A bill to be entitled
An act relating to the Department of Agriculture and
Consumer Services; amending s. 482.1562, F.S.;
clarifying the date by which an application for
recertification of a limited certification for urban
landscape commercial fertilizer application is
required; removing provisions imposing late renewal
charges; providing a grace period for such
recertification; amending s. 500.03, F.S.; defining
terms relating to the Florida Food Safety Act;
amending s. 570.07, F.S.; revising powers and duties
of the department to include sponsoring events;
authorizing the department to secure letters of
patent, copyrights, and trademarks on work products
and to engage in acts accordingly; amending s. 570.30,
F.S.; removing electronic data processing and
management information systems support for the
department as a power and duty of the Division of
Administration; amending s. 570.441, F.S.; authorizing
the use of funds in the Pest Control Trust Fund for
activities of the Division of Agricultural
Environmental Services; amending s. 570.50, F.S.;
revising powers and duties of the Division of Food
Safety to include analyzing milk, milk products, and
frozen desserts offered for sale in the state;
amending s. 570.53, F.S.; revising duties of the
Division of Marketing and Development to remove
enforcement of provisions relating to dealers in agricultural products; amending s. 570.544, F.S.; revising duties of the director of the Division of Consumer Services to include enforcement of provisions relating to dealers in agricultural products and grain dealers; creating s. 570.68, F.S.; authorizing the Commissioner of Agriculture to create an Office of Agriculture Technology Services; providing duties of the office; amending s. 570.681, F.S.; clarifying legislative findings with regard to the Florida Agriculture Center and Horse Park; amending s. 570.685, F.S.; authorizing rather than requiring the department to provide administrative and staff support services, meeting space, and record storage for the Florida Agriculture Center and Horse Park Authority; amending s. 571.24, F.S.; clarifying the intent of the Florida Agricultural Promotional Campaign as a marketing program; removing an obsolete provision relating to the designation of a division employee as a member of the Advertising Interagency Coordinating Council; amending s. 571.27, F.S.; removing obsolete provisions relating to the authority of the department to adopt rules for entering into contracts with advertising agencies for services that are directly related to the Florida Agricultural Promotional Campaign; amending s. 571.28, F.S.; revising provisions specifying membership criteria of the Florida Agricultural Promotional Campaign Advisory Council; amending s. 581.181, F.S.; providing
applicability of provisions requiring treatment or
destruction of infested or infected plants and plant
products; repealing s. 589.26, F.S., relating to the
authority of the Florida Forest Service to dedicate
and reserve state park lands for public use; amending
s. 595.402, F.S.; defining terms relating to the
school food and nutrition service program; amending s.
595.404, F.S.; revising duties of the department with
regard to the school food and nutrition service
program; directing the department to collect and
publish data on food purchased by sponsors through the
Florida Farm to School Program and other school food
and nutrition service programs; amending s. 595.405,
F.S.; clarifying requirements for the School Nutrition
Program; providing for breakfast meals to be available
to all students in schools that serve any combination
of grades kindergarten through 5; amending s. 595.406,
F.S.; renaming the “Florida Farm Fresh Schools
Program” as the “Florida Farm to School Program”;
authorizing the department to establish by rule a
recognition program for certain sponsors; amending s.
595.407, F.S.; revising provisions of the children’s
summer nutrition program to include certain schools
that serve any combination of grades kindergarten
through 5; revising provisions relating to the
duration of the program; authorizing school districts
to exclude holidays and weekends; amending s. 595.408,
F.S.; conforming references to changes made by the
act; amending s. 595.501, F.S.; requiring entities to
complete corrective action plans required by the
department or a federal agency to be in compliance
with school food and nutrition service programs;
amending s. 595.601, F.S.; correcting a cross-
reference; amending s. 604.20, F.S.; removing a
 provision requiring an applicant for license as a
dealer in agricultural products to submit a letter
acknowledging assignment of a certificate of deposit
from the issuing institution; amending s. 604.33,
F.S.; removing provisions requiring grain dealers to
submit monthly reports; authorizing rather than
requiring the department to make at least one spot
check annually of each grain dealer; requiring certain
property to be deeded to the Department of Agriculture
and Consumer Services by a certain date; requiring the
department to sell a portion of the deeded property;
requiring the proceeds from the sale to be deposited
into a specified trust fund; requiring the department
to develop a plan to use the net proceeds from the
sale for facility repairs and construction of an
agricultural diagnostic laboratory at the Bronson
Animal Disease Diagnostic Laboratory; requiring the
plan to be submitted to the Governor and the
Legislature by a certain date; providing an effective
date.

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

Section 1. Subsections (5) and (6) of section 482.1562,
Florida Statutes, are amended to read:

482.1562 Limited certification for urban landscape commercial fertilizer application.—

(5) An application for recertification must be made 4 years after the date of issuance at least 90 days before the expiration of the current certificate and be accompanied by:

(a) Proof of having completed the 4 classroom hours of acceptable continuing education required under subsection (4).

(b) A recertification fee set by the department in an amount of at least $25 but not more than $75. Until the fee is set by rule, the fee for certification is $25.

(6) A late renewal charge of $50 per month shall be assessed 30 days after the date the application for recertification is due and must be paid in addition to the renewal fee. Unless timely recertified, a certificate automatically expires 90 days after the recertification date. Upon expiration, or after a grace period which does not exceed 30 days after expiration, a certificate may be issued only upon reapplying in accordance with subsection (3).

Section 2. Present paragraph (bb) of subsection (1) of section 500.03, Florida Statutes, is redesignated as paragraph (cc), and a new paragraph (bb) and paragraphs (dd) and (ee) are added to that subsection, to read:

500.03 Definitions; construction; applicability.—

(1) For the purpose of this chapter, the term:

(bb) “Retail” means the offering of food directly to the consumer.

(dd) “Vehicle” means a mode of transportation or mobile carrier used to transport food from one location to another,
including, but not limited to, carts, vans, trucks, cars, trains and railway transport, and aircraft and watercraft type transport.

(ee) “Wholesale” means the offering of food to businesses for resale.

Section 3. Paragraph (c) of subsection (20) of section 570.07, Florida Statutes, is amended, and subsection (44) is added to that section, to read:

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

(20)

(c) To sponsor events, trade breakfasts, luncheons, and dinners and distribute promotional materials and favors in connection with meetings, conferences, and conventions of dealers, buyers, food editors, and merchandising executives that will assist in the promotion and marketing of Florida’s agricultural and agricultural business products to the consuming public.

The department is authorized to receive and expend donations contributed by private persons for the purpose of covering costs associated with the above described activities.

(44) The department may, in its own name:

(a) Perform all things necessary to secure letters of patent, copyrights, and trademarks on any work products of the department and enforce its rights therein.

(b) License, lease, assign, or otherwise give written consent to any person, firm, or corporation for the manufacture
or use of such department work products on a royalty basis or
for such other consideration as the department shall deem
proper.
   (c) Take any action necessary, including legal action, to
   protect such department work products against improper or
   unlawful use or infringement.
   (d) Enforce the collection of any sums due to the
department for the manufacture or use of such department work
products by another party.
   (e) Sell any of such department work products and execute
all instruments necessary to consummate any such sale.
   (f) Do all other acts necessary and proper for the
execution of powers and duties conferred upon the department by
this section, including adopting rules, as necessary, in order
to administer this section.

Section 4. Subsection (5) of section 570.30, Florida
Statutes, is amended, to read:

570.30 Division of Administration; powers and duties.—The
Division of Administration shall render services required by the
department and its other divisions, or by the commissioner in
the exercise of constitutional and cabinet responsibilities,
that can advantageously and effectively be centralized and
administered and any other function of the department that is
not specifically assigned by law to some other division. The
duties of this division include, but are not limited to:

   (5) Providing electronic data processing and management
information systems support for the department.

Section 5. Subsection (4) is added to section 570.441,
Florida Statutes, to read:
570.441 Pest Control Trust Fund.—
(4) In addition to the uses authorized under subsection (2), moneys collected or received by the department under chapter 482 may be used to carry out the provisions of s. 570.44. This subsection expires June 30, 2018.

Section 6. Subsection (5) of section 570.50, Florida Statutes, is amended to read:
570.50 Division of Food Safety; powers and duties.—The duties of the Division of Food Safety include, but are not limited to:
(5) Analyzing food and feed samples offered for sale in the state for chemical residues as required under the adulteration sections of chapters 500, 502, and 580.

Section 7. Subsection (2) of section 570.53, Florida Statutes, is amended to read:
570.53 Division of Marketing and Development; powers and duties.—The powers and duties of the Division of Marketing and Development include, but are not limited to:
(2) Enforcing the provisions of ss. 604.15-604.34, the dealers in agricultural products law, and ss. 534.47-534.53.

Section 8. Subsection (2) of section 570.544, Florida Statutes, is amended to read:
570.544 Division of Consumer Services; director; powers; processing of complaints; records.—
(2) The director shall supervise, direct, and coordinate the activities of the division and shall, under the direction of the department, enforce the provisions of ss. 604.15-604.34 and chapters 472, 496, 501, 507, 525, 526, 527, 531, 539, 559, 616, and 849.
Section 9. Section 570.68, Florida Statutes, is created to read:

570.68 Office of Agriculture Technology Services.—The commissioner may create an Office of Agriculture Technology Services under the supervision of a senior manager exempt under s. 110.205 in the Senior Management Service. The office shall provide electronic data processing and agency information technology services to support and facilitate the functions, powers, and duties of the department.

Section 10. Section 570.681, Florida Statutes, is amended to read:

570.681 Florida Agriculture Center and Horse Park; legislative findings.—It is the finding of the Legislature that:

(1) Agriculture is an important industry to the State of Florida, producing over $6 billion per year while supporting over 230,000 jobs.

(1)(2) Equine and other agriculture-related industries will strengthen and benefit each other with the establishment of a statewide agriculture and horse facility.

(2)(3) The Florida Agriculture Center and Horse Park will provide Florida with a unique tourist experience for visitors and residents, thus generating taxes and additional dollars for the state.

(3)(4) Promoting the Florida Agriculture Center and Horse Park as a joint effort between the state and the private sector allows this facility to utilize experts and generate revenue from many areas to ensure the success of this facility.

Section 11. Paragraphs (b) and (c) of subsection (4) of section 570.685, Florida Statutes, are amended to read:
Florida Agriculture Center and Horse Park Authority.—

(4) The authority shall meet at least semiannually and elect a chair, a vice chair, and a secretary for 1-year terms.

(b) The department may provide administrative and staff support services relating to the meetings of the authority and may provide suitable space in the offices of the department for the meetings and the storage of records of the authority.

(c) In conducting its meetings, the authority shall use accepted rules of procedure. The secretary shall keep a complete record of the proceedings of each meeting, which shall show the names of the members present and the actions taken. These records shall be kept on file with the department, and such records and other documents regarding matters within the jurisdiction of the authority shall be subject to inspection by members of the authority.

Section 12. Section 571.24, Florida Statutes, is amended to read:

571.24 Purpose; duties of the department.—The purpose of this part is to authorize the department to establish and coordinate the Florida Agricultural Promotional Campaign, which is intended to serve as a marketing program to promote Florida agricultural commodities, value-added products, and agricultural related businesses and not a food safety or traceability program. The duties of the department shall include, but are not limited to:

(1) Developing logos and authorizing the use of logos as provided by rule.
(2) Registering participants.
(3) Assessing and collecting fees.
(4) Collecting rental receipts for industry promotions.
(5) Developing in-kind advertising programs.
(6) Contracting with media representatives for the purpose of dispersing promotional materials.
(7) Assisting the representative of the department who serves on the Florida Agricultural Promotional Campaign Advisory Council.

(8) Designating a division employee to be a member of the Advertising Interagency Coordinating Council.

(8) (9) Adopting rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this part.

(9) (10) Enforcing and administering the provisions of this part, including measures ensuring that only Florida agricultural or agricultural based products are marketed under the “Fresh From Florida” or “From Florida” logos or other logos of the Florida Agricultural Promotional Campaign.

Section 13. Section 571.27, Florida Statutes, is amended to read:

571.27 Rules.—The department is authorized to adopt rules that implement, make specific, and interpret the provisions of this part, including rules for entering into contracts with advertising agencies for services which are directly related to the Florida Agricultural Promotional Campaign. Such rules shall establish the procedures for negotiating costs with the offerors of such advertising services who have been determined by the department to be qualified on the basis of technical merit, creative ability, and professional competency. Such
determination of qualifications shall also include consideration of the provisions in s. 287.055(3), (4), and (5). The department is further authorized to determine, by rule, the logos or product identifiers to be depicted for use in advertising, publicizing, and promoting the sale of Florida agricultural products or agricultural-based products in the Florida Agricultural Promotional Campaign. The department may also adopt rules consistent not inconsistent with the provisions of this part as in its judgment may be necessary for participant registration, renewal of registration, classes of membership, application forms, and as well as other forms and enforcement measures ensuring compliance with this part.

Section 14. Subsection (1) of section 571.28, Florida Statutes, is amended to read:

571.28 Florida Agricultural Promotional Campaign Advisory Council.—

(1) ORGANIZATION.—There is hereby created within the department the Florida Agricultural Promotional Campaign Advisory Council, to consist of 15 members appointed by the Commissioner of Agriculture for 4-year staggered terms. The membership shall include: 13 members representing agricultural producers, shippers, or packers, three members representing agricultural retailers, two members representing agricultural associations, one member representing a wholesaler of agricultural products, one member representing consumers, and one member representing the department. Initial appointment of the council members shall be four members to a term of 4 years, four members to a term of 3 years, four members to a term of 2 years, and three members to a
term of 1 year.

Section 15. Subsection (3) is added to section 581.181, Florida Statutes, to read:

581.181 Notice of infection of plants; destruction.—

(3) This section does not apply to plants or plant products infested with pests or noxious weeds that are determined to be widely established within the state and are not specifically regulated under other sections of statutes or rules adopted by the department.

Section 16. Section 589.26, Florida Statutes, is repealed.

Section 17. Present subsections (4) and (5) of section 595.402, Florida Statutes, are renumbered as subsections (5) and (6), respectively, and a new subsection (4) and subsections (7) and (8) are added to that section, to read:

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

(4) “School breakfast program” means a program authorized by section 4 of the Child Nutrition Act of 1966 and administered by the department.

(7) “Summer nutrition program” means one or more of the programs authorized under 42 U.S.C. s. 1761.

(8) “Universal school breakfast program” means a program that makes breakfast available at no cost to all students regardless of their household income.

Section 18. Subsections (5) and (12) of section 595.404, Florida Statutes, are amended, and subsection (13) is added to that section, to read:

595.404 School food and nutrition service program; powers and duties of the department.—The department has the following powers and duties:
576-02433-15

(5) To provide make a reasonable effort to ensure that any school designated as a “severe need school” receives the highest rate of reimbursement to which it is entitled under 42 U.S.C. s. 1773 for each breakfast meal served.

(12) To advance funds from the program’s annual appropriation to a summer nutrition program sponsors, when requested, in order to implement the provisions of this chapter and in accordance with federal regulations.

(13) To collect data on food purchased through the programs defined in ss. 595.402(3) and 595.406 and to publish that data annually.

Section 19. Section 595.405, Florida Statutes, is amended to read:

595.405 School Nutrition Program requirements for school districts and sponsors.—

(1) Each school district school board shall consider the recommendations of the district school superintendent and adopt policies to provide for an appropriate food and nutrition service program for students consistent with federal law and department rules.

(2) Each school district school board shall implement school breakfast programs that make breakfast meals available to all students in each elementary school that serves any combination of grades kindergarten through 5. Universal school breakfast programs shall be offered in schools in which 80 percent or more of the students are eligible for free or reduced-price meals. Each school shall, to the maximum extent practicable, make breakfast meals available to students at an alternative site location, which may include, but need not be
limited to, alternative breakfast options as described in
publications of the Food and Nutrition Service of the United
States Department of Agriculture for the federal School
Breakfast Program.

(3) Each school district school board must annually set
prices for breakfast meals at rates that, combined with federal
reimbursements and state allocations, are sufficient to defray
costs of school breakfast programs without requiring allocations
from the district’s operating funds, except if the district
school board approves lower rates.

(4) Each school district is encouraged to provide
universal, free school breakfast meals to all students in each
elementary, middle, and high school. Each school district shall
approve or disapprove a policy, after receiving public testimony
concerning the proposed policy at two or more regular meetings,
which makes universal, free school breakfast meals available to
all students in each elementary, middle, and high school in
which 80 percent or more of the students are eligible for free
or reduced-price meals.

(4)(5) Each elementary, middle, and high school operating a
breakfast program shall make a breakfast meal available if a
student arrives at school on the school bus less than 15 minutes
before the first bell rings and shall allow the student at least
15 minutes to eat the breakfast.

(5) Each school district is encouraged to provide
universal, free school breakfast meals to all students in each
elementary, middle, and high school. A universal school
breakfast program shall be implemented in each school in which
80 percent or more of the students are eligible for free or
reduced-price meals, unless the district school board, after considering public testimony at two or more regularly scheduled board meetings, decides to not implement such a program in such schools.

(6) To increase school breakfast and universal school breakfast program participation, each school district must, to the maximum extent practicable, make breakfast meals available to students through alternative service models as described in publications of the Food and Nutrition Service of the United States Department of Agriculture for the federal School Breakfast Program.

(7) Each school district school board shall annually provide to all students in each elementary, middle, and high school information prepared by the district’s food service administration regarding available school breakfast programs. The information shall be communicated through school announcements and written notices sent to all parents.

(8) Each school district school board may operate a breakfast program providing for food preparation at the school site or in central locations with distribution to designated satellite schools or any combination thereof.

(8) Each sponsor shall complete all corrective action plans required by the department or a federal agency to be in compliance with the program.

Section 20. Section 595.406, Florida Statutes, is amended to read:

595.406 Florida Farm to School Fresh Schools Program.—

(1) In order to implement the Florida Farm to School Fresh Schools Program, the department shall develop policies
pertaining to school food services which encourage:

(a) Sponsors to buy fresh and high-quality foods grown in this state when feasible.

(b) Farmers in this state to sell their products to sponsors, school districts, and schools.

(c) Sponsors to demonstrate a preference for competitively priced organic food products.

(d) Sponsors to make reasonable efforts to select foods based on a preference for those that have maximum nutritional content.

(2) The department shall provide outreach, guidance, and training to sponsors, schools, school food service directors, parent and teacher organizations, and students about the benefit of fresh food products from farms in this state.

(3) The department may recognize sponsors who purchase at least 10 percent of the food they serve from the Florida Farm to School Program.

Section 21. Subsection (2) of section 595.407, Florida Statutes, is amended to read:

595.407 Children’s summer nutrition program.—

(2) Each school district shall develop a plan to sponsor or operate a summer nutrition program to operate sites in the school district as follows:

(a) Within 5 miles of at least one elementary school that serves any combination of grades kindergarten through 5 at which 50 percent or more of the students are eligible for free or reduced-price school meals and for the duration of 35 consecutive days between the end of the school year and the beginning of the next school year. School districts may exclude
holidays and weekends.

(b) Within 10 miles of each elementary school that serves any combination of grades kindergarten through 5 at which 50 percent or more of the students are eligible for free or reduced-price school meals, except as operated pursuant to paragraph (a).

Section 22. Section 595.408, Florida Statutes, is amended to read:

595.408 Food Commodity distribution services; department responsibilities and functions.—

(1)(a) The department shall conduct, supervise, and administer all food commodity distribution services that will be carried on using federal or state funds, or funds from any other source, or food commodities received and distributed from the United States or any of its agencies.

(b) The department shall determine the benefits each applicant or recipient of assistance is entitled to receive under this chapter, provided that each applicant or recipient is a resident of this state and a citizen of the United States or is an alien lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law.

(2) The department shall cooperate fully with the United States Government and its agencies and instrumentalities so that the department may receive the benefit of all federal financial allotments and assistance possible to carry out the purposes of this chapter.

(3) The department may:

(a) Accept any duties with respect to food commodity...
distribution services as are delegated to it by an agency of the federal government or any state, county, or municipal government.

(b) Act as agent of, or contract with, the federal government, state government, or any county or municipal government in the administration of food commodity distribution services to secure the benefits of any public assistance that is available from the federal government or any of its agencies, and in the distribution of funds received from the federal government, state government, or any county or municipal government for food commodity distribution services within the state.

(c) Accept from any person or organization all offers of personal services, food commodities, or other aid or assistance.

(4) This chapter does not limit, abrogate, or abridge the powers and duties of any other state agency.

Section 23. Section 595.501, Florida Statutes, is amended to read:

595.501 Penalties.—

(1) When a corrective action plan is issued by the department or a federal agency, each sponsor is required to complete the corrective action plan to be in compliance with the program.

(2) Any person or sponsor, or school district that violates any provision of this chapter or any rule adopted thereunder or otherwise does not comply with the program is subject to a suspension or revocation of their agreement, loss of reimbursement, or a financial penalty in accordance with federal or state law or both. This section does not restrict the
Section 24. Section 595.601, Florida Statutes, is amended to read:

595.601 Food and Nutrition Services Trust Fund.—Chapter 99-37, Laws of Florida, recreated the Food and Nutrition Services Trust Fund to record revenue and disbursements of Federal Food and Nutrition funds received by the department as authorized in s. 595.404, 595.405.

Section 25. Subsection (1) of section 604.20, Florida Statutes, is amended to read:

604.20 Bond or certificate of deposit prerequisite; amount; form.—

(1) Before any license is issued, the applicant shall make and deliver to the department a surety bond or certificate of deposit in the amount of at least $5,000 or in such greater amount as the department may determine. No bond or certificate of deposit may be in an amount less than $5,000. The penal sum of the bond or certificate of deposit to be furnished to the department by an applicant for license as a dealer in agricultural products shall be in an amount equal to twice the dollar amount of agricultural products handled for a Florida producer or a producer’s agent or representative, by purchase or otherwise, during the month of maximum transaction in such products during the preceding 12-month period. An applicant for license who has not handled agricultural products for a Florida producer or a producer’s agent or representative, by purchase or otherwise, during the preceding 12-month period shall furnish a bond or certificate of deposit in an amount equal to twice the estimated dollar amount of such agricultural products to be
handled, by purchase or otherwise, during the month of maximum transaction during the next immediate 12 months. Such bond or certificate of deposit shall be provided or assigned in the exact name in which the dealer will conduct business subject to the provisions of ss. 604.15-604.34. Such bond must be executed by a surety company authorized to transact business in the state. For the purposes of ss. 604.19-604.21, the term “certificate of deposit” means a certificate of deposit at any recognized financial institution doing business in the United States. A certificate of deposit may not be accepted in connection with an application for a dealer’s license unless the issuing institution is properly insured by either the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. Such bond or any certificate of deposit assignment or agreement shall be upon a form prescribed or approved by the department and shall be conditioned to secure the faithful accounting for and payment, in the manner prescribed by s. 604.21(9), to producers or their agents or representatives of the proceeds of all agricultural products handled or purchased by such dealer and to secure payment to dealers who sell agricultural products to such dealer. Such bond or certificate of deposit assignment or agreement shall include terms binding the instrument to the Commissioner of Agriculture. A certificate of deposit shall be presented with an assignment of applicant’s rights in the certificate in favor of the Commissioner of Agriculture on a form prescribed by the department and with a letter from the issuing institution acknowledging that the assignment has been properly recorded on the books of the issuing institution and will be honored by the
issuing institution. Such assignment shall be irrevocable while
the dealer’s license is in effect and for an additional period
of 6 months after the termination or expiration of the dealer’s
license, if a complaint is not pending against the
licensee. If a complaint is pending, the assignment shall remain
in effect until all actions on the complaint have been
finalized. The certificate of deposit may be released by the
assignee of the financial institution to the licensee or the
licensee’s successors, assignee, or heirs if claims are not
pending against the licensee before the department at the
conclusion of 6 months after the last effective date of the
license. A certificate of deposit which shall be accepted
that contains any provision that would give the issuing
institute any prior rights or claim on the proceeds or
principal of such certificate of deposit may not be accepted.
The department shall determine by rule the maximum amount of
bond or certificate of deposit required of a dealer and whether
an annual bond or certificate of deposit will be required.

Section 26. Section 604.33, Florida Statutes, is amended to
read:

604.33 Security requirements for grain dealers.—Each grain
dealer doing business in the state shall maintain liquid
security, in the form of grain on hand, cash, certificates of
deposit, or other nonvolatile security that can be liquidated in
10 days or less, or cash bonds, surety bonds, or letters of
credit, that have been assigned to the department and that are
conditioned to secure the faithful accounting for and payment to
the producers for grain stored or purchased, in an amount equal
to the value of grain which the grain dealer has received from
grain producers for which the producers have not received payment. The bonds must be executed by the applicant as principal and by a surety corporation authorized to transact business in the state. The certificates of deposit and letters of credit must be from a recognized financial institution doing business in the United States. Each grain dealer shall report to the department monthly, on or before a date established by rule of the department, the value of grain she or he has received from producers for which the producers have not received payment and the types of transaction involved, showing the value of each type of transaction. The report shall also include a statement showing the type and amount of security maintained to cover the grain dealer’s liability to producers. The department may make at least one spot check annually of each grain dealer to determine compliance with the requirements of this section.

Section 27. The Board of Trustees of the Internal Improvement Trust Fund’s property described as the south half of the southeast quarter of the northwest quarter and the north half of the northeast quarter of the southwest quarter of Section 9, Township 25 South, Range 29 East, Osceola County, shall be deeded, by quitclaim deed, on or before December 31, 2015, to the Department of Agriculture and Consumer Services. Notwithstanding the provisions of chapters 253 and 259, Florida Statutes, the Department of Agriculture and Consumer Services is directed to sell a portion of such deeded property described as that portion of the land lying south of Carroll Street of the parcel in Osceola County described as the north half of the northeast quarter of the southwest quarter of Section 9, Township 25 South, Range 29 East for at least the property’s
appraised value in accordance with s. 255.25001, Florida Statutes. All net proceeds from the sale shall be deposited into the General Inspection Trust Fund of the Department of Agriculture and Consumer Services. The department shall develop a plan to use the net proceeds for facility repairs and construction of an agricultural diagnostic laboratory at the Bronson Animal Disease Diagnostic Laboratory located in Osceola County. The plan must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31, 2015.

Section 28. This act shall take effect July 1, 2015.