occupying real property.

635 (h) "Residential property" means real property zoned as

636 residential or multifamily residential and composed of four or

637 fewer dwelling units.

638 (i) "Sport shooting and training range" has the same

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639 meaning as s. 790.333(3)(h).

640 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

645 (6) PROTECTION OF AGRICULTURAL LANDS.—

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

649 1. Operate a drone.

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

652 3. Allow a drone to come within close enough distance of
653 such lands to interfere with or cause a disturbance to
654 agricultural production.

655 (b) A person who violates paragraph (a) commits a
656 misdemeanor of the second degree, punishable as provided in s.
657 775.082 or s. 775.083. A person who commits a second or
658 subsequent violation commits a misdemeanor of the first degree,
659 punishable as provided in s. 775.082 or s. 775.083.

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

662 1. The owner of the agricultural lands, or a person acting
663 under the prior written consent of the owner of the agricultural
664 lands.

665 2. A law enforcement agency that is in compliance with s.
666 934.50 or a person under contract with or otherwise acting under
667 the direction of such law enforcement agency.

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668 3. A federal, state, or other governmental entity, or a
669 person under contract with or otherwise acting under the
670 direction of a federal, state, or other governmental entity.

671 (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING
672 LANDS.—

673 (a) A person may not knowingly or willfully do any of the
674 following on private property, state wildlife management lands,
675 or a sport shooting and training range:

676 1. Operate a drone.

677 2. Allow a drone to make contact with such property or any
678 person or object on the premises of or within such property with
679 the intent to harass.

680 (b) A person who violates paragraph (a) commits a
681 misdemeanor of the second degree, punishable as provided in s.
682 775.082 or s. 775.083. A person who commits a second or
683 subsequent violation commits a misdemeanor of the first degree,
684 punishable as provided in s. 775.082 or s. 775.083.

685 (c) A person who violates paragraph (a) and records video
686 of the private property, state wildlife management lands, or
687 sport shooting and training range, including any person or
688 object on the premises of or within the private property, state
689 wildlife management lands, or sport shooting and training range,
690 commits a misdemeanor of the first degree, punishable as
691 provided in s. 775.082 or s. 775.083. A person who commits a
692 second or subsequent violation commits a felony of the third
693 degree, punishable as provided in s. 775.082, s. 775.083, or s.
694 775.084.

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

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697 1. The property owner of the private property or sport
 698 shooting and training range, or a person acting under the prior
 699 written consent of the property owner.
 700 2. A law enforcement agency that is in compliance with s.
 701 934.50 or a person under contract with or otherwise acting under
 702 the direction of such law enforcement agency.
 703 3. A federal, state, or other governmental entity, or a
 704 person under contract with or otherwise acting under the
 705 direction of a federal, state, or other governmental entity.
 706 Section 6. Section 366.20, Florida Statutes, is created to
 707 read:
 708 366.20 Sale and management of lands owned by electric
 709 utilities.-
 710 (1) Lands acquired by an electric utility as defined in s.
 711 361.11(2) which have been classified as agricultural lands
 712 pursuant to s. 193.461 at any time in the 5 years preceding the
 713 acquisition of the land by the electric utility, must be offered
 714 for less than fee simple acquisition of development rights by
 715 the state.
 716 (2) Lands owned by an electric utility as defined in s.
 717 361.11(2) which were classified as agricultural lands pursuant
 718 to s. 193.461 at any time in the 5 years preceding the date of
 719 acquisition of the land by the electric utility must be offered
 720 for less than fee simple acquisition of development rights by
 721 this state before offering for sale or transferring the land to
 722 a private individual or entity.
 723 (3) This section is retroactive to January 1, 2024.
 724 Section 7. Present paragraphs (3) and (4) of section
 725 366.94, Florida Statutes, are redesignated as subsections (4)

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726 and (5), respectively, a new subsection (3) is added to that
 727 section, and subsection (2) of that section is amended, to read:
 728 366.94 Electric vehicle charging.-
 729 (2) (a) As used in this section, the term "electric vehicle
 730 charging station" means the area in the immediate vicinity of
 731 electric vehicle supply equipment and includes the electric
 732 vehicle supply equipment, supporting equipment, and associated
 733 parking spaces. The regulation of electric vehicle charging
 734 stations is preempted to the state.
 735 (b) ~~(a)~~ A local governmental entity may not enact or enforce
 736 an ordinance or regulation related to electric vehicle charging
 737 stations.
 738 (3) (a) ~~(b)~~ The Department of Agriculture and Consumer
 739 Services shall adopt rules to implement this subsection and to
 740 provide requirements for electric vehicle charging stations to
 741 allow for consistency for consumers and the industry.
 742 (b) The department may adopt rules to protect the public
 743 health, safety, and welfare and establish standards for the
 744 placement, design, installation, maintenance, and operation of
 745 electric vehicle charging stations.
 746 (c) Local governmental entities shall issue permits for
 747 electric vehicle charging stations based solely upon standards
 748 established by department rule and other applicable provisions
 749 of state law. The department shall prescribe by rule the time
 750 period for approving or denying permit applications.
 751 (d) Before a charger at an electric vehicle charging
 752 station is placed into service for use by the public, the
 753 charger must be registered with the department on a form
 754 prescribed by department rule.

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755 (e) The department shall have the authority to inspect
 756 electric vehicle charging stations, conduct investigations, and
 757 enforce the provisions of this subsection and any rules adopted
 758 under this subsection. The department may impose one or more of
 759 the following penalties against a person who violates this
 760 subsection or any rule adopted under this subsection:

- 761 1. Issuance of a warning letter.
 762 2. Imposition of an administrative fine in the Class II
 763 category pursuant to s. 570.971 for each violation.

764 (f) If the department determines that an electric vehicle
 765 charging station or any associated equipment presents a threat
 766 to the public health, safety, or welfare, the department may
 767 issue an immediate final order prohibiting the use of the
 768 electric vehicle charging station or any portion thereof.

769 (g) In addition to the remedies provided in this
 770 subsection, and notwithstanding the existence of any adequate
 771 remedy at law, the department may bring an action to enjoin a
 772 violation of this subsection or rules adopted under this
 773 subsection in the circuit court of the county in which the
 774 violation occurs or is about to occur. Upon demonstration of
 775 competent and substantial evidence by the department to the
 776 court of the violation or threatened violation, the court shall
 777 immediately issue the temporary or permanent injunction sought
 778 by the department. The injunction shall be issued without bond.

779 Section 8. Present subsections (10) and (11) of section
 780 388.011, Florida Statutes, are redesignated as subsections (11)
 781 and (12), respectively, a new subsection (10) is added to that
 782 section, and subsections (2) and (5) of that section are
 783 amended, to read:

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784 388.011 Definitions.—As used in this chapter:

785 (2) “Board of commissioners” means the governing body of
 786 any mosquito control programs district, and may include boards
 787 of county commissioners, city councils, municipalities, or other
 788 similar governing bodies when context so indicates.

789 (5) “District” means any mosquito control special district
 790 established in this state by law for the express purpose of
 791 controlling arthropods within boundaries of said districts.

792 (10) “Program” means any governmental jurisdiction that
 793 conducts mosquito control, whether it be a special district,
 794 county, or municipality.

795 Section 9. Section 388.021, Florida Statutes, is amended to
 796 read:

797 388.021 Creation of mosquito control special districts.—

798 (1) The abatement or suppression of arthropods, whether
 799 disease-bearing or merely pestiferous, within any or all
 800 counties of this state is advisable and necessary for the
 801 maintenance and betterment of the comfort, health, and welfare
 802 of the people thereof and is found and declared to be for public
 803 purposes. Areas where arthropods incubate, hatch, or occur in
 804 significant numbers so as to constitute a public health,
 805 welfare, or nuisance problem may be controlled or abated as
 806 provided in this chapter or the rules promulgated hereunder.
 807 Therefore, any municipality ~~city~~, town, or county, or any
 808 portion or portions thereof, whether such portion or portions
 809 include incorporated territory or portions of two or more
 810 counties in the state, may be created into a special taxing
 811 district for the control of arthropods under the provisions of
 812 this chapter.

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813 (2) It is the legislative intent that those mosquito
814 control districts established prior to July 1, 1980, pursuant to
815 the petition process contained in former s. 388.031, may
816 continue to operate as outlined in this chapter. However, on and
817 after that date, no mosquito control districts may be created
818 except pursuant to s. 125.01.

819 Section 10. Section 388.181, Florida Statutes, is amended
820 to read:

821 388.181 Power to do all things necessary.—The respective
822 programs ~~districts~~ of the state are hereby fully authorized to
823 do and perform all things necessary to carry out the intent and
824 purposes of this law.

825 Section 11. Subsections (1), (2), (4), and (5) of section
826 388.201, Florida Statutes, are amended to read:

827 388.201 Program District budgets; hearing.—

828 (1) The fiscal year of programs ~~districts~~ operating under
829 the provisions of this chapter shall be the 12-month period
830 extending from October 1 of one year through September 30 of the
831 following year. The governing board of the programs ~~district~~
832 shall before July 15 of each year complete the preparation of a
833 tentative detailed work plan budget covering its proposed
834 operations and requirements for arthropod control measures
835 during the ensuing fiscal year and, for the purpose of
836 determining eligibility for state aid, shall submit copies as
837 may be required to the department for review and approval. The
838 tentative detailed work plan budget shall set forth, classified
839 by account number, title and program items, and by fund from
840 which to be paid, the proposed expenditures of the program
841 ~~district~~ for construction, for acquisition of land, and other

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842 purposes, for the operation and maintenance of the program's
843 ~~district's~~ works, the conduct of the program ~~district~~ generally,
844 to which may be added an amount to be held as a reserve.

845 (2) The tentative detailed work plan budget shall also show
846 the estimated amount which will appear at the beginning of the
847 fiscal year as obligated upon commitments made but uncompleted.
848 There shall be shown the estimated unobligated or net balance
849 which will be on hand at the beginning of the fiscal year and
850 the estimated amount to be raised by county, municipality, or
851 district taxes and from any and all other sources for meeting
852 the program's ~~the district's~~ requirements.

853 (4) The governing board:

854 (a) Shall consider objections filed against adoption of the
855 tentative detailed work plan budget and in its discretion may
856 amend, modify, or change such budget; and

857 (b) Shall by September 30 adopt and execute on a form
858 furnished by the department a certified budget for the programs
859 ~~district~~ which shall be the operating and fiscal guide for the
860 program ~~district~~. Certified copies of this budget shall be
861 submitted by September 30 to the department for approval.

862 (5) County commissioners' mosquito and arthropod control
863 budgets or the budgets of or similar governing body of said
864 county, city, or town's shall be made and adopted as prescribed
865 by subsections (1) and (2); summary figures shall be
866 incorporated into the county budgets as prescribed by the
867 Department of Financial Services.

868 Section 12. Section 388.241, Florida Statutes, is amended
869 to read:

870 388.241 Board of county commissioners vested with powers

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871 and duties of board of commissioners in certain counties.—In
 872 those counties or cities where there has been no formation of a
 873 separate or special board of commissioners, all the rights,
 874 powers, and duties of a board of commissioners as conferred in
 875 this chapter shall be vested in the board of county
 876 commissioners or similar governing body of said county or city.

877 Section 13. Subsections (1), (2), and (5) through (8) of
 878 section 388.261, Florida Statutes, are amended to read:

879 388.261 State aid to counties, municipalities, and
 880 districts for arthropod control; distribution priorities and
 881 limitations.—

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

890 (2) Every county, municipality, or district budgeting local
 891 funds to be used exclusively for the control of mosquitoes and
 892 other arthropods, under a plan submitted by the county,
 893 municipality, or district and approved by the department, is
 894 eligible to receive state funds and supplies, services, and
 895 equipment on a dollar-for-dollar matching basis to the amount of
 896 local funds budgeted. If state funds appropriated by the
 897 Legislature are insufficient to grant each county, municipality,
 898 or district state funds on a dollar-for-dollar matching basis to
 899 the amount budgeted in local funds, the department shall

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900 distribute the funds as prescribed by rule. Such rules shall
 901 provide for up to 80 percent of the funds to be distributed to
 902 programs with local funds for mosquito control budgets of less
 903 than \$1 million, if the county, municipality, or district meets
 904 the eligibility requirements. The funds shall be distributed as
 905 equally as possible within the category of counties pursuant to
 906 this section. The remaining funds shall be distributed as
 907 prescribed by rule among the remaining counties to support
 908 mosquito control and to support research, education, and
 909 outreach.

910 (5) If more than one program ~~local mosquito control agency~~
 911 exists in a county or municipality, the funds shall be prorated
 912 between the programs ~~agencies~~ based on the population served by
 913 each program ~~agency~~.

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

920 (7) The department may use state funds appropriated for a
 921 county, municipality, or district under subsection (1) or
 922 subsection (2) to provide state mosquito or other arthropod
 923 control equipment, supplies, or services when requested by a
 924 county, municipality, or district eligible to receive state
 925 funds under s. 388.271.

926 (8) The department is authorized to use up to 5 percent of
 927 the funds appropriated annually by the Legislature under this
 928 section to provide technical assistance to the counties,

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929 municipalities, or districts, or to purchase equipment,
 930 supplies, or services necessary to administer the provisions of
 931 this chapter.

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

934 388.271 Prerequisites to participation.—

935 (1) When state funds are involved, it is the duty of the
 936 department to guide, review, approve, and coordinate the
 937 activities of all county and municipal governments and special
 938 districts receiving state funds in furtherance of the goal of
 939 integrated arthropod control. Each program ~~county~~ eligible to
 940 participate may, and each district must, begin participation on
 941 October 1 of any year by filing with the department not later
 942 than July 15 a tentative integrated arthropod management plan
 943 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for
 944 the control of arthropods. Following approval of the plan and
 945 budget by the department, a copy ~~two copies~~ of the program's
 946 ~~county's or district's~~ certified budget based on the approved
 947 integrated arthropod management ~~work plan~~ and detailed ~~work plan~~
 948 budget shall be submitted to the department by September 30
 949 following. State funds, supplies, and services shall be made
 950 available to such program ~~county or district~~ by and through the
 951 department immediately upon release of funds by the Executive
 952 Office of the Governor.

953 (2) All purchases of supplies, materials, and equipment by
 954 programs ~~counties or districts~~ shall be made in accordance with
 955 the laws governing purchases by boards of county commissioners
 956 or similar governing bodies, except that programs ~~districts~~ with
 957 special laws relative to competitive bidding shall make

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958 purchases in accordance therewith.

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

961 388.281 Use of state matching funds.—

962 (1) All funds, supplies, and services released to programs
 963 ~~counties and districts~~ hereunder shall be used in accordance
 964 with the integrated arthropod management ~~detailed work~~ plan and
 965 certified budget approved by both the board of commissioners and
 966 appropriate representative department and the county or
 967 ~~district~~. The integrated arthropod management plan and budget
 968 may be amended at any time upon prior approval of the
 969 department.

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

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

978 388.291 Source reduction measures; supervision by
 979 department.—

980 (1) Any program ~~county or district~~ may perform source
 981 reduction measures in conformity with good engineering practices
 982 in any area, provided that the department cooperating with the
 983 county, municipality, or district has approved the operating or
 984 construction plan as outlined in the integrated arthropod
 985 management plan and it has been determined by criteria contained
 986 in rule that the area or areas to be controlled would produce

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987 arthropods in significant numbers to constitute a health or
988 nuisance problem.

989 (2) The ~~program county or district~~ shall manage the
990 detailed business affairs and supervise said work, and the
991 department shall advise the ~~programs districts~~ as to the best
992 and most effective measures to be used in bringing about better
993 temporary control and the permanent elimination of breeding
994 conditions. The department may at its discretion discontinue any
995 state aid provided hereunder in the event it finds the jointly
996 agreed upon program is not being followed or is not efficiently
997 and effectively administered.

998 Section 17. Section 388.301, Florida Statutes, is amended
999 to read:

1000 388.301 Payment of state funds; supplies and services.—
1001 State funds shall be payable ~~quarterly~~, in accordance with the
1002 rules of the department, upon requisition by the department to
1003 the Chief Financial Officer. The department is authorized to
1004 furnish insecticides, chemicals, materials, equipment, vehicles,
1005 and personnel in lieu of state funds where mass purchasing may
1006 save funds for the state, or where it would be more practical
1007 and economical to use equipment, supplies, and services between
1008 two or more ~~programs counties or districts~~.

1009 Section 18. Section 388.311, Florida Statutes, is amended
1010 to read:

1011 388.311 Carry over of state funds and local funds.—State
1012 and local funds budgeted for the control of mosquitoes and other
1013 arthropods shall be carried over at the end of the program's
1014 ~~county or district's~~ fiscal year, and rebudgeted for such
1015 control measures the following fiscal year.

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1016 Section 19. Section 388.321, Florida Statutes, is amended
1017 to read:

1018 388.321 Equipment to become property of a program ~~the~~
1019 ~~county or district~~.—All equipment purchased under this chapter
1020 with state funds made available directly to a program ~~the county~~
1021 ~~or district~~ shall become the property of the program ~~county or~~
1022 ~~district~~ unless otherwise provided, and may be traded in on
1023 other equipment, or sold, when no longer needed by the program
1024 ~~county or district~~.

1025 Section 20. Section 388.322, Florida Statutes, is amended
1026 to read:

1027 388.322 Record and inventory of certain property.—A record
1028 and inventory of certain property purchased with state funds for
1029 arthropod control use owned by the program ~~district~~ shall be
1030 maintained in accordance with s. 274.02.

1031 Section 21. Section 388.323, Florida Statutes, is amended
1032 to read:

1033 388.323 Disposal of surplus property.—Surplus property
1034 shall be disposed of according to the provisions set forth in s.
1035 274.05 with the following exceptions:

1036 (1) Serviceable equipment purchased using state funds for
1037 arthropod control use no longer needed by a program ~~county or~~
1038 ~~district~~ shall first be offered to any or all other programs
1039 ~~counties or districts~~ engaged in arthropod control at a price
1040 established by the board of commissioners owning the equipment.

1041 (2) The alternative procedure for disposal of surplus
1042 property, as prescribed in s. 274.06, shall be followed if it is
1043 determined that no other programs ~~county or district~~ engaged in
1044 arthropod control has need for the equipment.

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1045 (3) All proceeds from the sale of any real or tangible
 1046 personal property owned by the program ~~county or district~~ and
 1047 purchased using state funds shall be deposited in the program's
 1048 ~~county's or district's~~ state fund account unless otherwise
 1049 specifically designated by the department.

1050 Section 22. Section 388.341, Florida Statutes, is amended
 1051 to read:

1052 388.341 Reports of expenditures and accomplishments.—Each
 1053 program receiving state aid ~~county and district participating~~
 1054 under the provisions of this chapter shall within 30 days after
 1055 the end of each month submit to the department a monthly report
 1056 for the preceding month of expenditures from all funds for
 1057 arthropod control, and each program participating under this
 1058 chapter shall provide such reports of activities and
 1059 accomplishments as may be required by the department.

1060 Section 23. Section 388.351, Florida Statutes, is amended
 1061 to read:

1062 388.351 Transfer of equipment, personnel, and supplies
 1063 during an emergency.—The department, upon notifying a program
 1064 ~~county or district~~ and obtaining its approval, is authorized to
 1065 transfer equipment, materials, and personnel from one program
 1066 ~~district~~ to another in the event of an emergency brought about
 1067 by an arthropod-borne epidemic or other disaster requiring
 1068 emergency control.

1069 Section 24. Subsection (7) of section 388.361, Florida
 1070 Statutes, is amended to read:

1071 388.361 Department authority and rules; administration.—

1072 (7) The department shall have the authority to collect,
 1073 detect, suppress, and control mosquitoes and other arthropods

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1074 that are determined by the State Health Officer to pose a threat
 1075 to public health, or determined by the Commissioner of
 1076 Agriculture to pose a threat to animal health, wherever they may
 1077 occur on public or private land in this state, and to do all
 1078 things necessary in the exercise of such authority. Prior to the
 1079 start of treatments for the control of mosquitoes or other
 1080 arthropods, the department shall consult with the mosquito
 1081 control programs ~~districts~~ in the proposed treatment areas, the
 1082 Department of Health, the Department of Environmental
 1083 Protection, and the Fish and Wildlife Conservation Commission
 1084 regarding the proposed locations, dates, and methods to be used.

1085 Section 25. Subsections (2) and (3) of section 388.3711,
 1086 Florida Statutes, are amended to read:

1087 388.3711 Enforcement.—

1088 (2) The department may issue a written warning, impose a
 1089 fine; deny, suspend, or revoke any license or certification, or
 1090 the disbursal of state aid; or deny participation, in accordance
 1091 with the provisions of chapter 120, upon any one or more of the
 1092 following grounds as may be applicable:

1093 (a) Violation of any rule of the department or provision of
 1094 this chapter.

1095 (b) Violation of FIFRA or any relevant EPA rule or
 1096 regulation pertaining to the use of arthropod control pesticides
 1097 by the licensee.

1098 (c) Failure to give the department, or any authorized
 1099 representative thereof, true information upon request regarding
 1100 methods and materials used, work performed, or other information
 1101 essential to the administration of this chapter.

1102 (3) The department may, if it finds a violation is of such

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 1103 nature or circumstances that imposition of a fine, denial,
 1104 revocation, or suspension of a certification or license or
 1105 disbursal of state aid would be detrimental to the public or be
 1106 unnecessarily harsh under the circumstances, in its discretion,
 1107 place the offending party on probation for a period of not more
 1108 than 2 years. If the department determines that the terms of
 1109 such probation have been violated, it may reinstitute license or
 1110 certification or state aid denial, suspension, or revocation
 1111 proceedings.

1112 Section 26. Section 388.381, Florida Statutes, is amended
 1113 to read:

1114 388.381 Cooperation by programs ~~counties and district~~.—Any
 1115 program conducting county or district carrying on an arthropod
 1116 control ~~program~~ may cooperate with another county, district, or
 1117 municipality in carrying out work a program for the control of
 1118 mosquitoes and other arthropods, by agreement as to the program
 1119 and reimbursement thereof, when approved by the department.

1120 Section 27. Section 388.391, Florida Statutes, is amended
 1121 to read:

1122 388.391 Control measures in municipalities and portions of
 1123 counties located outside boundaries of programs ~~districts~~.—Any
 1124 program district whose operation is limited to a portion of the
 1125 county in which it is located may perform any control measures
 1126 authorized by this chapter in any municipality located in the
 1127 same county or in any portions of the same county, where there
 1128 is no established program district, when requested to do so by
 1129 the municipality or county, pursuant to s. 388.381.

1130 Section 28. Section 388.401, Florida Statutes, is amended
 1131 to read:

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 1132 388.401 Penalty for damage to property or operations.—
 1133 Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of
 1134 any program ~~county or district~~ created under this or other
 1135 chapters, or any works constructed, maintained, or controlled by
 1136 such program ~~county or district~~, or who ~~shall~~ obstructs ~~obstruct~~
 1137 or causes ~~cause~~ to be obstructed any of the operations of such
 1138 program ~~county or district~~, or who ~~shall~~ knowingly or willfully
 1139 violates ~~violate~~ any provisions of this chapter or any rule or
 1140 regulation promulgated by any board of commissioners of any
 1141 program, commits ~~county or district~~ shall be guilty of a
 1142 misdemeanor of the second degree, punishable as provided in s.
 1143 775.082 or s. 775.083.

1144 Section 29. Paragraph (a) of subsection (2) of section
 1145 388.46, Florida Statutes, is amended to read:

1146 388.46 Florida Coordinating Council on Mosquito Control;
 1147 establishment; membership; organization; responsibilities.—

1148 (2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

1149 (a) *Membership*.—The Florida Coordinating Council on
 1150 Mosquito Control shall be comprised of the following
 1151 representatives or their authorized designees:

- 1152 1. The Secretary of Environmental Protection.
- 1153 2. The State Surgeon General.
- 1154 3. The executive director of the Fish and Wildlife
 1155 Conservation Commission.
- 1156 4. The state epidemiologist.
- 1157 5. The Commissioner of Agriculture.
- 1158 6. The Board of Trustees of the Internal Improvement Trust
 1159 Fund.
- 1160 7. Representatives from:

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- 1161 a. The University of Florida, Institute of Food and
 1162 Agricultural Sciences, Florida Medical Entomological Research
 1163 Laboratory.
- 1164 b. The United States Environmental Protection Agency.
- 1165 c. The United States Department of Agriculture, Center of
 1166 Medical, Agricultural, and Veterinary Entomology Insects
 1167 Affecting Man Laboratory.
- 1168 d. The United States Fish and Wildlife Service.
- 1169 8. Four ~~Two~~ mosquito control directors to be nominated by
 1170 the Florida Mosquito Control Association, two representatives of
 1171 Florida environmental groups, and two private citizens who are
 1172 property owners whose lands are regularly subject to mosquito
 1173 control operations, to be appointed to 4-year terms by the
 1174 Commissioner of Agriculture and serve until his or her successor
 1175 is appointed.
- 1176 Section 30. Paragraph (d) of subsection (7) of section
 1177 403.067, Florida Statutes, is amended to read:
- 1178 403.067 Establishment and implementation of total maximum
 1179 daily loads.—
- 1180 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND
 1181 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—
- 1182 (d) *Enforcement and verification of basin management action*
 1183 *plans and management strategies.—*
- 1184 1. Basin management action plans are enforceable pursuant
 1185 to this section and ss. 403.121, 403.141, and 403.161.
 1186 Management strategies, including best management practices and
 1187 water quality monitoring, are enforceable under this chapter.
- 1188 2. No later than January 1, 2017:
- 1189 a. The department, in consultation with the water

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- 1190 management districts and the Department of Agriculture and
 1191 Consumer Services, shall initiate rulemaking to adopt procedures
 1192 to verify implementation of water quality monitoring required in
 1193 lieu of implementation of best management practices or other
 1194 measures pursuant to sub-subparagraph (b)2.g.;
- 1195 b. The department, in consultation with the water
 1196 management districts and the Department of Agriculture and
 1197 Consumer Services, shall initiate rulemaking to adopt procedures
 1198 to verify implementation of nonagricultural interim measures,
 1199 best management practices, or other measures adopted by rule
 1200 pursuant to subparagraph (c)1.; and
- 1201 c. The Department of Agriculture and Consumer Services, in
 1202 consultation with the water management districts and the
 1203 department, shall initiate rulemaking to adopt procedures to
 1204 verify implementation of agricultural interim measures, best
 1205 management practices, or other measures adopted by rule pursuant
 1206 to subparagraph (c)2.
- 1207
- 1208 The rules required under this subparagraph shall include
 1209 enforcement procedures applicable to the landowner, discharger,
 1210 or other responsible person required to implement applicable
 1211 management strategies, including best management practices or
 1212 water quality monitoring as a result of noncompliance.
- 1213 3. At least every 2 years, the Department of Agriculture
 1214 and Consumer Services shall perform onsite inspections of each
 1215 agricultural producer that enrolls in a best management
 1216 practice, except those enrolled by rule in subparagraph 4., to
 1217 ensure that such practice is being properly implemented. Such
 1218 verification must include a collection and review of the best

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1219 management practice documentation from the previous 2 years
 1220 required by rules adopted pursuant to subparagraph (c)2.,
 1221 including, but not limited to, nitrogen and phosphorus
 1222 fertilizer application records, which must be collected and
 1223 retained pursuant to subparagraphs (c)3., 4., and 6. The
 1224 Department of Agriculture and Consumer Services shall initially
 1225 prioritize the inspection of agricultural producers located in
 1226 the basin management action plans for Lake Okeechobee, the
 1227 Indian River Lagoon, the Caloosahatchee River and Estuary, and
 1228 Silver Springs.

1229 4. The Department of Agriculture and Consumer Services is
 1230 authorized to adopt rules establishing an enrollment in best
 1231 management practices by rule process that agricultural pollutant
 1232 sources and agricultural producers may utilize in lieu of the
 1233 best management practices adopted in paragraph (c) and identify
 1234 best management practices for landowners of parcels which meet
 1235 the following requirements:

1236 a. A parcel not be less than 25 acres in size;
 1237 b. A parcel designated as agricultural land use by the
 1238 county in which it is located or the parcel is granted
 1239 agricultural tax classification by the county property appraiser
 1240 of the county in which it is located;
 1241 c. A parcel with water use not exceeding 100,000 gallons
 1242 per day on average unless the entire use is met using recycled
 1243 water from wet detention treatment ponds or reuse water;
 1244 d. A parcel where the agricultural activity on the parcel
 1245 is not vegetable crop, agronomic crop, a nursery, or a dairy
 1246 operation;
 1247 e. A parcel not abutting an impaired water body identified

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1248 in subsection (4); and
 1249 f. A parcel not part of a larger operation that is enrolled
 1250 in the Department of Agriculture and Consumer Services best
 1251 management practices or conducting water quality monitoring
 1252 prescribed by the department or a water management district.
 1253

1254 Such requirements shall specify design or performance criteria
 1255 that, if applied, would result in compliance with appropriate
 1256 water quality standards. The Department of Agriculture and
 1257 Consumer Services is authorized to adopt additional eligibility
 1258 criteria for landowners or producers to utilize enrollment by
 1259 rule and to revoke enrollment by rule.

1260 5. The Department of Agriculture and Consumer Services
 1261 shall annually perform onsite inspections of twenty percent for
 1262 all enrollments that meet the qualifications pursuant to
 1263 subparagraph 4. by rule within basin management action plan
 1264 areas, to ensure that practices are being properly implemented.
 1265 Such inspection must include a collection and review of the
 1266 identified best management practice documentation from the
 1267 previous two years required by rules adopted pursuant to
 1268 subparagraph (c)2. All agricultural producers enrolled by rule
 1269 in a best management practice must annually submit nutrient
 1270 records, including nitrogen and phosphorus fertilizer
 1271 application records for the previous calendar year, to the
 1272 Department of Agriculture and Consumer Services as required by
 1273 rules adopted pursuant to subparagraph (c)2. The Department of
 1274 Agriculture and Consumer Services shall collect and retain these
 1275 nutrient records pursuant to subparagraphs (c)3., 4., and 6.
 1276 Section 31. Subsection (19) is added to section 403.852,

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1277 Florida Statutes, to read:

1278 403.852 Definitions; ss. 403.850-403.864.—As used in ss.
1279 403.850-403.864:

1280 (19) "Water quality additive" means any chemical or
1281 additive which is used in a public water system for the purpose
1282 of removing contaminants or increasing water quality. The term
1283 does not include additives used for health-related purposes.

1284 Section 32. Subsection (8) is added to section 403.859,
1285 Florida Statutes, to read:

1286 403.859 Prohibited acts.—The following acts and the causing
1287 thereof are prohibited and are violations of this act:

1288 (8) The use of any additives in a public water system which
1289 do not meet the definition of a water quality additive as
1290 defined in s. 403.852, or the use of any additives included
1291 primarily for health-related purposes.

1292 Section 33. Subsection (10) of section 482.111, Florida
1293 Statutes, is amended to read:

1294 482.111 Pest control operator's certificate.—

1295 (10) In order to renew a certificate, the certificateholder
1296 must complete 2 hours of approved continuing education on
1297 legislation, safety, pesticide labeling, and integrated pest
1298 management and 2 hours of approved continuing education in each
1299 category of her or his certificate or must pass an examination
1300 that the department shall provide in person and remotely through
1301 a third-party vendor. The third-party vendor may collect and
1302 retain a convenience fee ~~given by the department~~. The department
1303 may not renew a certificate if the continuing education or
1304 examination requirement is not met.

1305 (a) Courses or programs, to be considered for credit, must

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1306 include one or more of the following topics:

1307 1. The law and rules of this state pertaining to pest
1308 control.

1309 2. Precautions necessary to safeguard life, health, and
1310 property in the conducting of pest control and the application
1311 of pesticides.

1312 3. Pests, their habits, recognition of the damage they
1313 cause, and identification of them by accepted common name.

1314 4. Current accepted industry practices in the conducting of
1315 fumigation, termites and other wood-destroying organisms pest
1316 control, lawn and ornamental pest control, and household pest
1317 control.

1318 5. How to read labels, a review of current state and
1319 federal laws on labeling, and a review of changes in or
1320 additions to labels used in pest control.

1321 6. Integrated pest management.

1322 (b) The certificateholder must submit with her or his
1323 application for renewal a statement certifying that she or he
1324 has completed the required number of hours of continuing
1325 education. The statement must be on a form prescribed by the
1326 department and must identify at least the date, location,
1327 provider, and subject of the training and must provide such
1328 other information as required by the department.

1329 (c) The department shall charge the same fee for
1330 examination as provided in s. 482.141(2).

1331 Section 34. Subsection (1) of section 482.141, Florida
1332 Statutes, is amended to read:

1333 482.141 Examinations.—

1334 (1) Each individual seeking certification must

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1335 satisfactorily pass an examination which must be written but
 1336 which may include practical demonstration. The department shall
 1337 provide in-person and remote testing through a third-party
 1338 vendor. A third-party vendor may collect and retain a
 1339 convenience fee hold at least two examinations each year. An
 1340 applicant may seek certification in one or more categories.

1341 Section 35. Paragraph (b) of subsection (1) of section
 1342 482.155, Florida Statutes, is amended to read:

1343 482.155 Limited certification for governmental pesticide
 1344 applicators or private applicators.—

1345 (1)

1346 (b) A person seeking limited certification under this
 1347 subsection must pass an examination that the department shall
 1348 provide in person and remotely through a third-party vendor. The
 1349 third-party vendor may collect and retain a convenience fee
 1350 given or approved by the department. Each application for
 1351 examination must be accompanied by an examination fee set by the
 1352 department, in an amount of not more than \$150 or less than \$50;
 1353 and a recertification fee of \$25 every 4 years. Until rules
 1354 setting these fees are adopted by the department, the
 1355 examination fee is \$50. Application for recertification must be
 1356 accompanied by proof of having completed 4 classroom hours of
 1357 acceptable continuing education. The limited certificate expires
 1358 4 years after the date of issuance. If the certificateholder
 1359 fails to renew his or her certificate and provide proof of
 1360 completion of the required continuing education units within 60
 1361 days after the expiration date, the certificateholder may be
 1362 recertified only after reexamination. The department shall make
 1363 available ~~provide~~ the appropriate reference material and ~~make~~

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1364 ~~the examination readily accessible and available to all~~
 1365 ~~applicants at least quarterly or as necessary in each county.~~

1366 Section 36. Subsection (2) of section 482.156, Florida
 1367 Statutes, is amended to read:

1368 482.156 Limited certification for commercial landscape
 1369 maintenance personnel.—

1370 (2) (a) A person seeking limited certification under this
 1371 section must pass an examination that the department shall
 1372 provide in person and remotely through a third-party vendor. The
 1373 third-party vendor may collect and retain a convenience fee
 1374 given by the department. Each application for examination must
 1375 be accompanied by an examination fee set by rule of the
 1376 department, in an amount of not more than \$150 or less than \$50.
 1377 Before the department issues a limited certification under this
 1378 section, each person applying for the certification must furnish
 1379 proof of having a certificate of insurance which states that the
 1380 employer meets the requirements for minimum financial
 1381 responsibility for bodily injury and property damage required by
 1382 s. 482.071(4).

1383 (b) The department shall make available ~~provide~~ the
 1384 appropriate reference materials for the examination and provide
 1385 in-person and remote testing through a third-party vendor. A
 1386 third-party vendor may collect and retain a convenience fee ~~make~~
 1387 ~~the examination readily accessible and available to applicants~~
 1388 ~~at least quarterly or as necessary in each county.~~

1389 Section 37. Subsection (2) of section 482.157, Florida
 1390 Statutes, is amended to read:

1391 482.157 Limited certification for commercial wildlife
 1392 management personnel.—

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1393 (2) The department shall issue a limited certificate to an
1394 applicant who:

1395 (a) Submits an application and examination fee of at least
1396 \$150, but not more than \$300, as prescribed by the department by
1397 rule;

1398 (b) Passes an examination that the department shall provide
1399 in person and remotely through a third-party vendor. The third-
1400 party vendor may collect and retain a convenience fee
1401 ~~administered by the department.~~ The department shall make
1402 available ~~provide~~ the appropriate study materials for the
1403 examination and ~~make the examination readily available to~~
1404 ~~applicants in each county as necessary, but not less frequently~~
1405 ~~than quarterly;~~ and

1406 (c) Provides proof, including a certificate of insurance,
1407 that the applicant has met the minimum bodily injury and
1408 property damage insurance requirements in s. 482.071(4).

1409 Section 38. Paragraph (m) is added to subsection (1) of
1410 section 482.161, Florida Statutes, to read:

1411 482.161 Disciplinary grounds and actions; reinstatement.-

1412 (1) The department may issue a written warning to or impose
1413 a fine against, or deny the application for licensure or
1414 licensure renewal of, a licensee, certified operator, limited
1415 certificateholder, identification cardholder, or special
1416 identification cardholder or any other person, or may suspend,
1417 revoke, or deny the issuance or renewal of any license,
1418 certificate, limited certificate, identification card, or
1419 special identification card that is within the scope of this
1420 chapter, in accordance with chapter 120, upon any of the
1421 following grounds:

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1422 (m) Upon the issuance of a final order imposing civil
1423 penalties under subsection 14(a) of the Federal Insecticide,
1424 Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction
1425 under subsection 14(b), of FIFRA.

1426 Section 39. Subsection (2) of section 487.044, Florida
1427 Statutes, is amended to read:

1428 487.044 Certification; examination.-

1429 (2) The department shall require each applicant for a
1430 certified applicator's license to demonstrate competence by a
1431 written or oral examination in which the applicant must
1432 demonstrate adequate knowledge concerning the proper use and
1433 application of restricted-use pesticides in each classification
1434 for which application for license is made. The department shall
1435 provide in-person and remote testing through a third-party
1436 vendor. A third-party vendor may collect and retain a
1437 convenience fee. The examination may be prepared, administered,
1438 and evaluated by the department. Each applicant for a certified
1439 applicator's license shall demonstrate minimum competence as to:

1440 (a) The proper use of the equipment.

1441 (b) The environmental hazards that may be involved in
1442 applying restricted-use pesticides.

1443 (c) Calculating the concentration of restricted-use
1444 pesticides to be used in particular circumstances.

1445 (d) Identification of common pests to be controlled and the
1446 damages caused by such pests.

1447 (e) Protective clothing and respiratory equipment required
1448 during the handling and application of restricted-use
1449 pesticides.

1450 (f) General precautions to be followed in the disposal of

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1451 containers, as well as the cleaning and decontamination of the
 1452 equipment which the applicant proposes to use.

1453 (g) Applicable state and federal pesticide laws, rules, and
 1454 regulations.

1455 (h) General safety precautions.

1456 Section 40. Subsection (6) is added to section 487.175,
 1457 Florida Statutes, to read:

1458 487.175 Penalties; administrative fine; injunction.—
 1459 (6) Licensure may be suspended, revoked, or denied by the
 1460 department, upon the issuance of a final order to a licensee
 1461 imposing civil penalties under subsection 14(a) of the Federal
 1462 Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a
 1463 criminal conviction under subsection 14(b) of FIFRA.

1464 Section 41. Subsections (13) through (28) of section
 1465 496.404, Florida Statutes, are redesignated as subsections (15)
 1466 through (30), respectively, and subsections (13) and (14) are
 1467 added to that section, to read:

1468 496.404 Definitions.—As used in ss. 496.401-496.424, the
 1469 term:

1470 (13) “Foreign country of concern” means the People’s
 1471 Republic of China, the Russian Federation, the Islamic Republic
 1472 of Iran, the Venezuelan regime of Nicolás Maduro, or the Syrian
 1473 Arab Republic, including any agency of or any other entity under
 1474 significant control of such foreign country of concern.

1475 (14) “Foreign source of concern” means any of the
 1476 following:

1477 (a) The government or any official of the government of a
 1478 foreign country of concern;

1479 (b) A political party or member of a political party or any

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1480 subdivision of a political party in a foreign country of
 1481 concern;

1482 (c) A partnership, an association, a corporation, an
 1483 organization, or other combination of persons organized under
 1484 the laws of or having its principal place of business in a
 1485 foreign country of concern, or a subsidiary of such entity;

1486 (d) Any person who is domiciled in a foreign country of
 1487 concern and is not a citizen or lawful permanent citizen of the
 1488 United States;

1489 (e) An agent, including a subsidiary or an affiliate of a
 1490 foreign legal entity, acting on behalf of a foreign source of
 1491 concern; or

1492 (f) An entity in which a person, entity, or collection of
 1493 persons or entities described in paragraphs (a)–(e) has a
 1494 controlling interest. As used in this paragraph, the term
 1495 “controlling interest” means the possession of the power to
 1496 direct or cause the direction of the management or policies of
 1497 an entity, whether through ownership of securities, by contract,
 1498 or otherwise. A person or an entity that directly or indirectly
 1499 has the right to vote 25 percent or more of the voting interest
 1500 of the company or is entitled to 25 percent or more of its
 1501 profits is presumed to possess a controlling interest.

1502 Section 42. Present paragraphs (d) through (g) of
 1503 subsection (2) of section 496.405, Florida Statutes, are
 1504 redesignated as paragraphs (f) through (i), respectively, new
 1505 paragraphs (d) and (e) are added to that subsection, subsection
 1506 (11) is added to that section, and paragraph (b) of subsection
 1507 (1) and paragraph (b) of subsection (7) of that section are
 1508 amended, to read:

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1509 496.405 Registration statements by charitable organizations
1510 and sponsors.—

1511 (1) A charitable organization or sponsor, unless exempted
1512 pursuant to s. 496.406, which intends to solicit contributions
1513 in or from this state by any means or have funds solicited on
1514 its behalf by any other person, charitable organization,
1515 sponsor, commercial co-venturer, or professional solicitor, or
1516 that participates in a charitable sales promotion or sponsor
1517 sales promotion, must, before engaging in any of these
1518 activities, file an initial registration statement, which
1519 includes an attestation statement, and a renewal statement
1520 annually thereafter, with the department.

1521 (b) Any changes to the information submitted to the
1522 department pursuant to paragraph (2) (f) ~~(2) (d)~~ on the initial
1523 registration statement, which includes an attestation statement,
1524 or the last renewal statement must be reported to the department
1525 on a form prescribed by the department within 10 days after the
1526 change occurs.

1527 (2) The initial registration statement must be submitted on
1528 a form prescribed by the department, signed by an authorized
1529 official of the charitable organization or sponsor who shall
1530 certify that the registration statement is true and correct, and
1531 include the following information or material:

1532 (d) An attestation statement, which must be submitted on a
1533 form prescribed by the department and signed by an authorized
1534 official of the charitable organization, who shall certify and
1535 attest that the charitable organization, if engaged in
1536 activities that would require registration pursuant to chapter
1537 106 is registered with the Department of State, pursuant to

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1538 chapter 106.

1539 (e) An attestation statement on a form prescribed by the
1540 department, signed by an authorized official of the charitable
1541 organization, who shall certify and attest that the charitable
1542 organization, if prohibited by applicable federal or state law,
1543 is not engaged in activities that would require registration
1544 with the Department of State pursuant to chapter 106.

1545 (7)

1546 (b) If a charitable organization or sponsor discloses
1547 information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~
1548 in the initial registration statement or annual renewal
1549 statement, the time limits set forth in paragraph (a) are
1550 waived, and the department shall process such initial
1551 registration statement or annual renewal statement in accordance
1552 with the time limits set forth in chapter 120. The registration
1553 of a charitable organization or sponsor shall be automatically
1554 suspended for failure to disclose any information specified in
1555 subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the
1556 required information is submitted to the department.

1557 (11) The department may investigate and refer the
1558 charitable organization or sponsor to the Florida Elections
1559 Commission for investigation of violations pursuant to chapters
1560 104 and 106.

1561 Section 43. Subsection (20) is added to section 496.415,
1562 Florida Statutes, to read:

1563 496.415 Prohibited acts.—It is unlawful for any person in
1564 connection with the planning, conduct, or execution of any
1565 solicitation or charitable or sponsor sales promotion to:

1566 (20) Solicit or accept contributions or anything of value

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1567 from a foreign source of concern.

1568 Section 44. Section 496.417, Florida Statutes, is amended
1569 to read:

1570 496.417 Criminal penalties.—Except as otherwise provided in
1571 ss. 496.401-496.424, and in addition to any administrative or
1572 civil penalties, any person who willfully and knowingly violates
1573 ss. 496.401-496.424 commits a felony of the third degree,
1574 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
1575 For a second or subsequent conviction, such violation
1576 constitutes a felony of the second degree, punishable as
1577 provided in s. 775.082, s. 775.083, or s. 775.084. The
1578 department may also investigate and refer the charitable
1579 organization or sponsor to the Florida Elections Commission for
1580 investigation of violations pursuant to chapters 104 and 106.

1581 Section 45. Subsection (11) is added to section 496.419,
1582 Florida Statutes, to read:

1583 496.419 Powers of the department.—

1584 (11) (a) A charitable organization or sponsor whose
1585 registration is denied or revoked for submitting a false
1586 attestation required pursuant to s. 496.405(2) (d) or s.
1587 496.405(2) (e) may not register as a charitable organization or
1588 sponsor for 5 years for an initial violation, and may not
1589 register as a charitable organization or sponsor following any
1590 subsequent violations.

1591 (b) A person serving as a board member, executive
1592 leadership team member, or registering agent of a charitable
1593 organization at the time in which the charitable organization is
1594 found to have submitted a false attestation as required by s.
1595 496.405(2) (d) or (e) may not serve in any capacity with a

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1596 charitable organization required to comply with the requirements
1597 of ss. 496.405 and 496.406 for 5 years after the date of the
1598 violation of this subsection.

1599 Section 46. Section 496.431, Florida Statutes, is created
1600 to read:

1601 496.431 Honest Service Registry.—

1602 (1) The department shall create the Honest Services
1603 Registry to provide the residents of this state with the
1604 information necessary to make an informed choice when deciding
1605 which charitable organizations to support.

1606 (2) To be included on the Honest Services Registry, a
1607 charitable organization must, at a minimum, submit to the
1608 department an attestation statement on a form prescribed by the
1609 department, verified as provided in s. 92.525, attesting to all
1610 of the following:

1611 (a) That the organization does not solicit or accept,
1612 directly or indirectly, contributions, funding, support, or
1613 services from a foreign source of concern.

1614 (b) That the organization's messaging and content are not
1615 directly or indirectly produced or influenced by a foreign
1616 source of concern.

1617 (3) The department shall publish the Honest Services
1618 Registry on the department's website.

1619 (4) The department shall adopt rules to implement this
1620 section.

1621 Section 47. Paragraph (j) of subsection (1) of section
1622 500.03, Florida Statutes, is amended to read:

1623 500.03 Definitions; construction; applicability.—

1624 (1) For the purpose of this chapter, the term:

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1625 (j) "Cottage food product" means food that is not time or
 1626 temperature controlled for safety, a potentially hazardous food
 1627 as defined by department rule which is sold by a cottage food
 1628 operation in accordance with s. 500.80.

1629 Section 48. Paragraphs (a) and (b) of subsection (1) of
 1630 section 500.12, Florida Statutes, are amended to read:

1631 500.12 Food permits; building permits.—

1632 (1)(a) A food permit from the department is required of any
 1633 person or business that ~~who~~ operates a food establishment,
 1634 except:

1635 1. Persons or businesses operating minor food outlets that
 1636 sell food that is commercially prepackaged, not potentially
 1637 hazardous, not age restricted, and not time or temperature
 1638 controlled for safety, if the shelf space for those items does
 1639 not exceed 12 total linear feet and no other food is sold by the
 1640 person or business minor food outlet.

1641 2. Persons subject to continuous, onsite federal or state
 1642 inspection.

1643 3. Persons selling only legumes in the shell, either
 1644 parched, roasted, or boiled.

1645 4. Persons selling sugar cane or sorghum syrup that has
 1646 been boiled and bottled on a premise located within this state.
 1647 Such bottles must contain a label listing the producer's name
 1648 and street address, all added ingredients, the net weight or
 1649 volume of the product, and a statement that reads, "This product
 1650 has not been produced in a facility permitted by the Florida
 1651 Department of Agriculture and Consumer Services."

1652 (b) Each food establishment regulated under this chapter
 1653 must apply for and receive a food permit before operation

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1654 begins. An application for a food permit from the department
 1655 must be accompanied by a fee in an amount determined by
 1656 department rule. The department shall adopt by rule a schedule
 1657 of fees to be paid by each food establishment as a condition of
 1658 issuance or renewal of a food permit. Such fees may not exceed
 1659 \$650 and must be used solely for the recovery of costs for the
 1660 services provided, except that the fee accompanying an
 1661 application for a food permit for operating a bottled water
 1662 plant may not exceed \$1,000 and the fee accompanying an
 1663 application for a food permit for operating a packaged ice plant
 1664 may not exceed \$250. The fee for operating a bottled water plant
 1665 or a packaged ice plant must be set by rule of the department.
 1666 Food permits are not transferable from one person or physical
 1667 location to another. Food permits must be renewed in accordance
 1668 with subparagraphs 1.-3. If an application for renewal of a food
 1669 permit is not received by the department on or before its due
 1670 date, a late fee not exceeding \$100 must be paid in addition to
 1671 the food permit fee before the department may issue the food
 1672 permit. The moneys collected must be deposited in the General
 1673 Inspection Trust Fund.

1674 1. A food permit issued to a new food establishment ~~on or~~
 1675 ~~after September 1, 2023~~, is valid for 1 calendar year after the
 1676 date of issuance and must be renewed annually on or before that
 1677 date thereafter.

1678 2. ~~Effective January 1, 2024~~, A food permit issued before
 1679 September 1, 2023, expires on the month and day the initial
 1680 permit was issued to the food establishment and must be renewed
 1681 annually on or before that date thereafter. The department may
 1682 charge a prorated permit fee for purposes of this subparagraph.

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1683 3. The department may establish a single permit renewal
 1684 date for multiple food establishments owned by the same entity
 1685 ~~The owner of 100 or more permitted food establishment locations~~
 1686 ~~may elect to set the expiration of food permits for such~~
 1687 ~~establishments as December 31 of each calendar year.~~

1688 Section 49. Section 500.166, Florida Statutes, is amended
 1689 to read:

1690 500.166 Records of interstate shipment.—For the purpose of
 1691 enforcing this chapter, carriers engaged in interstate commerce
 1692 and persons receiving food in interstate commerce shall retain
 1693 all records for 3 years from the date of the record showing the
 1694 movement in interstate commerce of any food, and the quantity,
 1695 shipper and consignee thereof and, upon the request by an
 1696 officer or employee duly designated by the department, permit
 1697 the officer or employee to have access to and to copy all
 1698 records showing the movement in interstate commerce of any food,
 1699 and the quantity, shipper, and consignee thereof.

1700 Section 50. Subsection (1) of section 500.172, Florida
 1701 Statutes, is amended to read:

1702 500.172 Embargoing, detaining, destroying of food, food
 1703 processing equipment, or areas that are in violation.—

1704 (1) When the department, or its duly authorized agent who
 1705 has received appropriate education and training regarding the
 1706 legal requirements of this chapter, finds or has probable cause
 1707 to believe that any food, food processing equipment, food
 1708 processing area, or food storage area is in violation of this
 1709 chapter or any rule adopted under this chapter so as to be
 1710 dangerous, unwholesome, mislabeled, fraudulent, or insanitary
 1711 within the meaning of this chapter, an agent of the department

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1712 may issue and enforce a stop-sale, stop-use, removal, or hold
 1713 order, which order gives notice that such article, processing
 1714 equipment, processing area, or storage area is or is suspected
 1715 of being in violation and has been detained or embargoed and
 1716 which order warns all persons not to remove, use, or dispose of
 1717 such article, processing equipment, processing area, or storage
 1718 area by sale or otherwise until permission for removal, use, or
 1719 disposal is given by the department or the court. The department
 1720 is authorized to enter into a written agreement with the owner
 1721 of such food, food processing equipment, food processing area,
 1722 or food storage area, or otherwise facilitate the destruction of
 1723 any article found or suspected by the department to be in
 1724 violation of this section. A person may not remove, use, or
 1725 dispose of such detained or embargoed article, processing
 1726 equipment, processing area, or storage area by sale or otherwise
 1727 without such permission from or in accordance with a written
 1728 agreement with the department.

1729 Section 51. Section 500.75, Florida Statutes, is created to
 1730 read:

1731 500.75 Mushrooms spores and mycelium; offenses.—It is
 1732 unlawful to transport, import, sell, offer for sale, furnish, or
 1733 give away spores or mycelium capable of producing mushrooms or
 1734 other material which will contain a controlled substance,
 1735 including psilocybin or psilocyn, during its lifecycle. Every
 1736 person who transports, imports into this state, sells, offers
 1737 for sale, furnishes, gives away, or offers to transport, import
 1738 into this state, sell, furnish, or give away any spores or
 1739 mycelium capable of producing mushrooms or other material which
 1740 will contain a controlled substance commits a misdemeanor of the

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1741 first degree, punishable as provided in s. 775.082 or s.
 1742 775.083.

1743 Section 52. Section 500.93, Florida Statutes, is created to
 1744 read:

1745 500.93 Mislabeling of plant-based products as milk, meat,
 1746 or poultry.—

1747 (1) As used in this section, the term:

1748 (a) "FDA" means the United States Food and Drug
 1749 Administration.

1750 (b) "Meat" has the same meaning as in 9 C.F.R. s. 301.2 and
 1751 the Federal Meat Inspection Act.

1752 (c) "Milk" has the same meaning as in 21 C.F.R. s. 131.110
 1753 and the Grade "A" pasteurized milk ordinance.

1754 (d) "Poultry" or "Poultry Product" has the same meaning as
 1755 in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

1756 (2) (a) In accordance with the established standard of
 1757 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade
 1758 "A" pasteurized milk ordinance, the department shall adopt rules
 1759 to enforce the FDA's standard of identity for milk, as adopted
 1760 in state law, to prohibit the sale of plant-based products
 1761 mislabeled as milk in this state.

1762 (b) This subsection is effective upon the enactment into
 1763 law of a mandatory labeling requirement to prohibit the sale of
 1764 plant-based products mislabeled as milk that is consistent with
 1765 this section by any 11 of the group of 14 states composed of
 1766 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
 1767 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
 1768 Texas, Virginia, and West Virginia.

1769 (3) (a) In accordance with the established standard of

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1770 identity for meat defined in 9 C.F.R. s. 301.2 and the Federal
 1771 Meat Inspection Act, and both poultry and poultry products
 1772 defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection
 1773 Act, the department shall adopt rules to enforce the FDA's
 1774 standard of identity for meat, poultry, and poultry products as
 1775 adopted in this section, to prohibit the sale of plant-based
 1776 products mislabeled as meat, poultry, or poultry products in
 1777 this state.

1778 (b) This subsection is effective upon the enactment into
 1779 law of a mandatory labeling requirement to prohibit the sale of
 1780 plant-based products mislabeled as meat, poultry, or poultry
 1781 products which is consistent with this section by any 11 of the
 1782 group of 14 states composed of Alabama, Arkansas, Florida,
 1783 Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma,
 1784 South Carolina, Tennessee, Texas, Virginia, and West Virginia.

1785 (4) The Department of Agriculture and Consumer Services
 1786 shall notify the Division of Law Revision upon the enactment
 1787 into law by any 11 of the group of 14 states composed of
 1788 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
 1789 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
 1790 Texas, Virginia, and West Virginia of the mandatory labeling
 1791 requirements pursuant to subsections (2) and (3).

1792 (5) The department shall adopt rules to implement this
 1793 section.

1794 (6) This section may not be construed to limit the
 1795 department's authority to enforce its laws and regulations.

1796 Section 53. Section 501.135, Florida Statutes, is repealed.

1797 Section 54. Subsection (1) of section 501.912, Florida
 1798 Statutes, is amended to read:

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1799 501.912 Definitions.—As used in ss. 501.91-501.923:

1800 (1) "Antifreeze" means any substance or preparation,
1801 including, but not limited to, coolant, antifreeze-coolant,
1802 antifreeze and summer coolant, or summer coolant, that is sold,
1803 distributed, or intended for use:

1804 (a) As the cooling liquid, or to be added to the cooling
1805 liquid, in the cooling system of ~~internal combustion engines of~~
1806 motor vehicles to prevent freezing of the cooling liquid or to
1807 lower its freezing point; or

1808 (b) To raise the boiling point of water, aid in vehicle
1809 component cooling, or for the prevention of engine overheating,
1810 whether or not the liquid is used as a year-round cooling system
1811 fluid.

1812 Section 55. Section 525.19, Florida Statutes, is created to
1813 read:

1814 525.19 Petroleum registration.—

1815 (1) The department shall create an annual petroleum
1816 registration program for petroleum owners or operators that own
1817 and operate vehicles for transporting petroleum products and
1818 shall adopt rules detailing the requirements for such
1819 registration that include, at minimum:

1820 (a) Name of the petroleum owner or operator;

1821 (b) Address of the petroleum owner or operator;

1822 (c) Phone number of the petroleum owner or operator;

1823 (d) E-mail address of the petroleum owner or operator;

1824 (e) Requirements for the transfer switch;

1825 (f) Fuel and petroleum infrastructure; and

1826 (g) Fuel and petroleum inventory and delivery information.

1827 (2) The registration program must be free for all

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1828 registrants.

1829 (3) The department has the authority to require registrants
1830 to provide updates related to the status of infrastructure,
1831 inventory, and delivery information during a state of emergency
1832 as declared by an executive order issued by the Governor.

1833 Section 56. Section 526.147, Florida Statutes, is created
1834 to read:

1835 526.147 Florida Retail Fuel Transfer Switch Modernization
1836 Grant Program.—

1837 (1) (a) There is created, subject to appropriation, the
1838 Florida Retail Fuel Transfer Switch Modernization Grant Program
1839 within the Department of Agriculture and Consumer Services.

1840 (b) The grant program shall provide grant funds, not to
1841 exceed \$10,000 per retail fuel facility, to be used for
1842 installation and equipment costs related to installing or
1843 modernizing transfer switch infrastructure at retail fuel
1844 facilities to allow for the continuity of fueling operations
1845 under generated power.

1846 (c) The department shall award funds based upon the
1847 following criteria:

1848 1. Up to \$10,000, of costs for transfer switch purchase and
1849 installation for retail fuel locations in fiscally constrained
1850 counties, as defined in s. 218.67.

1851 2. Up to \$5,000, of costs for transfer switch purchase and
1852 installation for all other retail fuel locations.

1853 (d) Retail fuel facilities which are awarded grant funds
1854 must comply with s. 526.143 and must install a transfer switch
1855 capable of operating all fuel pumps, dispensing equipment, life
1856 safety systems, and payment acceptance equipment using an

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1857 alternative generated power source.

1858 (e) Before being awarded funding from the department,
 1859 retail fuel facilities must provide documentation on transfer
 1860 switch installation and required generator sizing to the
 1861 department.

1862 (f) Marinas and fueling facilities with fewer than 4
 1863 fueling positions are excluded from being awarded funding
 1864 through this program.

1865 (g) Fueling facilities subject to s. 526.143(2) are
 1866 excluded from being awarded funding through this program.

1867 (2) The department, in consultation with the Division of
 1868 Emergency Management, shall adopt rules to implement and
 1869 administer this section, including establishing grant
 1870 application processes for the Florida Retail Fuel Transfer
 1871 Switch Modernization Grant Program. The rules must include
 1872 application deadlines and establish the supporting documentation
 1873 necessary to be provided to the department.

1874 Section 57. Section 531.48, Florida Statutes, is amended to
 1875 read:

1876 531.48 Declarations of unit price on random packages.—In
 1877 addition to the declarations required by s. 531.47, any package
 1878 being one of a lot containing random weights of the same
 1879 commodity ~~and bearing the total selling price of the package~~
 1880 shall bear on the outside of the package a plain and conspicuous
 1881 declaration of the price per single unit of weight and the total
 1882 retail price of the package, as defined by department rule.

1883 Section 58. Section 531.49, Florida Statutes, is amended to
 1884 read:

1885 531.49 Advertising packages for sale.—~~Whenever~~ A packaged

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1886 commodity ~~is advertised in any manner with the retail price~~
 1887 ~~stated, there shall be~~ closely and conspicuously associated with
 1888 the retail price must have a declaration of quantity as is
 1889 required by law or rule to appear on the package.

1890 Section 59. Present subsections (44), (45), and (46) of
 1891 section 570.07, Florida Statutes, are redesignated as
 1892 subsections (46), (47), and (48), respectively, and new
 1893 subsections (44) and (45) are added to that section, to read:

1894 570.07 Department of Agriculture and Consumer Services;
 1895 functions, powers, and duties.—The department shall have and
 1896 exercise the following functions, powers, and duties:

1897 (44) (a) To foster and encourage the employment and
 1898 retention of qualified veterinary pathologists. The department
 1899 may reimburse the educational expenses of qualified veterinary
 1900 pathologists who enter into an agreement with the department to
 1901 retain employment for a specified period of time.

1902 (b) The department shall adopt rules to administer this
 1903 subsection.

1904 (45) Subject to appropriation, to extend state and national
 1905 Future Farmers of America opportunities to any public school
 1906 student enrolled in agricultural education, at little or no cost
 1907 to the student or school district, and to support statewide
 1908 Future Farmers of America programming that helps such students
 1909 develop their potential for premier leadership, personal growth,
 1910 and career success.

1911 Section 60. Subsection (2) of section 570.544, Florida
 1912 Statutes, is amended to read:

1913 570.544 Division of Consumer Services; director; powers;
 1914 processing of complaints; records.—

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1915 (2) The director shall supervise, direct, and coordinate
 1916 the activities of the division and shall, under the direction of
 1917 the department, enforce the provisions of ss. 366.94 and ss-
 1918 604.15-604.34 and chapters 171, 472, 496, 501, 507, 525, 526,
 1919 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

1920 Section 61. Section 570.546, Florida Statutes, is created
 1921 to read:

1922 570.546 Licensing.-

1923 (1) The department is authorized to:

1924 (a) Create a process for the bulk renewal of licenses which
 1925 will allow licensees the ability, upon request, to submit all
 1926 license applications of the same type, notwithstanding any
 1927 provisions of law applicable to each application process.

1928 (b) Create a process that will allow licensees, upon
 1929 request, to align the expiration dates of licenses within a
 1930 statutory program.

1931 (c) Change the expiration dates for current licensees for
 1932 the purpose of reducing large numbers of license expirations
 1933 that occur during the same month.

1934 (2) The department shall prorate any licensing fee for
 1935 which the term of the license was reduced for the purposes of
 1936 alignment.

1937 (3) The department shall adopt rules to implement this
 1938 section.

1939 Section 62. Section 570.822, Florida Statutes, is amended
 1940 to read:

1941 570.822 Agriculture and Aquaculture Producers Emergency
 1942 Natural Disaster Recovery Loan Program.-

1943 (1) DEFINITIONS.—As used in this section, the term:

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1944 (a) "Bona fide farm operation" means a farm operation
 1945 engaged in a good faith commercial agricultural use of land on
 1946 land classified as agricultural pursuant to s. 193.461 or on
 1947 sovereign submerged land that is leased to the applicant by the
 1948 department pursuant to s. 597.010 and that produces agricultural
 1949 products within the definition of agriculture under s. 570.02.

1950 (b) "Declared ~~emergency natural disaster~~" means an
 1951 emergency a natural disaster for which a state of emergency is
 1952 declared pursuant to s. 252.36 or s. 570.07(21).

1953 (c) "Department" means the Department of Agriculture and
 1954 Consumer Services.

1955 (d) "Essential physical property" means fences; equipment;
 1956 structural production facilities, such as shade houses and
 1957 greenhouses; or other agriculture or aquaculture facilities or
 1958 infrastructure.

1959 (e) "Program" means the Agriculture and Aquaculture
 1960 Producers Emergency Natural Disaster Recovery Loan Program.

1961 (2) USE OF LOAN FUNDS; LOAN TERMS.—

1962 (a) The program is established within the department to
 1963 make loans to agriculture and aquaculture producers that have
 1964 experienced damage or destruction from a declared emergency
 1965 natural disaster. Loan funds may be used to restore, repair, or
 1966 replace essential physical property or remove vegetative debris
 1967 from essential physical property, or restock aquaculture. A
 1968 structure or building constructed using loan proceeds must
 1969 comply with storm-hardening standards for nonresidential farm
 1970 buildings as defined in s. 604.50(2). The department shall adopt
 1971 such standards by rule.

1972 (b) The department may make a low-interest or interest-free

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1973 loan to an eligible applicant. The maximum amount that an
 1974 applicant may receive during the application period for a loan
 1975 is \$500,000. An applicant may not receive more than one loan per
 1976 application period and no more than two loans per year or no
 1977 more than five loans in any 3-year period. A loan term is 10
 1978 years.

1979 (3) ELIGIBLE APPLICANTS.—To be eligible for the program, an
 1980 applicant must:

1981 (a) Own or lease a bona fide farm operation that is located
 1982 in a county named in a declared emergency natural disaster and
 1983 that was damaged or destroyed as a result of such declared
 1984 emergency natural disaster.

1985 (b) Maintain complete and acceptable farm records, pursuant
 1986 to criteria published by the department, and present them as
 1987 proof of production levels and bona fide farm operations.

1988 (4) LOAN APPLICATION AND AGREEMENT.—

1989 (a) Requests for loans must be made by application to the
 1990 department. Upon a determination that funding for loans is
 1991 available, the department shall publicly notice an application
 1992 period for the declared emergency natural disaster, beginning
 1993 within 60 days after the date of the declared emergency natural
 1994 disaster and running up to 1 year after the date of the declared
 1995 emergency natural disaster or until all available loan funds are
 1996 exhausted, whichever occurs first. The application may be
 1997 renewed upon a determination from the department and an active
 1998 declared emergency declaration.

1999 (b) An applicant must demonstrate the need for financial
 2000 assistance and an ability to repay or meet a standard credit
 2001 rating determined by the department.

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2002 (c) Loans must be made pursuant to written agreements
 2003 specifying the terms and conditions agreed to by the approved
 2004 applicant and the department. The loan agreement must specify
 2005 that the loan is due upon sale if the property or other
 2006 collateral for the loan is sold.

2007 (d) An approved applicant must agree to stay in production
 2008 for the duration of the loan. A loan is not assumable.

2009 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured
 2010 by a lien, subordinate only to any mortgage held by a financial
 2011 institution as defined in s. 655.005, on property or other
 2012 collateral as set forth in the loan agreement. The specific type
 2013 of collateral required may vary depending upon the loan purpose,
 2014 repayment ability, and the particular circumstances of the
 2015 applicant. The department shall record the lien in public
 2016 records in the county where the property is located and, in the
 2017 case of personal property, perfect the security interest by
 2018 filing appropriate Uniform Commercial Code forms with the
 2019 Florida Secured Transaction Registry as required pursuant to
 2020 chapter 679.

2021 (6) LOAN REPAYMENT.—

2022 (a) A loan is due and payable in accordance with the terms
 2023 of the loan agreement.

2024 (b) The department shall defer payments for the first 3
 2025 years of the loan. After 3 years, the department shall reduce
 2026 the principal balance annually through the end of the loan term
 2027 such that the original principal balance is reduced by 30
 2028 percent. If the principal balance is repaid before the end of
 2029 the 10th year, the applicant may not be required to pay more
 2030 than 70 percent of the original principal balance. The approved

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2031 applicant must continue to be actively engaged in production in
 2032 order to receive the original principal balance reductions and
 2033 must continue to meet the loan agreement terms to the
 2034 satisfaction of the department.

2035 (c) An approved applicant may make payments on the loan at
 2036 any time without penalty. Early repayment is encouraged as other
 2037 funding sources or revenues become available to the approved
 2038 applicant.

2039 (d) All repayments of principal and interest, if
 2040 applicable, received by the department in a fiscal year must be
 2041 returned to the loan fund and made available for loans to other
 2042 applicants in the next application period.

2043 (e) The department may periodically review an approved
 2044 applicant to determine whether he or she continues to be in
 2045 compliance with the terms of the loan agreement. If the
 2046 department finds that an applicant is no longer in production or
 2047 has otherwise violated the loan agreement, the department may
 2048 seek repayment of the full original principal balance
 2049 outstanding, including any interest or costs, as applicable, and
 2050 excluding any applied or anticipated original principal balance
 2051 reductions.

2052 (f) The department may defer or waive loan payments if at
 2053 any time during the repayment period of a loan, the approved
 2054 applicant experiences a significant hardship such as crop loss
 2055 from a weather-related event or from impacts from a natural
 2056 disaster or declared emergency.

2057 (7) ADMINISTRATION.—

2058 (a) The department shall create and maintain a separate
 2059 account in the General Inspection Trust Fund as a fund for the

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2060 program. All repayments must be returned to the loan fund and
 2061 made available as provided in this section. Notwithstanding s.
 2062 216.301, funds appropriated for the loan program are not subject
 2063 to reversion. The department shall manage the fund, establishing
 2064 loan practices that must include, but are not limited to,
 2065 procedures for establishing loan interest rates, uses of
 2066 funding, application procedures, and application review
 2067 procedures. The department is authorized to contract with a
 2068 third-party administrator to administer the program and manage
 2069 the loan fund. A contract for a third-party administrator that
 2070 includes management of the loan fund must, at a minimum, require
 2071 maintenance of the loan fund to ensure that the program may
 2072 operate in a revolving manner.

2073 (b) The department shall coordinate with other state
 2074 agencies and other entities to ensure to the greatest extent
 2075 possible that agriculture and aquaculture producers in this
 2076 state have access to the maximum financial assistance available
 2077 following a declared emergency ~~natural disaster~~. The
 2078 coordination must endeavor to ensure that there is no
 2079 duplication of financial assistance between the loan program and
 2080 other funding sources, such as any federal or other state
 2081 programs, including public assistance requests to the Federal
 2082 Emergency Management Agency or financial assistance from the
 2083 United States Department of Agriculture, which could render the
 2084 approved applicant ineligible for other financial assistance.

2085 (8) PUBLIC RECORDS EXEMPTION.—

2086 (a) The following information held by the department
 2087 pursuant to its administration of the program is exempt from s.
 2088 119.07(1) and s. 24(a), Art. I of the State Constitution:

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2089 1. Tax returns.

2090 2. Credit history information, credit reports, and credit

2091 scores.

2092 (b) This subsection does not prohibit the disclosure of

2093 information held by the department pursuant to its

2094 administration of the program in an aggregated and anonymized

2095 format.

2096 (c) This subsection is subject to the Open Government

2097 Sunset Review Act in accordance with s. 119.15 and shall stand

2098 repealed on October 2, 2029, unless reviewed and saved from

2099 repeal through reenactment by the Legislature.

2100 (9) RULES.—The department shall adopt rules to implement

2101 this section.

2102 (10) REPORTS.—By December 1, 2024, and each December 1

2103 thereafter, the department shall provide a report on program

2104 activities during the previous fiscal year to the President of

2105 the Senate and the Speaker of the House of Representatives. The

2106 report must include information on noticed application periods,

2107 the number and value of loans awarded under the program for each

2108 application period, the number and value of loans outstanding,

2109 the number and value of any loan repayments received, and an

2110 anticipated repayment schedule for all loans.

2111 (11) SUNSET.—This section expires July 1, 2043, unless

2112 reviewed and saved from repeal through reenactment by the

2113 Legislature.

2114 Section 63. Section 570.823, Florida Statutes, is created

2115 to read:

2116 570.823 Silviculture emergency recovery program.—

2117 (1) DEFINITIONS.—As used in this section, the term:

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2118 (a) "Bona fide farm operation" means a farm operation

2119 engaged in a good faith commercial agricultural use of land on

2120 land classified as agricultural pursuant to s. 193.461 that

2121 produces agricultural products within the definition of

2122 agriculture under s. 570.02.

2123 (b) "Declared emergency" means an emergency for which a

2124 state of emergency is declared pursuant to s. 252.36 or s.

2125 570.07(21).

2126 (c) "Department" means the Department of Agriculture and

2127 Consumer Services.

2128 (d) "Program" means the Silviculture Emergency Recovery

2129 Program.

2130 (2) USE OF GRANT FUNDS; GRANT TERMS.—

2131 (a) The silviculture emergency recovery program is

2132 established within the department to administer a grant program

2133 to assist timber landowners whose timber land was damaged as a

2134 result of a declared emergency. Grants provided to eligible

2135 timber landowners must be used for:

2136 1. Timber stand restoration, including downed tree removal

2137 on land which will retain the existing trees on site which are

2138 lightly or completely undamaged; or

2139 2. Site preparation, and tree replanting.

2140 3. Road and trail clearing on private timber lands to

2141 provide emergency access and facilitate salvage operations.

2142 (b) Only timber land located on lands classified as

2143 agricultural lands under s. 193.461 are eligible for the

2144 program.

2145 (c) The department shall coordinate with state agencies and

2146 other entities to ensure to the greatest extent possible that

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2147 timber landowners have access to the maximum financial
 2148 assistance available following a specified declared emergency.
 2149 The coordination must endeavor to ensure that there is no
 2150 duplication of financial assistance between these funds and
 2151 other funding sources, such as any federal or other state
 2152 programs, including public assistance requests to the Federal
 2153 Emergency Management Agency or financial assistance from the
 2154 United States Department of Agriculture, which would render the
 2155 approved applicant ineligible for other financial assistance.

2156 (d) The department is authorized to adopt rules to
 2157 implement this section, including emergency rules.
 2158 Notwithstanding any other provision of law, emergency rules
 2159 adopted pursuant to this subsection are effective for 6 months
 2160 after adoption and may be renewed during the pendency of
 2161 procedures to adopt permanent rules addressing the subject of
 2162 the emergency rules.

2163 Section 64. Subsections (2) and (5) of section 581.1843,
 2164 Florida Statutes, are amended to read:

2165 581.1843 Citrus nursery stock propagation and production
 2166 and the establishment of regulated areas around citrus
 2167 nurseries.-

2168 (2) Effective January 1, 2007, it is unlawful for any
 2169 person to propagate for sale or movement any citrus nursery
 2170 stock that was not propagated or grown on a site and within a
 2171 protective structure approved by the department ~~and that is not~~
 2172 ~~at least 1 mile away from commercial citrus groves. A citrus~~
 2173 ~~nursery registered with the department prior to April 1, 2006,~~
 2174 ~~shall not be required to comply with the 1-mile setback from~~
 2175 ~~commercial citrus groves while continuously operating at the~~

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2176 ~~same location for which it was registered.~~ However, the nursery
 2177 shall be required to propagate citrus within a protective
 2178 structure approved by the department. Effective January 1, 2008,
 2179 ~~it is shall be~~ unlawful to distribute any citrus nursery stock
 2180 that was not produced in a protective structure approved by the
 2181 department.

2182 ~~(5) The department shall establish regulated areas around~~
 2183 ~~the perimeter of commercial citrus nurseries that were~~
 2184 ~~established on sites after April 1, 2006, not to exceed a radius~~
 2185 ~~of 1 mile. The planting of citrus in an established regulated~~
 2186 ~~area is prohibited. The planting of citrus within a 1-mile~~
 2187 ~~radius of commercial citrus nurseries that were established on~~
 2188 ~~sites prior to April 1, 2006, must be approved by the~~
 2189 ~~department. Citrus plants planted within a regulated area prior~~
 2190 ~~to the establishment of the regulated area may remain in the~~
 2191 ~~regulated area unless the department determines the citrus~~
 2192 ~~plants to be infected or infested with citrus canker or citrus~~
 2193 ~~greening. The department shall require the removal of infected~~
 2194 ~~or infested citrus, nonapproved planted citrus, and citrus that~~
 2195 ~~has sprouted by natural means in regulated areas. The property~~
 2196 ~~owner shall be responsible for the removal of citrus planted~~
 2197 ~~without proper approval. Notice of the removal of citrus trees,~~
 2198 ~~by immediate final order of the department, shall be provided to~~
 2199 ~~the owner of the property on which the trees are located. An~~
 2200 ~~immediate final order issued by the department under this~~
 2201 ~~section shall notify the property owner that the citrus trees,~~
 2202 ~~which are the subject of the immediate final order, must be~~
 2203 ~~removed and destroyed unless the property owner, no later than~~
 2204 ~~10 days after delivery of the immediate final order, requests~~

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2205 and obtains a stay of the immediate final order from the
 2206 district court of appeal with jurisdiction to review such
 2207 requests. The property owner shall not be required to seek a
 2208 stay from the department of the immediate final order prior to
 2209 seeking a stay from the district court of appeal.

2210 Section 65. Sections 593.101, 593.102, 593.103, 593.104,
 2211 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,
 2212 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116,
 2213 and 593.117, Florida Statutes, are repealed.

2214 Section 66. Subsection (11) of section 595.404, Florida
 2215 Statutes, is amended to read:

2216 595.404 School food and other nutrition programs; powers
 2217 and duties of the department.—The department has the following
 2218 powers and duties:

2219 (11) To adopt and implement an appeal process by rule, as
 2220 required by federal regulations, for applicants and participants
 2221 under the programs implemented pursuant to this chapter,
 2222 notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss.~~
 2223 ~~120.569 and 120.57-120.595.~~

2224 Section 67. Section 599.002, Florida Statutes, is amended
 2225 to read:

2226 599.002 Florida Wine Viticulture Advisory Council.—

2227 (1) There is created within the Department of Agriculture
 2228 and Consumer Services the Florida Wine Viticulture Advisory
 2229 Council, to consist of eight members as follows: the president
 2230 of the Florida Wine and Grape Growers Association ~~Florida Grape~~
 2231 ~~Growers' Association~~ or a designee thereof; a representative
 2232 from the Institute of Food and Agricultural Sciences; a
 2233 representative from the viticultural science program at Florida

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2234 Agricultural and Mechanical University; and five additional
 2235 commercial members, to be appointed for a 2-year term each by
 2236 the Commissioner of Agriculture, including a wine producer, a
 2237 fresh fruit producer, a nonwine product (juice, jelly, pie
 2238 fillings, etc.) producer, and a viticultural nursery operator.

2239 (2) The meetings, powers and duties, procedures, and
 2240 recordkeeping of the Florida Wine Viticulture Advisory Council
 2241 shall be pursuant to s. 570.232.

2242 (3) The primary responsibilities of the Florida Wine
 2243 Viticulture Advisory Council are to submit to the Commissioner
 2244 of Agriculture, annually, the industry's recommendations for
 2245 wine and viticultural research, promotion, and education and, as
 2246 necessary, the industry's recommendations for revisions to the
 2247 State Wine Viticulture Plan.

2248 Section 68. Section 599.003, Florida Statutes, is amended
 2249 to read:

2250 599.003 State Wine Viticulture Plan.—

2251 (1) The Commissioner of Agriculture, in consultation with
 2252 the Florida Wine Viticulture Advisory Council, shall develop and
 2253 coordinate the implementation of the State Wine Viticulture
 2254 Plan, which shall identify problems and constraints of the wine
 2255 and viticulture industry, propose possible solutions to those
 2256 problems, and develop planning mechanisms for the orderly growth
 2257 of the industry, including:

2258 (a) Criteria for wine and viticultural research, service,
 2259 and management priorities.

2260 (b) Additional proposed legislation that may be required.

2261 (c) Plans and goals to improve research and service
 2262 capabilities at Florida Agricultural and Mechanical University

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2263 and the University of Florida in their efforts to address
2264 current and future needs of the industry.

2265 (d) The potential for viticulture products in terms of
2266 market and needs for development.

2267 (e) Evaluation of wine policy alternatives, including, but
2268 not limited to, continued improvement in wine quality, blending
2269 considerations, promotion and advertising, labeling and vineyard
2270 designations, and development of production and marketing
2271 strategies.

2272 (f) Evaluation of production and fresh fruit policy
2273 alternatives, including, but not limited to, setting minimum
2274 grades and standards, promotion and advertising, development of
2275 production and marketing strategies, and setting minimum
2276 standards on types and quality of nursery plants.

2277 (g) Evaluation of policy alternatives for nonwine processed
2278 products, including, but not limited to, setting minimum quality
2279 standards and development of production and marketing
2280 strategies.

2281 (h) Research and service priorities for further development
2282 of the wine and viticulture industry.

2283 (i) The identification of state agencies and public and
2284 private institutions concerned with research, education,
2285 extension, services, planning, promotion, and marketing
2286 functions related to wine and viticultural development and the
2287 delineation of contributions and responsibilities.

2288 (j) Business planning, investment potential, financial
2289 risks, and economics of production and utilization.

2290 (2) A revision and update of the State Wine Viticulture
2291 Plan shall be submitted biennially to the President of the

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2292 Senate, the Speaker of the House of Representatives, and the
2293 chairs of appropriate committees of the Senate and House of
2294 Representatives, and a progress report and budget request shall
2295 be submitted annually.

2296 Section 69. Paragraph (a) of subsection (2) and subsection
2297 (3) of section 599.004, Florida Statutes, are amended, and
2298 paragraph (d) is added to subsection (2) of that section, to
2299 read:

2300 599.004 Florida Farm Winery Program; registration; logo;
2301 fees.—

2302 (2)(a) The department, in coordination with the Florida
2303 Wine Viticulture Advisory Council, shall develop and designate
2304 by rule a Florida Farm Winery logo, emblem, and directional sign
2305 to guide the public to certified Florida Farm Wineries Winery
2306 ~~tourist attractions~~. The logo and emblem of certified Florida
2307 Farm Winery signs shall be uniform.

2308 (d) Wineries that fail to recertify annually or pay the
2309 licensing fee required in paragraph (c) are subject to having
2310 the signs referenced in paragraph (b) removed and will be
2311 responsible for all costs incurred by the Department of
2312 Transportation in connection with the removal.

2313 (3) All fees collected, except as otherwise provided by
2314 this section, shall be deposited into the Florida Wine
2315 Viticulture Trust Fund and used to develop consumer information
2316 on the native characteristics and proper use of wines.

2317 Section 70. Paragraph (a) of subsection (1) of section
2318 599.012, Florida Statutes, is amended to read:

2319 599.012 Wine Viticulture Trust Fund; creation.—

2320 (1) There is established the Viticulture Trust Fund within

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2321 the Department of Agriculture and Consumer Services. The
 2322 department shall use the moneys deposited in the trust fund
 2323 pursuant to subsection (2) to do all the following:

2324 (a) Develop and coordinate the implementation of the State
 2325 Viticulture Plan.

2326 Section 71. Subsection (1) of section 616.12, Florida
 2327 Statutes, is amended to read:

2328 616.12 Licenses upon certain shows; distribution of fees;
 2329 exemptions.—

2330 (1) Each person who operates any traveling show,
 2331 exhibition, amusement enterprise, carnival, vaudeville, exhibit,
 2332 ~~minstrel~~, rodeo, theatrical, game or test of skill, riding
 2333 device, dramatic repertoire, other show or amusement, or
 2334 concession, including a concession operating in a tent,
 2335 enclosure, or other temporary structure, within the grounds of,
 2336 and in connection with, any annual public fair held by a fair
 2337 association shall pay the license taxes provided by law.
 2338 However, if the association satisfies the requirements of this
 2339 chapter, including securing the required fair permit from the
 2340 department, the license taxes and local business tax authorized
 2341 in chapter 205 are waived and the department shall issue a tax
 2342 exemption certificate. The department shall adopt the proper
 2343 forms and rules to administer this section, including the
 2344 necessary tax exemption certificate, showing that the fair
 2345 association has met all requirements and that the traveling
 2346 show, exhibition, amusement enterprise, carnival, vaudeville,
 2347 exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill,
 2348 riding device, dramatic repertoire, other show or amusement, or
 2349 concession is exempt.

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2350 Section 72. Section 687.16, Florida Statutes, is created to
 2351 read:

2352 687.16 Florida Farmer Financial Protection Act.—
 2353 (1) SHORT TITLE.—This section may be cited as the "Florida
 2354 Farmer Financial Protection Act."

2355 (2) DEFINITIONS.—

2356 (a) "Agritourism activity" has the same meaning as provided
 2357 in s. 570.86.

2358 (b) "Agriculture producer" means a person or company
 2359 authorized to do business in this state and engaged in the
 2360 production of goods derived from plants or animals, including,
 2361 but not limited to, the growing of crops, silviculture, animal
 2362 husbandry, or the production of livestock or dairy products.

2363 (c) "Commissioner" means the Commissioner of Agriculture.

2364 (d) "Company" means a for-profit organization, association,
 2365 corporation, partnership, joint venture, sole proprietorship,
 2366 limited partnership, limited liability partnership, or limited
 2367 liability company, including a wholly owned subsidiary,
 2368 majority-owned subsidiary, parent company, or affiliate of those
 2369 entities or business associations authorized to do business in
 2370 this state.

2371 (e) "Denies or restricts" means refusing to provide
 2372 services, terminating existing services, or restricting or
 2373 burdening the scope or nature of services offered or provided.

2374 (f) "Discriminate in the provision of financial services"
 2375 means to deny or restrict services and thereby decline to
 2376 provide financial services.

2377 (g) "ESG factor" means any factor or consideration that is
 2378 collateral to or not reasonably likely to affect or impact

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2379 financial risk and includes the promotion, furtherance, or
 2380 achievement of environmental, social, or political goals,
 2381 objectives, or outcomes, which may include the agriculture
 2382 producer's greenhouse gas emissions, use of fossil-fuel derived
 2383 fertilizer, or use of fossil-fuel powered machinery.
 2384 (h) "Farm" means the land, buildings, support facilities,
 2385 machinery, and other appurtenances used in the production of
 2386 farm or aquaculture products.
 2387 (i) "Financial institution" means a company authorized to
 2388 do business in this state which has total assets of more than
 2389 \$100 million and offers financial services. A financial
 2390 institution includes any affiliate or subsidiary company, even
 2391 if that affiliate or subsidiary company is also a financial
 2392 institution.
 2393 (j) "Financial service" means any product or service that
 2394 is of a financial nature and is offered by a financial
 2395 institution.
 2396 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.-
 2397 (a) A financial institution may not discriminate in the
 2398 provision of financial services to an agriculture producer
 2399 based, in whole or in part, upon an ESG factor.
 2400 (b) If a financial institution has made any ESG commitment
 2401 related to agriculture, there is an inference that the
 2402 institution's denial or restriction of a financial service to an
 2403 agriculture producer violates paragraph (a).
 2404 (c) A financial institution may overcome the inference in
 2405 paragraph (b) by demonstrating that its denial or restriction of
 2406 a financial service was based solely on documented risk
 2407 analysis, and not on any ESG factor.

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2408 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney
 2409 General, in consultation with the Office of Financial
 2410 Regulation, is authorized to enforce subsection (3). Any
 2411 violation of subsection (3) constitutes an unfair trade practice
 2412 under part II of chapter 501 and the Attorney General is
 2413 authorized to investigate and seek remedies as provided in
 2414 general law. Actions for damages may be sought by an aggrieved
 2415 party.
 2416 Section 73. Paragraph (a) of subsection (3) of section
 2417 741.0305, Florida Statutes, is amended to read:
 2418 741.0305 Marriage fee reduction for completion of
 2419 premarital preparation course.—
 2420 (3)(a) All individuals electing to participate in a
 2421 premarital preparation course shall choose from the following
 2422 list of qualified instructors:
 2423 1. A psychologist licensed under chapter 490.
 2424 2. A clinical social worker licensed under chapter 491.
 2425 3. A marriage and family therapist licensed under chapter
 2426 491.
 2427 4. A mental health counselor licensed under chapter 491.
 2428 5. An official representative of a religious institution
 2429 which is recognized under ~~s. 496.404~~ ~~s. 496.404(23)~~, if the
 2430 representative has relevant training.
 2431 6. Any other provider designated by a judicial circuit,
 2432 including, but not limited to, school counselors who are
 2433 certified to offer such courses. Each judicial circuit may
 2434 establish a roster of area course providers, including those who
 2435 offer the course on a sliding fee scale or for free.
 2436 Section 74. Paragraph (h) of subsection (2), subsection

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2437 (3), paragraph (c) of subsection (6), and subsection (10) of
 2438 section 790.06, Florida Statutes, are amended to read:
 2439 790.06 License to carry concealed weapon or concealed
 2440 firearm.—
 2441 (2) The Department of Agriculture and Consumer Services
 2442 shall issue a license if the applicant:
 2443 (h) Demonstrates competence with a firearm by any one of
 2444 the following:
 2445 1. Completion of any hunter education or hunter safety
 2446 course approved by the Fish and Wildlife Conservation Commission
 2447 or a similar agency of another state;
 2448 2. Completion of any National Rifle Association firearms
 2449 safety or training course;
 2450 3. Completion of any firearms safety or training course or
 2451 class available to the general public offered by a law
 2452 enforcement agency, junior college, college, or private or
 2453 public institution or organization or firearms training school,
 2454 using instructors certified by the National Rifle Association,
 2455 Criminal Justice Standards and Training Commission, or the
 2456 Department of Agriculture and Consumer Services;
 2457 4. Completion of any law enforcement firearms safety or
 2458 training course or class offered for security guards,
 2459 investigators, special deputies, or any division or subdivision
 2460 of a law enforcement agency or security enforcement;
 2461 5. Presents evidence of equivalent experience with a
 2462 firearm through participation in organized shooting competition
 2463 or United States military service;
 2464 6. Is licensed or has been licensed to carry a concealed
 2465 weapon or concealed firearm in this state or a county or

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2466 municipality of this state, unless such license has been revoked
 2467 for cause; or
 2468 7. Completion of any firearms training or safety course or
 2469 class conducted by a state-certified or National Rifle
 2470 Association certified firearms instructor;
 2471
 2472 A photocopy of a certificate of completion of any of the courses
 2473 or classes; an affidavit from the instructor, school, club,
 2474 organization, or group that conducted or taught such course or
 2475 class attesting to the completion of the course or class by the
 2476 applicant; or a copy of any document that shows completion of
 2477 the course or class or evidences participation in firearms
 2478 competition shall constitute evidence of qualification under
 2479 this paragraph. A person who conducts a course pursuant to
 2480 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as
 2481 an instructor, attests to the completion of such courses, must
 2482 maintain records certifying that he or she observed the student
 2483 safely handle and discharge the firearm in his or her physical
 2484 presence and that the discharge of the firearm included live
 2485 fire using a firearm and ammunition as defined in s. 790.001;
 2486 (3) (a) The Department of Agriculture and Consumer Services
 2487 shall deny a license if the applicant has been found guilty of,
 2488 had adjudication of guilt withheld for, or had imposition of
 2489 sentence suspended for one or more crimes of violence
 2490 constituting a misdemeanor, unless 3 years have elapsed since
 2491 probation or any other conditions set by the court have been
 2492 fulfilled or the record has been sealed or expunged. The
 2493 Department of Agriculture and Consumer Services shall revoke a
 2494 license if the licensee has been found guilty of, had

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2495 adjudication of guilt withheld for, or had imposition of
 2496 sentence suspended for one or more crimes of violence within the
 2497 preceding 3 years. The department shall, upon notification by a
 2498 law enforcement agency, a court, clerk's office, or the Florida
 2499 Department of Law Enforcement ~~and subsequent written~~
 2500 ~~verification~~, temporarily suspend a license or the processing of
 2501 an application for a license if the licensee or applicant is
 2502 arrested or formally charged with a crime that would disqualify
 2503 such person from having a license under this section, until
 2504 final disposition of the case. The department shall suspend a
 2505 license or the processing of an application for a license if the
 2506 licensee or applicant is issued an injunction that restrains the
 2507 licensee or applicant from committing acts of domestic violence
 2508 or acts of repeat violence. The department shall notify the
 2509 licensee or applicant suspended under this section of his or her
 2510 right to a hearing pursuant to chapter 120. A hearing conducted
 2511 regarding the temporary suspension must be for the limited
 2512 purpose of determining whether the licensee has been arrested or
 2513 charged with a disqualifying crime or issued an injunction or
 2514 court order. If the criminal case or injunction results in a
 2515 nondisqualifying disposition, the department must issue an order
 2516 lifting the suspension upon the applicant or licensee's
 2517 submission to the department of a certified copy of the final
 2518 resolution. If the criminal case results in a disqualifying
 2519 disposition, the suspension remains in effect and the department
 2520 must proceed with denial or revocation proceedings pursuant to
 2521 chapter 120.
 2522 (b) This subsection may not be construed to limit,
 2523 restrict, or inhibit the constitutional right to bear arms and

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2524 carry a concealed weapon in this state. The Legislature finds it
 2525 a matter of public policy and public safety that it is necessary
 2526 to ensure that potentially disqualifying information about an
 2527 applicant or licensee is investigated and processed in a timely
 2528 manner by the department pursuant to this section. The
 2529 Legislature intends to clarify that suspensions pursuant to this
 2530 section are temporary, and the department has the duty to make
 2531 an eligibility determination and issue a license in the time
 2532 frame prescribed in this subsection.
 2533 (6)
 2534 (c) The Department of Agriculture and Consumer Services
 2535 shall, within 90 days after the date of receipt of the items
 2536 listed in subsection (5):
 2537 1. Issue the license; or
 2538 2. Deny the application based solely on the ground that the
 2539 applicant fails to qualify under the criteria listed in
 2540 subsection (2) or subsection (3). If the Department of
 2541 Agriculture and Consumer Services denies the application, it
 2542 shall notify the applicant in writing, stating the ground for
 2543 denial and informing the applicant of any right to a hearing
 2544 pursuant to chapter 120.
 2545 3. In the event the result of the criminal history
 2546 screening identifies ~~department receives~~ criminal history
 2547 information related to a crime that may disqualify the applicant
 2548 but does not contain ~~with no~~ final disposition of the crime or
 2549 lacks sufficient information to make an eligibility
 2550 determination ~~on a crime which may disqualify the applicant~~, the
 2551 time limitation prescribed by this paragraph may be extended for
 2552 up to an additional 90 days from the receipt of the information

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2553 ~~suspended until receipt of the final disposition or proof of~~
 2554 ~~restoration of civil and firearm rights. The department may make~~
 2555 ~~a request for information to the jurisdiction where the criminal~~
 2556 ~~history information originated but shall issue a license if it~~
 2557 ~~does not obtain a disposition or sufficient information to make~~
 2558 ~~an eligibility determination within the additional 90 days if~~
 2559 ~~the applicant is otherwise eligible. The department shall take~~
 2560 ~~any action authorized in this section if it receives~~
 2561 ~~disqualifying criminal history information during the additional~~
 2562 ~~90-day review or after issuance of a license.~~

2563 (10) A license issued under this section shall be
 2564 temporarily suspended as provided for in subparagraph (6)(c)3.,
 2565 or revoked pursuant to chapter 120 if the license was issued in
 2566 error or if the licensee:

2567 (a) Is found to be ineligible under the criteria set forth
 2568 in subsection (2);

2569 (b) Develops or sustains a physical infirmity which
 2570 prevents the safe handling of a weapon or firearm;

2571 (c) Is convicted of a felony which would make the licensee
 2572 ineligible to possess a firearm pursuant to s. 790.23;

2573 (d) Is found guilty of a crime under chapter 893, or
 2574 similar laws of any other state, relating to controlled
 2575 substances;

2576 (e) Is committed as a substance abuser under chapter 397,
 2577 or is deemed a habitual offender under s. 856.011(3), or similar
 2578 laws of any other state;

2579 (f) Is convicted of a second violation of s. 316.193, or a
 2580 similar law of another state, within 3 years after a first
 2581 conviction of such section or similar law of another state, even

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2582 though the first violation may have occurred before the date on
 2583 which the application was submitted;
 2584 (g) Is adjudicated an incapacitated person under s.
 2585 744.331, or similar laws of any other state; or
 2586 (h) Is committed to a mental institution under chapter 394,
 2587 or similar laws of any other state.
 2588

2589 Notwithstanding s. 120.60(5), service of a notice of the
 2590 suspension or revocation of a concealed weapon or concealed
 2591 firearm license must be given by either certified mail, return
 2592 receipt requested, to the licensee at his or her last known
 2593 mailing address furnished to the Department of Agriculture and
 2594 Consumer Services, or by personal service. If a notice given by
 2595 certified mail is returned as undeliverable, a second attempt
 2596 must be made to provide notice to the licensee at that address,
 2597 by either first-class mail in an envelope, postage prepaid,
 2598 addressed to the licensee at his or her last known mailing
 2599 address furnished to the department, or, if the licensee has
 2600 provided an e-mail address to the department, by e-mail. Such
 2601 mailing by the department constitutes notice, and any failure by
 2602 the licensee to receive such notice does not stay the effective
 2603 date or term of the suspension or revocation. A request for
 2604 hearing must be filed with the department within 21 days after
 2605 notice is received by personal delivery, or within 26 days after
 2606 the date the department deposits the notice in the United States
 2607 mail (21 days plus 5 days for mailing). The department shall
 2608 document its attempts to provide notice, and such documentation
 2609 is admissible in the courts of this state and constitutes
 2610 sufficient proof that notice was given.

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2611 Section 75. Paragraph (f) of subsection (3) of section
 2612 790.33, Florida Statutes, is amended to read:
 2613 790.33 Field of regulation of firearms and ammunition
 2614 preempted.-
 2615 (3) PROHIBITIONS; PENALTIES.-
 2616 (f)1. A person or an organization whose membership is
 2617 adversely affected by any ordinance, regulation, measure,
 2618 directive, rule, enactment, order, or policy, whether written or
 2619 unwritten, promulgated or caused to be enforced in violation of
 2620 this section may file suit against any county, agency,
 2621 municipality, district, or other entity in any court of this
 2622 state having jurisdiction over any defendant to the suit for
 2623 declaratory and injunctive relief and for actual damages, as
 2624 limited herein, caused by the violation. Civil fines assessed
 2625 pursuant to paragraph (3)(c) and any attorney fees and costs
 2626 shall be assessed only upon a finding that the entity received
 2627 notice of the local ordinance or administrative rule or
 2628 regulation impinging upon such exclusive occupation of the field
 2629 of regulation of firearms and ammunition at least 30 days before
 2630 a suit under this paragraph was filed and that the entity failed
 2631 to change the ordinance, regulation, measure, directive, rule,
 2632 enactment, order, or policy within that 30-day period. A court
 2633 shall award the prevailing party plaintiff in any such suit:
 2634 a. Reasonable attorney fees and costs in accordance with
 2635 the laws of this state, including a contingency fee multiplier,
 2636 as authorized by law; and
 2637 b. The actual damages incurred, but not more than \$100,000.
 2638 2. If after the filing of a complaint a defendant
 2639 voluntarily changes the ordinance, regulation, measure,

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2640 directive, rule, enactment, order, or policy, written or
 2641 unwritten, promulgated or caused to be enforced in violation of
 2642 this section, with or without court action, the plaintiff is
 2643 considered a prevailing plaintiff for purposes of this section.
 2644
 2645 Interest on the sums awarded pursuant to this subsection shall
 2646 accrue at the legal rate from the date on which suit was filed.
 2647 Section 76. Subsection (2) of section 812.0151, Florida
 2648 Statutes, is amended to read:
 2649 812.0151 Retail fuel theft.-
 2650 (2) (a) A person commits a felony of the third degree,
 2651 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
 2652 if he or she willfully, knowingly, and without authorization:
 2653 1. Breaches a retail fuel dispenser or accesses any
 2654 internal portion of a retail fuel dispenser; or
 2655 2. Possesses any device constructed for the purpose of
 2656 fraudulently altering, manipulating, or interrupting the normal
 2657 functioning of a retail fuel dispenser.
 2658 3. Possesses any form of a payment instrument that can be
 2659 used, alone or in conjunction with another access device, to
 2660 authorize a fuel transaction or obtain fuel, including, but not
 2661 limited to, a plastic payment card with a magnetic stripe or a
 2662 chip encoded with account information or both, with the intent
 2663 to defraud the fuel retailer, the authorized payment instrument
 2664 financial account holder, or the banking institution that issued
 2665 the payment instrument financial account.
 2666 (b) A person commits a felony of the second degree,
 2667 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
 2668 if he or she willfully, knowingly, and without authorization:

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2669 1. Physically tampers with, manipulates, removes, replaces,
2670 or interrupts any mechanical or electronic component located on
2671 ~~within~~ the internal or external portion of a retail fuel
2672 dispenser; or

2673 2. Uses any form of electronic communication to
2674 fraudulently alter, manipulate, or interrupt the normal
2675 functioning of a retail fuel dispenser.

2676 (c) A person commits a felony of the third degree,
2677 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
2678 if he or she:

2679 1. Obtains fuel as a result of violating paragraph (a) or
2680 paragraph (b); ~~or~~

2681 2. Modifies a vehicle's factory installed fuel tank or
2682 possesses any item used to hold fuel which was not fitted to a
2683 vehicle or conveyance at the time of manufacture with the intent
2684 to use such fuel tank or item to hold or transport fuel obtained
2685 as a result of violating paragraph (a) or paragraph (b); or

2686 3. Uses any form of a payment instrument that can be used,
2687 alone or in conjunction with another access device, to authorize
2688 a fuel transaction or obtain fuel, including, but not limited
2689 to, a plastic payment card with a magnetic stripe or a chip
2690 encoded with account information or both, with the intent to
2691 defraud the fuel retailer, the authorized payment instrument
2692 financial account holder, or the banking institution that issued
2693 the payment instrument financial account.

2694 Section 77. Section 812.136, Florida Statutes, is created
2695 to read:

2696 812.136 Mail theft.—

2697 (1) As used in this section, unless the context otherwise

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2698 requires:

2699 (a) "Mail" means any letter, postal card, parcel, envelope,
2700 package, bag, or any other sealed article addressed to another,
2701 along with its contents.

2702 (b) "Mail depository" means a mail box, letter box, mail
2703 route, or mail receptacle of a postal service, an office of a
2704 postal service, or mail carrier of a postal service, or a
2705 vehicle of a postal service.

2706 (c) "Postal service" means the United States Postal Service
2707 or its contractors, or any commercial courier that delivers
2708 mail.

2709 (2) Any of the following acts shall constitute mail theft:

2710 (a) Removing mail from a mail depository or taking mail
2711 from a mail carrier of a postal service with an intent to steal.

2712 (b) Obtaining custody of mail by fraud or deception with an
2713 intent to steal.

2714 (c) Selling, receiving, possessing, transferring, buying,
2715 or concealing mail obtained by acts described in paragraph (a)
2716 or paragraph (b) of this subsection, while knowing or having
2717 reason to know the mail was obtained illegally.

2718 (3) Any of the following shall constitute theft of or
2719 unauthorized reproduction of a mail depository key or lock:

2720 (a) Stealing or obtaining by false pretense any key or lock
2721 adopted by a postal service for a mail depository or other
2722 authorized receptacle for the deposit or delivery of mail.

2723 (b) Knowingly and unlawfully making, forging, or
2724 counterfeiting any such key or possessing any such key or lock
2725 adopted by a postal service with the intent to unlawfully or
2726 improperly use, sell, or otherwise dispose of the key or lock,

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2727 or to cause the key or lock to be unlawfully or improperly used,
2728 sold, or otherwise disposed.

2729 (4) The first violation of this section shall constitute a
2730 misdemeanor of the first degree, punishable by a term of
2731 imprisonment not exceeding 1 year pursuant to s. 775.082(4) (a)
2732 or a fine not to exceed \$1,000 pursuant to s. 775.083(1) (d), or
2733 both. A second or subsequent violation of this section shall
2734 constitute a felony of the third degree, punishable by a term of
2735 imprisonment not exceeding 5 years pursuant to s. 775.82(3) (e)
2736 or a fine not to exceed \$5,000 pursuant to s. 775.083(1) (c), or
2737 both.

2738 Section 78. Section 1013.373, Florida Statutes, is created
2739 to read:

2740 1013.373 Educational facilities used for agricultural
2741 education.-

2742 (1) Notwithstanding any other provision of law, a local
2743 government may not adopt any ordinance, regulation, rule, or
2744 policy to prohibit, restrict, regulate, or otherwise limit any
2745 activities of public educational facilities and auxiliary
2746 facilities constructed by a board for agricultural education,
2747 for Future Farmers of America or 4-H activities, or the storage
2748 of any animals or equipment therein.

2749 (2) Lands used for agricultural education or for Future
2750 Farmers of America or 4-H activities shall be considered
2751 agricultural lands pursuant to s. 193.461 and subject to s.
2752 823.14.

2753 Section 79. For the purpose of incorporating the amendment
2754 made by this act to section 110.205, Florida Statutes, in a
2755 reference thereto, paragraph (a) of subsection (5) of section

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2756 295.07, Florida Statutes, is reenacted to read:

2757 295.07 Preference in appointment and retention.-

2758 (5) The following positions are exempt from this section:

2759 (a) Those positions that are exempt from the state Career
2760 Service System under s. 110.205(2); however, all positions under
2761 the University Support Personnel System of the State University
2762 System as well as all Career Service System positions under the
2763 Florida College System and the School for the Deaf and the
2764 Blind, or the equivalent of such positions at state
2765 universities, Florida College System institutions, or the School
2766 for the Deaf and the Blind, are not exempt.

2767 Section 80. For the purpose of incorporating the amendment
2768 made by this act to section 193.461, Florida Statutes, in a
2769 reference thereto, paragraph (r) of subsection (1) of section
2770 125.01, Florida Statutes, is reenacted to read:

2771 125.01 Powers and duties.-

2772 (1) The legislative and governing body of a county shall
2773 have the power to carry on county government. To the extent not
2774 inconsistent with general or special law, this power includes,
2775 but is not restricted to, the power to:

2776 (r) Levy and collect taxes, both for county purposes and
2777 for the providing of municipal services within any municipal
2778 service taxing unit, and special assessments; borrow and expend
2779 money; and issue bonds, revenue certificates, and other
2780 obligations of indebtedness, which power shall be exercised in
2781 such manner, and subject to such limitations, as may be provided
2782 by general law. There shall be no referendum required for the
2783 levy by a county of ad valorem taxes, both for county purposes
2784 and for the providing of municipal services within any municipal

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2785 service taxing unit.

2786 1. Notwithstanding any other provision of law, a county may

2787 not levy special assessments on lands classified as agricultural

2788 lands under s. 193.461 unless the revenue from such assessments

2789 has been pledged for debt service and is necessary to meet

2790 obligations of bonds or certificates issued by the county which

2791 remain outstanding on July 1, 2023, including refundings thereof

2792 for debt service savings where the maturity of the debt is not

2793 extended. For bonds or certificates issued after July 1, 2023,

2794 special assessments securing such bonds may not be levied on

2795 lands classified as agricultural under s. 193.461.

2796 2. The provisions of subparagraph 1. do not apply to

2797 residential structures and their curtilage.

2798 Section 81. For the purpose of incorporating the amendment

2799 made by this act to section 193.461, Florida Statutes, in a

2800 reference thereto, paragraphs (a) through (d) of subsection (3)

2801 of section 163.3162, Florida Statutes, are reenacted to read:

2802 163.3162 Agricultural lands and practices.—

2803 (3) DUPLICATION OF REGULATION.—Except as otherwise provided

2804 in this section and s. 487.051(2), and notwithstanding any other

2805 law, including any provision of chapter 125 or this chapter:

2806 (a) A governmental entity may not exercise any of its

2807 powers to adopt or enforce any ordinance, resolution,

2808 regulation, rule, or policy to prohibit, restrict, regulate, or

2809 otherwise limit an activity of a bona fide farm operation on

2810 land classified as agricultural land pursuant to s. 193.461, if

2811 such activity is regulated through implemented best management

2812 practices, interim measures, or regulations adopted as rules

2813 under chapter 120 by the Department of Environmental Protection,

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2814 the Department of Agriculture and Consumer Services, or a water

2815 management district as part of a statewide or regional program;

2816 or if such activity is expressly regulated by the United States

2817 Department of Agriculture, the United States Army Corps of

2818 Engineers, or the United States Environmental Protection Agency.

2819 (b) A governmental entity may not charge a fee on a

2820 specific agricultural activity of a bona fide farm operation on

2821 land classified as agricultural land pursuant to s. 193.461, if

2822 such agricultural activity is regulated through implemented best

2823 management practices, interim measures, or regulations adopted

2824 as rules under chapter 120 by the Department of Environmental

2825 Protection, the Department of Agriculture and Consumer Services,

2826 or a water management district as part of a statewide or

2827 regional program; or if such agricultural activity is expressly

2828 regulated by the United States Department of Agriculture, the

2829 United States Army Corps of Engineers, or the United States

2830 Environmental Protection Agency.

2831 (c) A governmental entity may not charge an assessment or

2832 fee for stormwater management on a bona fide farm operation on

2833 land classified as agricultural land pursuant to s. 193.461, if

2834 the farm operation has a National Pollutant Discharge

2835 Elimination System permit, environmental resource permit, or

2836 works-of-the-district permit or implements best management

2837 practices adopted as rules under chapter 120 by the Department

2838 of Environmental Protection, the Department of Agriculture and

2839 Consumer Services, or a water management district as part of a

2840 statewide or regional program.

2841 (d) For each governmental entity that, before March 1,

2842 2009, adopted a stormwater utility ordinance or resolution,

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2843 adopted an ordinance or resolution establishing a municipal
 2844 services benefit unit, or adopted a resolution stating the
 2845 governmental entity's intent to use the uniform method of
 2846 collection pursuant to s. 197.3632 for such stormwater
 2847 ordinances, the governmental entity may continue to charge an
 2848 assessment or fee for stormwater management on a bona fide farm
 2849 operation on land classified as agricultural pursuant to s.
 2850 193.461, if the ordinance or resolution provides credits against
 2851 the assessment or fee on a bona fide farm operation for the
 2852 water quality or flood control benefit of:

2853 1. The implementation of best management practices adopted
 2854 as rules under chapter 120 by the Department of Environmental
 2855 Protection, the Department of Agriculture and Consumer Services,
 2856 or a water management district as part of a statewide or
 2857 regional program;

2858 2. The stormwater quality and quantity measures required as
 2859 part of a National Pollutant Discharge Elimination System
 2860 permit, environmental resource permit, or works-of-the-district
 2861 permit; or

2862 3. The implementation of best management practices or
 2863 alternative measures which the landowner demonstrates to the
 2864 governmental entity to be of equivalent or greater stormwater
 2865 benefit than those provided by implementation of best management
 2866 practices adopted as rules under chapter 120 by the Department
 2867 of Environmental Protection, the Department of Agriculture and
 2868 Consumer Services, or a water management district as part of a
 2869 statewide or regional program, or stormwater quality and
 2870 quantity measures required as part of a National Pollutant
 2871 Discharge Elimination System permit, environmental resource

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2872 permit, or works-of-the-district permit.

2873 Section 82. For the purpose of incorporating the amendment
 2874 made by this act to section 193.461, Florida Statutes, in a
 2875 reference thereto, paragraph (c) of subsection (3) of section
 2876 163.3163, Florida Statutes, is reenacted to read:

2877 163.3163 Applications for development permits; disclosure
 2878 and acknowledgment of contiguous sustainable agricultural land.—

2879 (3) As used in this section, the term:

2880 (c) "Sustainable agricultural land" means land classified
 2881 as agricultural land pursuant to s. 193.461 which is used for a
 2882 farm operation that uses current technology, based on science or
 2883 research and demonstrated measurable increases in productivity,
 2884 to meet future food, feed, fiber, and energy needs, while
 2885 considering the environmental impacts and the social and
 2886 economic benefits to the rural communities.

2887 Section 83. For the purpose of incorporating the amendment
 2888 made by this act to section 193.461, Florida Statutes, in a
 2889 reference thereto, subsection (4) of section 163.3164, Florida
 2890 Statutes, is reenacted to read:

2891 163.3164 Community Planning Act; definitions.—As used in
 2892 this act:

2893 (4) "Agricultural enclave" means an unincorporated,
 2894 undeveloped parcel that:

2895 (a) Is owned by a single person or entity;

2896 (b) Has been in continuous use for bona fide agricultural
 2897 purposes, as defined by s. 193.461, for a period of 5 years
 2898 prior to the date of any comprehensive plan amendment
 2899 application;

2900 (c) Is surrounded on at least 75 percent of its perimeter

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2901 by:

2902 1. Property that has existing industrial, commercial, or
2903 residential development; or

2904 2. Property that the local government has designated, in
2905 the local government's comprehensive plan, zoning map, and
2906 future land use map, as land that is to be developed for
2907 industrial, commercial, or residential purposes, and at least 75
2908 percent of such property is existing industrial, commercial, or
2909 residential development;

2910 (d) Has public services, including water, wastewater,
2911 transportation, schools, and recreation facilities, available or
2912 such public services are scheduled in the capital improvement
2913 element to be provided by the local government or can be
2914 provided by an alternative provider of local government
2915 infrastructure in order to ensure consistency with applicable
2916 concurrency provisions of s. 163.3180; and

2917 (e) Does not exceed 1,280 acres; however, if the property
2918 is surrounded by existing or authorized residential development
2919 that will result in a density at buildout of at least 1,000
2920 residents per square mile, then the area shall be determined to
2921 be urban and the parcel may not exceed 4,480 acres.

2922 Section 84. For the purpose of incorporating the amendment
2923 made by this act to section 193.461, Florida Statutes, in a
2924 reference thereto, subsection (5) of section 163.3194, Florida
2925 Statutes, is reenacted to read:

2926 163.3194 Legal status of comprehensive plan.—

2927 (5) The tax-exempt status of lands classified as
2928 agricultural under s. 193.461 shall not be affected by any
2929 comprehensive plan adopted under this act as long as the land

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2930 meets the criteria set forth in s. 193.461.

2931 Section 85. For the purpose of incorporating the amendment
2932 made by this act to section 193.461, Florida Statutes, in a
2933 reference thereto, subsection (4) of section 170.01, Florida
2934 Statutes, is reenacted to read:

2935 170.01 Authority for providing improvements and levying and
2936 collecting special assessments against property benefited.—

2937 (4) Notwithstanding any other provision of law, a
2938 municipality may not levy special assessments for the provision
2939 of fire protection services on lands classified as agricultural
2940 lands under s. 193.461 unless the land contains a residential
2941 dwelling or nonresidential farm building, with the exception of
2942 an agricultural pole barn, provided the nonresidential farm
2943 building exceeds a just value of \$10,000. Such special
2944 assessments must be based solely on the special benefit accruing
2945 to that portion of the land consisting of the residential
2946 dwelling and curtilage, and qualifying nonresidential farm
2947 buildings. As used in this subsection, the term "agricultural
2948 pole barn" means a nonresidential farm building in which 70
2949 percent or more of the perimeter walls are permanently open and
2950 allow free ingress and egress.

2951 Section 86. For the purpose of incorporating the amendment
2952 made by this act to section 193.461, Florida Statutes, in a
2953 reference thereto, subsection (2) of section 193.052, Florida
2954 Statutes, is reenacted to read:

2955 193.052 Preparation and serving of returns.—

2956 (2) No return shall be required for real property the
2957 ownership of which is reflected in instruments recorded in the
2958 public records of the county in which the property is located,

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 2959 unless otherwise required in this title. In order for land to be
 2960 considered for agricultural classification under s. 193.461 or
 2961 high-water recharge classification under s. 193.625, an
 2962 application for classification must be filed on or before March
 2963 1 of each year with the property appraiser of the county in
 2964 which the land is located, except as provided in s.
 2965 193.461(3)(a). The application must state that the lands on
 2966 January 1 of that year were used primarily for bona fide
 2967 commercial agricultural or high-water recharge purposes.

2968 Section 87. For the purpose of incorporating the amendment
 2969 made by this act to section 193.461, Florida Statutes, in a
 2970 reference thereto, section 193.4615, Florida Statutes, is
 2971 reenacted to read:

2972 193.4615 Assessment of obsolete agricultural equipment.—For
 2973 purposes of ad valorem property taxation, agricultural equipment
 2974 that is located on property classified as agricultural under s.
 2975 193.461 and that is no longer usable for its intended purpose
 2976 shall be deemed to have a market value no greater than its value
 2977 for salvage.

2978 Section 88. For the purpose of incorporating the amendment
 2979 made by this act to section 193.461, Florida Statutes, in a
 2980 reference thereto, paragraph (a) of subsection (5) and paragraph
 2981 (a) of subsection (19) of section 212.08, Florida Statutes, are
 2982 reenacted to read:

2983 212.08 Sales, rental, use, consumption, distribution, and
 2984 storage tax; specified exemptions.—The sale at retail, the
 2985 rental, the use, the consumption, the distribution, and the
 2986 storage to be used or consumed in this state of the following
 2987 are hereby specifically exempt from the tax imposed by this

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 2988 chapter.
 2989 (5) EXEMPTIONS; ACCOUNT OF USE.—
 2990 (a) *Items in agricultural use and certain nets.*—There are
 2991 exempt from the tax imposed by this chapter nets designed and
 2992 used exclusively by commercial fisheries; disinfectants,
 2993 fertilizers, insecticides, pesticides, herbicides, fungicides,
 2994 and weed killers used for application on crops or groves,
 2995 including commercial nurseries and home vegetable gardens, used
 2996 in dairy barns or on poultry farms for the purpose of protecting
 2997 poultry or livestock, or used directly on poultry or livestock;
 2998 animal health products that are administered to, applied to, or
 2999 consumed by livestock or poultry to alleviate pain or cure or
 3000 prevent sickness, disease, or suffering, including, but not
 3001 limited to, antiseptics, absorbent cotton, gauze for bandages,
 3002 lotions, vaccines, vitamins, and worm remedies; aquaculture
 3003 health products that are used by aquaculture producers, as
 3004 defined in s. 597.0015, to prevent or treat fungi, bacteria, and
 3005 parasitic diseases; portable containers or movable receptacles
 3006 in which portable containers are placed, used for processing
 3007 farm products; field and garden seeds, including flower seeds;
 3008 nursery stock, seedlings, cuttings, or other propagative
 3009 material purchased for growing stock; seeds, seedlings,
 3010 cuttings, and plants used to produce food for human consumption;
 3011 cloth, plastic, and other similar materials used for shade,
 3012 mulch, or protection from frost or insects on a farm; hog wire
 3013 and barbed wire fencing, including gates and materials used to
 3014 construct or repair such fencing, used in agricultural
 3015 production on lands classified as agricultural lands under s.
 3016 193.461; materials used to construct or repair permanent or

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3017 temporary fencing used to contain, confine, or process cattle,
 3018 including gates and energized fencing systems, used in
 3019 agricultural operations on lands classified as agricultural
 3020 lands under s. 193.461; stakes used by a farmer to support
 3021 plants during agricultural production; generators used on
 3022 poultry farms; and liquefied petroleum gas or other fuel used to
 3023 heat a structure in which started pullets or broilers are
 3024 raised; however, such exemption is not allowed unless the
 3025 purchaser or lessee signs a certificate stating that the item to
 3026 be exempted is for the exclusive use designated herein. Also
 3027 exempt are cellophane wrappers, glue for tin and glass
 3028 (apiarists), mailing cases for honey, shipping cases, window
 3029 cartons, and baling wire and twine used for baling hay, when
 3030 used by a farmer to contain, produce, or process an agricultural
 3031 commodity.

3032 (19) FLORIDA FARM TEAM CARD.—

3033 (a) Notwithstanding any other law, a farmer whose property
 3034 has been classified as agricultural pursuant to s. 193.461 or
 3035 who has implemented agricultural best management practices
 3036 adopted by the Department of Agriculture and Consumer Services
 3037 pursuant to s. 403.067(7)(c)2. may apply to the department for a
 3038 Florida farm tax exempt agricultural materials (TEAM) card to
 3039 claim the applicable sales tax exemptions provided in this
 3040 section. A farmer may present the Florida farm TEAM card to a
 3041 selling dealer in lieu of a certificate or affidavit otherwise
 3042 required by this chapter.

3043 Section 89. For the purpose of incorporating the amendment
 3044 made by this act to section 193.461, Florida Statutes, in a
 3045 reference thereto, subsection (2) of section 373.406, Florida

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3046 Statutes, is reenacted to read:

3047 373.406 Exemptions.—The following exemptions shall apply:

3048 (2) Notwithstanding s. 403.927, nothing herein, or in any
 3049 rule, regulation, or order adopted pursuant hereto, shall be
 3050 construed to affect the right of any person engaged in the
 3051 occupation of agriculture, silviculture, floriculture, or
 3052 horticulture to alter the topography of any tract of land,
 3053 including, but not limited to, activities that may impede or
 3054 divert the flow of surface waters or adversely impact wetlands,
 3055 for purposes consistent with the normal and customary practice
 3056 of such occupation in the area. However, such alteration or
 3057 activity may not be for the sole or predominant purpose of
 3058 impeding or diverting the flow of surface waters or adversely
 3059 impacting wetlands. This exemption applies to lands classified
 3060 as agricultural pursuant to s. 193.461 and to activities
 3061 requiring an environmental resource permit pursuant to this
 3062 part. This exemption does not apply to any activities previously
 3063 authorized by an environmental resource permit or a management
 3064 and storage of surface water permit issued pursuant to this part
 3065 or a dredge and fill permit issued pursuant to chapter 403. This
 3066 exemption has retroactive application to July 1, 1984.

3067 Section 90. For the purpose of incorporating the amendment
 3068 made by this act to section 193.461, Florida Statutes, in a
 3069 reference thereto, paragraph (a) of subsection (11) of section
 3070 403.182, Florida Statutes, is reenacted to read:

3071 403.182 Local pollution control programs.—

3072 (11)(a) Notwithstanding this section or any existing local
 3073 pollution control programs, the Secretary of Environmental
 3074 Protection has exclusive jurisdiction in setting standards or

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 3075 procedures for evaluating environmental conditions and assessing
 3076 potential liability for the presence of contaminants on land
 3077 that is classified as agricultural land pursuant to s. 193.461
 3078 and being converted to a nonagricultural use. The exclusive
 3079 jurisdiction includes defining what constitutes all appropriate
 3080 inquiry consistent with 40 C.F.R. part 312 and guidance
 3081 thereunder.

3082 Section 91. For the purpose of incorporating the amendment
 3083 made by this act to section 193.461, Florida Statutes, in a
 3084 reference thereto, subsection (4) of section 403.9337, Florida
 3085 Statutes, is reenacted to read:

3086 403.9337 Model Ordinance for Florida-Friendly Fertilizer
 3087 Use on Urban Landscapes.—

3088 (4) This section does not apply to the use of fertilizer on
 3089 farm operations as defined in s. 823.14 or on lands classified
 3090 as agricultural lands pursuant to s. 193.461.

3091 Section 92. For the purpose of incorporating the amendment
 3092 made by this act to section 193.461, Florida Statutes, in a
 3093 reference thereto, paragraph (d) of subsection (2) of section
 3094 472.029, Florida Statutes, is reenacted to read:

3095 472.029 Authorization to enter lands of third parties;
 3096 conditions.—

3097 (2) LIABILITY AND DUTY OF CARE ON AGRICULTURAL LAND.—

3098 (d) This subsection applies only to land classified as
 3099 agricultural pursuant to s. 193.461.

3100 Section 93. For the purpose of incorporating the amendment
 3101 made by this act to section 193.461, Florida Statutes, in a
 3102 reference thereto, subsection (5) of section 474.2021, Florida
 3103 Statutes, is reenacted to read:

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 3104 474.2021 Veterinary telehealth.—
 3105 (5) A veterinarian personally acquainted with the caring
 3106 and keeping of an animal or group of animals on food-producing
 3107 animal operations on land classified as agricultural pursuant to
 3108 s. 193.461 who has recently seen the animal or group of animals
 3109 or has made medically appropriate and timely visits to the
 3110 premises where the animal or group of animals is kept may
 3111 practice veterinary telehealth for animals on such operations.

3112 Section 94. For the purpose of incorporating the amendment
 3113 made by this act to section 193.461, Florida Statutes, in a
 3114 reference thereto, paragraph (d) of subsection (4) of section
 3115 474.2165, Florida Statutes, is reenacted to read:

3116 474.2165 Ownership and control of veterinary medical
 3117 patient records; report or copies of records to be furnished.—

3118 (4) Except as otherwise provided in this section, such
 3119 records may not be furnished to, and the medical condition of a
 3120 patient may not be discussed with, any person other than the
 3121 client or the client's legal representative or other
 3122 veterinarians involved in the care or treatment of the patient,
 3123 except upon written authorization of the client. However, such
 3124 records may be furnished without written authorization under the
 3125 following circumstances:

3126 (d) In any criminal action or situation where a
 3127 veterinarian suspects a criminal violation. If a criminal
 3128 violation is suspected, a veterinarian may, without notice to or
 3129 authorization from the client, report the violation to a law
 3130 enforcement officer, an animal control officer who is certified
 3131 pursuant to s. 828.27(4)(a), or an agent appointed under s.
 3132 828.03. However, if a suspected violation occurs at a commercial

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3133 food-producing animal operation on land classified as
 3134 agricultural under s. 193.461, the veterinarian must provide
 3135 notice to the client or the client's legal representative before
 3136 reporting the suspected violation to an officer or agent under
 3137 this paragraph. The report may not include written medical
 3138 records except upon the issuance of an order from a court of
 3139 competent jurisdiction.

3140 Section 95. For the purpose of incorporating the amendment
 3141 made by this act to section 193.461, Florida Statutes, in a
 3142 reference thereto, subsection (6) of section 487.081, Florida
 3143 Statutes, is reenacted to read:

3144 487.081 Exemptions.—

3145 (6) The Department of Environmental Protection is not
 3146 authorized to institute proceedings against any property owner
 3147 or leaseholder of property under the provisions of s. 376.307(5)
 3148 to recover any costs or damages associated with pesticide
 3149 contamination of soil or water, or the evaluation, assessment,
 3150 or remediation of pesticide contamination of soil or water,
 3151 including sampling, analysis, and restoration of soil or potable
 3152 water supplies, subject to the following conditions:

3153 (a) The pesticide contamination of soil or water is
 3154 determined to be the result of the use of pesticides by the
 3155 property owner or leaseholder, in accordance with state and
 3156 federal law, applicable registered labels, and rules on property
 3157 classified as agricultural land pursuant to s. 193.461;

3158 (b) The property owner or leaseholder maintains records of
 3159 such pesticide applications and such records are provided to the
 3160 department upon request;

3161 (c) In the event of pesticide contamination of soil or

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3162 water, the department, upon request, shall make such records
 3163 available to the Department of Environmental Protection;

3164 (d) This subsection does not limit regulatory authority
 3165 under a federally delegated or approved program; and

3166 (e) This subsection is remedial in nature and shall apply
 3167 retroactively.

3168

3169 The department, in consultation with the secretary of the
 3170 Department of Environmental Protection, may adopt rules
 3171 prescribing the format, content, and retention time for records
 3172 to be maintained under this subsection.

3173 Section 96. For the purpose of incorporating the amendment
 3174 made by this act to section 193.461, Florida Statutes, in a
 3175 reference thereto, subsection (1) of section 570.87, Florida
 3176 Statutes, is reenacted to read:

3177 570.87 Agritourism participation impact on land
 3178 classification.—

3179 (1) In order to promote and perpetuate agriculture
 3180 throughout this state, farm operations are encouraged to engage
 3181 in agritourism. An agricultural classification pursuant to s.
 3182 193.461 may not be denied or revoked solely due to the conduct
 3183 of agritourism activity on a bona fide farm or the construction,
 3184 alteration, or maintenance of a nonresidential farm building,
 3185 structure, or facility on a bona fide farm which is used to
 3186 conduct agritourism activities. So long as the building,
 3187 structure, or facility is an integral part of the agricultural
 3188 operation, the land it occupies shall be considered agricultural
 3189 in nature. However, such buildings, structures, and facilities,
 3190 and other improvements on the land, must be assessed under s.

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3191 193.011 at their just value and added to the agriculturally
 3192 assessed value of the land.

3193 Section 97. For the purpose of incorporating the amendment
 3194 made by this act to section 193.461, Florida Statutes, in a
 3195 reference thereto, subsection (3) of section 570.94, Florida
 3196 Statutes, is reenacted to read:

3197 570.94 Best management practices for wildlife.—The
 3198 department and the Fish and Wildlife Conservation Commission
 3199 recognize that agriculture provides a valuable benefit to the
 3200 conservation and management of fish and wildlife in the state
 3201 and agree to enter into a memorandum of agreement to develop and
 3202 adopt by rule voluntary best management practices for the
 3203 state's agriculture industry which reflect the industry's
 3204 existing contribution to the conservation and management of
 3205 freshwater aquatic life and wild animal life in the state.

3206 (3) Notwithstanding any other provision of law, including
 3207 s. 163.3162, the implementation of the best management practices
 3208 pursuant to this section is voluntary and except as specifically
 3209 provided under this section and s. 9, Art. IV of the State
 3210 Constitution, an agency, department, district, or unit of local
 3211 government may not adopt or enforce any ordinance, resolution,
 3212 regulation, rule, or policy regarding the best management
 3213 practices on land classified as agricultural land pursuant to s.
 3214 193.461.

3215 Section 98. For the purpose of incorporating the amendment
 3216 made by this act to section 193.461, Florida Statutes, in a
 3217 reference thereto, paragraph (a) of subsection (1) of section
 3218 582.19, Florida Statutes, is reenacted to read:

3219 582.19 Qualifications and tenure of supervisors.—

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3220 (1) The governing body of the district shall consist of
 3221 five supervisors, elected as provided in s. 582.18.

3222 (a) To qualify to serve on the governing body of a
 3223 district, a supervisor must be an eligible voter who resides in
 3224 the district and who:

3225 1. Is actively engaged in, or retired after 10 years of
 3226 being engaged in, agriculture as defined in s. 570.02;
 3227 2. Is employed by an agricultural producer; or
 3228 3. Owns, leases, or is actively employed on land classified
 3229 as agricultural under s. 193.461.

3230 Section 99. For the purpose of incorporating the amendment
 3231 made by this act to section 193.461, Florida Statutes, in a
 3232 reference thereto, subsection (1) of section 570.85, Florida
 3233 Statutes, is reenacted to read:

3234 570.85 Agritourism.—

3235 (1) It is the intent of the Legislature to promote
 3236 agritourism as a way to support bona fide agricultural
 3237 production by providing a stream of revenue and by educating the
 3238 general public about the agricultural industry. It is also the
 3239 intent of the Legislature to eliminate duplication of regulatory
 3240 authority over agritourism as expressed in this section. Except
 3241 as otherwise provided for in this section, and notwithstanding
 3242 any other law, a local government may not adopt or enforce a
 3243 local ordinance, regulation, rule, or policy that prohibits,
 3244 restricts, regulates, or otherwise limits an agritourism
 3245 activity on land classified as agricultural land under s.
 3246 193.461. This subsection does not limit the powers and duties of
 3247 a local government to address substantial offsite impacts of
 3248 agritourism activities or an emergency as provided in chapter

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3249 252.

3250 Section 100. For the purpose of incorporating the amendment
3251 made by this act to section 193.461, Florida Statutes, in a
3252 reference thereto, section 586.055, Florida Statutes, is
3253 reenacted to read:

3254 586.055 Location of apiaries.—An apiary may be located on
3255 land classified as agricultural under s. 193.461 or on land that
3256 is integral to a beekeeping operation.

3257 Section 101. For the purpose of incorporating the amendment
3258 made by this act to section 193.461, Florida Statutes, in
3259 references thereto, paragraphs (a) and (d) of subsection (2) of
3260 section 604.50, Florida Statutes, are reenacted to read:

3261 604.50 Nonresidential farm buildings; farm fences; farm
3262 signs.—

3263 (2) As used in this section, the term:

3264 (a) "Bona fide agricultural purposes" has the same meaning
3265 as provided in s. 193.461(3) (b).

3266 (d) "Nonresidential farm building" means any temporary or
3267 permanent building or support structure that is classified as a
3268 nonresidential farm building on a farm under s. 553.73(10) (c) or
3269 that is used primarily for agricultural purposes, is located on
3270 land that is an integral part of a farm operation or is
3271 classified as agricultural land under s. 193.461, and is not
3272 intended to be used as a residential dwelling. The term may
3273 include, but is not limited to, a barn, greenhouse, shade house,
3274 farm office, storage building, or poultry house.

3275 Section 102. For the purpose of incorporating the amendment
3276 made by this act to section 193.461, Florida Statutes, in a
3277 reference thereto, paragraph (b) of subsection (3) of section

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3278 604.73, Florida Statutes, is reenacted to read:

3279 604.73 Urban agriculture pilot projects; local regulation
3280 of urban agriculture.—

3281 (3) DEFINITIONS.—As used in this section, the term:

3282 (b) "Urban agriculture" means any new or existing
3283 noncommercial agricultural uses on land that is:

3284 1. Within a dense urban land area, as described in s.

3285 380.0651(3) (a);

3286 2. Not classified as agricultural pursuant to s. 193.461;

3287 3. Not zoned as agricultural as its principal use; and

3288 4. Designated by a municipality for inclusion in an urban
3289 agricultural pilot project that has been approved by the
3290 department.

3291

3292 The term does not include vegetable gardens, as defined in s.

3293 604.71(4), for personal consumption on residential properties.

3294 Section 103. For the purpose of incorporating the amendment
3295 made by this act to section 193.461, Florida Statutes, in a
3296 reference thereto, subsection (1) of section 692.201, Florida
3297 Statutes, is reenacted to read:

3298 692.201 Definitions.—As used in this part, the term:

3299 (1) "Agricultural land" means land classified as
3300 agricultural under s. 193.461.

3301 Section 104. For the purpose of incorporating the amendment
3302 made by this act to section 193.461, Florida Statutes, in a
3303 reference thereto, paragraph (a) of subsection (5) of section
3304 810.011, Florida Statutes, is reenacted to read:

3305 810.011 Definitions.—As used in this chapter:

3306 (5) (a) "Posted land" is land upon which any of the

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3307 following are placed:

3308 1. Signs placed not more than 500 feet apart along and at
 3309 each corner of the boundaries of the land or, for land owned by
 3310 a water control district that exists pursuant to chapter 298 or
 3311 was created by special act of the Legislature, signs placed at
 3312 or near the intersection of any district canal right-of-way and
 3313 a road right-of-way or, for land classified as agricultural
 3314 pursuant to s. 193.461, signs placed at each point of ingress
 3315 and at each corner of the boundaries of the agricultural land,
 3316 which prominently display in letters of not less than 2 inches
 3317 in height the words "no trespassing" and the name of the owner,
 3318 lessee, or occupant of the land. The signs must be placed along
 3319 the boundary line of posted land in a manner and in such
 3320 position as to be clearly noticeable from outside the boundary
 3321 line; or

3322 2.a. A conspicuous no trespassing notice is painted on
 3323 trees or posts on the property, provided that the notice is:

3324 (I) Painted in an international orange color and displaying
 3325 the stenciled words "No Trespassing" in letters no less than 2
 3326 inches high and 1 inch wide either vertically or horizontally;

3327 (II) Placed so that the bottom of the painted notice is not
 3328 less than 3 feet from the ground or more than 5 feet from the
 3329 ground; and

3330 (III) Placed at locations that are readily visible to any
 3331 person approaching the property and no more than 500 feet apart
 3332 on agricultural land.

3333 b. When a landowner uses the painted no trespassing posting
 3334 to identify a no trespassing area, those painted notices must be
 3335 accompanied by signs complying with subparagraph 1. and must be

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3336 placed conspicuously at all places where entry to the property
 3337 is normally expected or known to occur.

3338 Section 105. For the purpose of incorporating the amendment
 3339 made by this act to section 193.461, Florida Statutes, in a
 3340 reference thereto, paragraph (a) of subsection (5) and paragraph
 3341 (a) of subsection (6) of section 741.30, Florida Statutes, are
 3342 reenacted to read:

3343 741.30 Domestic violence; injunction; powers and duties of
 3344 court and clerk; petition; notice and hearing; temporary
 3345 injunction; issuance of injunction; statewide verification
 3346 system; enforcement; public records exemption.—

3347 (5) (a) If it appears to the court that an immediate and
 3348 present danger of domestic violence exists, the court may grant
 3349 a temporary injunction ex parte, pending a full hearing, and may
 3350 grant such relief as the court deems proper, including an
 3351 injunction:

3352 1. Restraining the respondent from committing any acts of
 3353 domestic violence.

3354 2. Awarding to the petitioner the temporary exclusive use
 3355 and possession of the dwelling that the parties share or
 3356 excluding the respondent from the residence of the petitioner.

3357 3. On the same basis as provided in s. 61.13, providing the
 3358 petitioner a temporary parenting plan, including a time-sharing
 3359 schedule, which may award the petitioner up to 100 percent of
 3360 the time-sharing. If temporary time-sharing is awarded to the
 3361 respondent, the exchange of the child must occur at a neutral
 3362 safe exchange location as provided in s. 125.01(8) or a location
 3363 authorized by a supervised visitation program as defined in s.
 3364 753.01 if the court determines it is in the best interests of

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3365 the child after consideration of all of the factors specified in
 3366 s. 61.13(3). The temporary parenting plan remains in effect
 3367 until the order expires or an order is entered by a court of
 3368 competent jurisdiction in a pending or subsequent civil action
 3369 or proceeding affecting the placement of, access to, parental
 3370 time with, adoption of, or parental rights and responsibilities
 3371 for the minor child.

3372 4. If the petitioner and respondent have an existing
 3373 parenting plan or time-sharing schedule under another court
 3374 order, designating that the exchange of the minor child or
 3375 children of the parties must occur at a neutral safe exchange
 3376 location as provided in s. 125.01(8) or a location authorized by
 3377 a supervised visitation program as defined in s. 753.01 if the
 3378 court determines it is in the best interests of the child after
 3379 consideration of all of the factors specified in s. 61.13(3).

3380 5. Awarding to the petitioner the temporary exclusive care,
 3381 possession, or control of an animal that is owned, possessed,
 3382 harbored, kept, or held by the petitioner, the respondent, or a
 3383 minor child residing in the residence or household of the
 3384 petitioner or respondent. The court may order the respondent to
 3385 temporarily have no contact with the animal and prohibit the
 3386 respondent from taking, transferring, encumbering, concealing,
 3387 harming, or otherwise disposing of the animal. This subparagraph
 3388 does not apply to an animal owned primarily for a bona fide
 3389 agricultural purpose, as defined under s. 193.461, or to a
 3390 service animal, as defined under s. 413.08, if the respondent is
 3391 the service animal's handler.

3392 (6) (a) Upon notice and hearing, when it appears to the
 3393 court that the petitioner is either the victim of domestic

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3394 violence as defined by s. 741.28 or has reasonable cause to
 3395 believe he or she is in imminent danger of becoming a victim of
 3396 domestic violence, the court may grant such relief as the court
 3397 deems proper, including an injunction:

3398 1. Restraining the respondent from committing any acts of
 3399 domestic violence.

3400 2. Awarding to the petitioner the exclusive use and
 3401 possession of the dwelling that the parties share or excluding
 3402 the respondent from the residence of the petitioner.

3403 3. On the same basis as provided in chapter 61, providing
 3404 the petitioner with 100 percent of the time-sharing in a
 3405 temporary parenting plan that remains in effect until the order
 3406 expires or an order is entered by a court of competent
 3407 jurisdiction in a pending or subsequent civil action or
 3408 proceeding affecting the placement of, access to, parental time
 3409 with, adoption of, or parental rights and responsibilities for
 3410 the minor child.

3411 4. If the petitioner and respondent have an existing
 3412 parenting plan or time-sharing schedule under another court
 3413 order, designating that the exchange of the minor child or
 3414 children of the parties must occur at a neutral safe exchange
 3415 location as provided in s. 125.01(8) or a location authorized by
 3416 a supervised visitation program as defined in s. 753.01 if the
 3417 court determines it is in the best interests of the child after
 3418 consideration of all of the factors specified in s. 61.13(3).

3419 5. On the same basis as provided in chapter 61,
 3420 establishing temporary support for a minor child or children or
 3421 the petitioner. An order of temporary support remains in effect
 3422 until the order expires or an order is entered by a court of

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3423 competent jurisdiction in a pending or subsequent civil action
3424 or proceeding affecting child support.

3425 6. Ordering the respondent to participate in treatment,
3426 intervention, or counseling services to be paid for by the
3427 respondent. When the court orders the respondent to participate
3428 in a batterers' intervention program, the court, or any entity
3429 designated by the court, must provide the respondent with a list
3430 of batterers' intervention programs from which the respondent
3431 must choose a program in which to participate.

3432 7. Referring a petitioner to a certified domestic violence
3433 center. The court must provide the petitioner with a list of
3434 certified domestic violence centers in the circuit which the
3435 petitioner may contact.

3436 8. Awarding to the petitioner the exclusive care,
3437 possession, or control of an animal that is owned, possessed,
3438 harbored, kept, or held by the petitioner, the respondent, or a
3439 minor child residing in the residence or household of the
3440 petitioner or respondent. The court may order the respondent to
3441 have no contact with the animal and prohibit the respondent from
3442 taking, transferring, encumbering, concealing, harming, or
3443 otherwise disposing of the animal. This subparagraph does not
3444 apply to an animal owned primarily for a bona fide agricultural
3445 purpose, as defined under s. 193.461, or to a service animal, as
3446 defined under s. 413.08, if the respondent is the service
3447 animal's handler.

3448 9. Ordering such other relief as the court deems necessary
3449 for the protection of a victim of domestic violence, including
3450 injunctions or directives to law enforcement agencies, as
3451 provided in this section.

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3452 Section 106. For the purpose of incorporating the amendment
3453 made by this act to section 193.461, Florida Statutes, in a
3454 reference thereto, subsection (6) of section 823.14, Florida
3455 Statutes, is reenacted to read:

3456 823.14 Florida Right to Farm Act.—

3457 (6) LIMITATION ON DUPLICATION OF GOVERNMENT REGULATION.—It
3458 is the intent of the Legislature to eliminate duplication of
3459 regulatory authority over farm operations as expressed in this
3460 subsection. Except as otherwise provided for in this section and
3461 s. 487.051(2), and notwithstanding any other provision of law, a
3462 local government may not adopt any ordinance, regulation, rule,
3463 or policy to prohibit, restrict, regulate, or otherwise limit an
3464 activity of a bona fide farm operation on land classified as
3465 agricultural land pursuant to s. 193.461, where such activity is
3466 regulated through implemented best management practices or
3467 interim measures developed by the Department of Environmental
3468 Protection, the Department of Agriculture and Consumer Services,
3469 or water management districts and adopted under chapter 120 as
3470 part of a statewide or regional program. When an activity of a
3471 farm operation takes place within a wellfield protection area as
3472 defined in any wellfield protection ordinance adopted by a local
3473 government, and the adopted best management practice or interim
3474 measure does not specifically address wellfield protection, a
3475 local government may regulate that activity pursuant to such
3476 ordinance. This subsection does not limit the powers and duties
3477 provided for in s. 373.4592 or limit the powers and duties of
3478 any local government to address an emergency as provided for in
3479 chapter 252.

3480 Section 107. For the purpose of incorporating the amendment

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3481 made by this act to section 388.271, Florida Statutes, in a
 3482 reference thereto, paragraph (a) of subsection (1) of section
 3483 189.062, Florida Statutes, is reenacted to read:

3484 189.062 Special procedures for inactive districts.—

3485 (1) The department shall declare inactive any special
 3486 district in this state by documenting that:

3487 (a) The special district meets one of the following
 3488 criteria:

3489 1. The registered agent of the district, the chair of the
 3490 governing body of the district, or the governing body of the
 3491 appropriate local general-purpose government notifies the
 3492 department in writing that the district has taken no action for
 3493 2 or more years;

3494 2. The registered agent of the district, the chair of the
 3495 governing body of the district, or the governing body of the
 3496 appropriate local general-purpose government notifies the
 3497 department in writing that the district has not had a governing
 3498 body or a sufficient number of governing body members to
 3499 constitute a quorum for 2 or more years;

3500 3. The registered agent of the district, the chair of the
 3501 governing body of the district, or the governing body of the
 3502 appropriate local general-purpose government fails to respond to
 3503 an inquiry by the department within 21 days;

3504 4. The department determines, pursuant to s. 189.067, that
 3505 the district has failed to file any of the reports listed in s.
 3506 189.066;

3507 5. The district has not had a registered office and agent
 3508 on file with the department for 1 or more years;

3509 6. The governing body of a special district provides

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3510 documentation to the department that it has unanimously adopted
 3511 a resolution declaring the special district inactive. The
 3512 special district is responsible for payment of any expenses
 3513 associated with its dissolution;

3514 7. The district is an independent special district or a
 3515 community redevelopment district created under part III of
 3516 chapter 163 that has reported no revenue, no expenditures, and
 3517 no debt under s. 189.016(9) or s. 218.32 for at least 5
 3518 consecutive fiscal years beginning no earlier than October 1,
 3519 2018. This subparagraph does not apply to a community
 3520 development district established under chapter 190 or to any
 3521 independent special district operating pursuant to a special act
 3522 that provides that any amendment to chapter 190 to grant
 3523 additional powers constitutes a power of that district; or

3524 8. For a mosquito control district created pursuant to
 3525 chapter 388, the department has received notice from the
 3526 Department of Agriculture and Consumer Services that the
 3527 district has failed to file a tentative work plan and tentative
 3528 detailed work plan budget as required by s. 388.271.

3529 Section 108. For the purpose of incorporating the amendment
 3530 made by this act to section 388.271, Florida Statutes, in a
 3531 reference thereto, subsection (7) of section 388.261, Florida
 3532 Statutes, is reenacted to read:

3533 388.261 State aid to counties and districts for arthropod
 3534 control; distribution priorities and limitations.—

3535 (7) The department may use state funds appropriated for a
 3536 county or district under subsection (1) or subsection (2) to
 3537 provide state mosquito or other arthropod control equipment,
 3538 supplies, or services when requested by a county or district

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3539 eligible to receive state funds under s. 388.271.

3540 Section 109. For the purpose of incorporating the amendment

3541 made by this act to section 482.161, Florida Statutes, in a

3542 reference thereto, paragraph (b) of subsection (3) of section

3543 482.072, Florida Statutes, is reenacted to read:

3544 482.072 Pest control customer contact centers.—

3545 (3)

3546 (b) Notwithstanding any other provision of this section:

3547 1. A customer contact center licensee is subject to

3548 disciplinary action under s. 482.161 for a violation of this

3549 section or a rule adopted under this section committed by a

3550 person who solicits pest control services or provides customer

3551 service in a customer contact center.

3552 2. A pest control business licensee may be subject to

3553 disciplinary action under s. 482.161 for a violation of this

3554 section or a rule adopted under this section committed by a

3555 person who solicits pest control services or provides customer

3556 service in a customer contact center operated by a licensee if

3557 the licensee participates in the violation.

3558 Section 110. For the purpose of incorporating the amendment

3559 made by this act to section 482.161, Florida Statutes, in a

3560 reference thereto, section 482.163, Florida Statutes, is

3561 reenacted to read:

3562 482.163 Responsibility for pest control activities of

3563 employee.—Proper performance of pest control activities by a

3564 pest control business employee is the responsibility not only of

3565 the employee but also of the certified operator in charge, and

3566 the certified operator in charge may be disciplined pursuant to

3567 the provisions of s. 482.161 for the pest control activities of

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3568 an employee. A licensee may not automatically be considered

3569 responsible for violations made by an employee. However, the

3570 licensee may not knowingly encourage, aid, or abet violations of

3571 this chapter.

3572 Section 111. For the purpose of incorporating the amendment

3573 made by this act to section 487.044, Florida Statutes, in a

3574 reference thereto, section 487.156, Florida Statutes, is

3575 reenacted to read:

3576 487.156 Governmental agencies.—All governmental agencies

3577 shall be subject to the provisions of this part and rules

3578 adopted under this part. Public applicators using or supervising

3579 the use of restricted-use pesticides shall be subject to

3580 examination as provided in s. 487.044.

3581 Section 112. For the purpose of incorporating the amendment

3582 made by this act to section 496.405, Florida Statutes, in a

3583 reference thereto, subsection (2) of section 496.4055, Florida

3584 Statutes, is reenacted to read:

3585 496.4055 Charitable organization or sponsor board duties.—

3586 (2) The board of directors, or an authorized committee

3587 thereof, of a charitable organization or sponsor required to

3588 register with the department under s. 496.405 shall adopt a

3589 policy regarding conflict of interest transactions. The policy

3590 shall require annual certification of compliance with the policy

3591 by all directors, officers, and trustees of the charitable

3592 organization. A copy of the annual certification shall be

3593 submitted to the department with the annual registration

3594 statement required by s. 496.405.

3595 Section 113. For the purpose of incorporating the amendment

3596 made by this act to section 496.405, Florida Statutes, in a

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3597 reference thereto, subsections (2) and (4) of section 496.406,
 3598 Florida Statutes, are reenacted to read:
 3599 496.406 Exemption from registration.—
 3600 (2) Before soliciting contributions, a charitable
 3601 organization or sponsor claiming to be exempt from the
 3602 registration requirements of s. 496.405 under paragraph (1)(d)
 3603 must submit annually to the department, on forms prescribed by
 3604 the department:
 3605 (a) The name, street address, and telephone number of the
 3606 charitable organization or sponsor, the name under which it
 3607 intends to solicit contributions, the purpose for which it is
 3608 organized, and the purpose or purposes for which the
 3609 contributions to be solicited will be used.
 3610 (b) The tax exempt status of the organization.
 3611 (c) The date on which the organization's fiscal year ends.
 3612 (d) The names, street addresses, and telephone numbers of
 3613 the individuals or officers who have final responsibility for
 3614 the custody of the contributions and who will be responsible for
 3615 the final distribution of the contributions.
 3616 (e) A financial statement of support, revenue, and expenses
 3617 and a statement of functional expenses that must include, but
 3618 not be limited to, expenses in the following categories:
 3619 program, management and general, and fundraising. In lieu of the
 3620 financial statement, a charitable organization or sponsor may
 3621 submit a copy of its Internal Revenue Service Form 990 and all
 3622 attached schedules or Internal Revenue Service Form 990-EZ and
 3623 Schedule O.
 3624 (4) Exemption from the registration requirements of s.
 3625 496.405 does not limit the applicability of other provisions of

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3626 this section to a charitable organization or sponsor.
 3627 Section 114. For the purpose of incorporating the amendment
 3628 made by this act to section 500.12, Florida Statutes, in a
 3629 reference thereto, paragraph (a) of subsection (1) of section
 3630 500.80, Florida Statutes, is reenacted to read:
 3631 500.80 Cottage food operations.—
 3632 (1)(a) A cottage food operation must comply with the
 3633 applicable requirements of this chapter but is exempt from the
 3634 permitting requirements of s. 500.12 if the cottage food
 3635 operation complies with this section and has annual gross sales
 3636 of cottage food products that do not exceed \$250,000.
 3637 Section 115. For the purpose of incorporating the amendment
 3638 made by this act to section 500.172, Florida Statutes, in a
 3639 reference thereto, subsection (6) of section 500.121, Florida
 3640 Statutes, is reenacted to read:
 3641 500.121 Disciplinary procedures.—
 3642 (6) If the department determines that a food offered in a
 3643 food establishment is labeled with nutrient claims that are in
 3644 violation of this chapter, the department shall retest or
 3645 reexamine the product within 90 days after notification to the
 3646 manufacturer and to the firm at which the product was collected.
 3647 If the product is again found in violation, the department shall
 3648 test or examine the product for a third time within 60 days
 3649 after the second notification. The product manufacturer shall
 3650 reimburse the department for the cost of the third test or
 3651 examination. If the product is found in violation for a third
 3652 time, the department shall exercise its authority under s.
 3653 500.172 and issue a stop-sale or stop-use order. The department
 3654 may impose additional sanctions for violations of this

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3655 subsection.

3656 Section 116. For the purpose of incorporating the amendment
3657 made by this act to section 790.06, Florida Statutes, in a
3658 reference thereto, section 790.061, Florida Statutes, is
3659 reenacted to read:

3660 790.061 Judges and justices; exceptions from licensure
3661 provisions.—A county court judge, circuit court judge, district
3662 court of appeal judge, justice of the supreme court, federal
3663 district court judge, or federal court of appeals judge serving
3664 in this state is not required to comply with the provisions of
3665 s. 790.06 in order to receive a license to carry a concealed
3666 weapon or firearm, except that any such justice or judge must
3667 comply with the provisions of s. 790.06(2)(h). The Department of
3668 Agriculture and Consumer Services shall issue a license to carry
3669 a concealed weapon or firearm to any such justice or judge upon
3670 demonstration of competence of the justice or judge pursuant to
3671 s. 790.06(2)(h).

3672 Section 117. This act shall take effect July 1, 2025.

By Senator Truenow

13-01434A-25

2025786__

1 A bill to be entitled
2 An act relating to improvements to structures on
3 agricultural lands; amending s. 193.461, F.S.;
4 prohibiting assessment of any agricultural
5 improvements used for certain purposes on specified
6 lands; providing applicability; providing an effective
7 date.

8
9 Be It Enacted by the Legislature of the State of Florida:

10
11 Section 1. Subsection (9) is added to section 193.461,
12 Florida Statutes, to read:

13 193.461 Agricultural lands; classification and assessment;
14 mandated eradication or quarantine program; natural disasters.—

15 (9) Notwithstanding any other law, any agricultural
16 improvements used for an agricultural purpose located on lands
17 classified for assessment purposes as agricultural lands are
18 exempt from assessment under this section.

19 Section 2. The amendments made by this act to s. 193.461,
20 Florida Statutes, first apply to the 2026 ad valorem tax roll.

21 Section 3. This act shall take effect July 1, 2025.

By Senator Bernard

24-01405-25

2025980__

1 A bill to be entitled
 2 An act relating to the Hunger-Free Campus Pilot
 3 Program; providing a short title; establishing the
 4 pilot program within the Department of Agriculture and
 5 Consumer Services for a specified period; providing
 6 the purpose of the pilot program; defining the terms
 7 "commissioner" and "department"; requiring the
 8 Commissioner of Agriculture to identify the three
 9 state universities or Florida College System
 10 institutions with the highest percentage of Pell
 11 Grant-eligible students for participation in the pilot
 12 program; requiring the commissioner to develop a
 13 specified survey instrument; providing requirements
 14 for participating universities and institutions;
 15 requiring participating universities and institutions
 16 to submit a report to the department; requiring the
 17 commissioner to submit a report to the Governor and
 18 the Legislature by a specified date; specifying
 19 requirements for the report; authorizing the
 20 department to adopt rules; requiring the Office of
 21 Program Policy Analysis and Government Accountability
 22 to conduct a study to evaluate food insecurity on the
 23 campuses of state universities and Florida College
 24 System institutions; providing requirements for the
 25 office and the study; requiring the office to submit a
 26 report to the Legislature by a specified date;
 27 providing an effective date.
 28
 29 Be It Enacted by the Legislature of the State of Florida:

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30
 31 Section 1. This act may be cited as the "Hunger-Free Campus
 32 Act."
 33 Section 2. (1) Subject to legislative appropriation, the
 34 Hunger-Free Campus Pilot Program is established within the
 35 Department of Agriculture and Consumer Services to support
 36 efforts to fight hunger on the campuses of public postsecondary
 37 educational institutions. The program is established for a
 38 period of 1 year, beginning July 1, 2025.
 39 (2) For purposes of this section, the term:
 40 (a) "Commissioner" means the Commissioner of Agriculture.
 41 (b) "Department" means the Department of Agriculture and
 42 Consumer Services.
 43 (3) (a) The commissioner shall identify from among all state
 44 universities and Florida College System institutions the three
 45 that have the highest percentage of Pell Grant-eligible
 46 students, which universities or institutions shall participate
 47 in the program.
 48 (b) The commissioner shall also develop the survey
 49 instrument described in subsection (4).
 50 (4) A participating state university or Florida College
 51 System institution shall:
 52 (a) Establish a hunger task force, which must include
 53 representatives from the student body and meet at least three
 54 times during the life of the pilot program. The task force shall
 55 set at least two goals to address hunger on campus, each
 56 accompanied by an action plan.
 57 (b) Designate a staff member responsible for assisting
 58 students with enrollment in the Supplemental Nutrition

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59 Assistance Program (SNAP) as defined in s. 414.456(1), Florida
60 Statutes.

61 (c) Provide options that enable students to use SNAP
62 benefits on campus or provide students with information on
63 authorized SNAP retailers in the area surrounding the campus
64 where they may use SNAP electronic benefit transfer cards.

65 (d) Host an activity or event during Hunger and
66 Homelessness Awareness Week to promote awareness of hunger on
67 the nation's campuses.

68 (e) Provide at least one physical food pantry on campus or
69 enable students to receive food at no cost through a stigma-free
70 process. The campus may partner with a local food bank or food
71 pantry to comply with this paragraph.

72 (f) Develop a student meal credit donation program or
73 designate funds that might be raised through such a program for
74 free food vouchers.

75 (g) Conduct a student survey on hunger, using a survey
76 instrument developed by the commissioner, and submit the results
77 of the survey and a best practices campus profile to the
78 department by a date prescribed by the department for inclusion
79 in a comparative profile of each campus designated as a hunger-
80 free campus.

81 (5) (a) Each participating state university or Florida
82 College System institution shall submit a report to the
83 department, in a manner prescribed by the department, which
84 describes how it implemented the program and the program
85 results.

86 (b) The commissioner shall submit a report on the program
87 to the Governor, the President of the Senate, and the Speaker of

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88 the House of Representatives by January 1, 2027. The report must
89 include, but need not be limited to, the impact of the program
90 on establishing hunger-free campuses at participating state
91 universities or Florida College System institutions; the impact
92 of the program on reducing the number of students at such
93 universities and institutions who are experiencing food
94 insecurity; and recommendations regarding future funding and
95 implementation of the program on a long-term basis.

96 (6) The department may adopt rules to implement the
97 program.

98 Section 3. (1) The Office of Program Policy Analysis and
99 Government Accountability (OPPAGA) shall conduct a study to
100 evaluate food insecurity on the campuses of state universities
101 and Florida College System institutions.

102 (2) The study must include recommendations for any changes
103 to general law, Board of Governors' regulations, or State Board
104 of Education rules needed to address food insecurity on the
105 campuses of state universities and Florida College System
106 institutions.

107 (3) In conducting the study, OPPAGA shall consult with the
108 Board of Governors of the State University System, the board of
109 trustees of the Florida College System, the Department of
110 Education, and any other relevant stakeholders.

111 (4) OPPAGA shall submit a report on its findings to the
112 President of the Senate and the Speaker of the House of
113 Representatives by December 1, 2025.

114 Section 4. This act shall take effect July 1, 2025.