

26 (a) of subsection (5) of section 212.08, Florida Statutes, are
 27 amended to read:

28 212.08 Sales, rental, use, consumption, distribution, and
 29 storage tax; specified exemptions.—The sale at retail, the
 30 rental, the use, the consumption, the distribution, and the
 31 storage to be used or consumed in this state of the following
 32 are hereby specifically exempt from the tax imposed by this
 33 chapter.

34 (3) EXEMPTIONS; CERTAIN FARM EQUIPMENT.—

35 (b) The tax may not be imposed on that portion of the
 36 sales price below \$25,000 ~~\$20,000~~ for a trailer weighing 12,000
 37 pounds or less and purchased by a farmer for exclusive use in
 38 agricultural production or to transport farm products from his
 39 or her farm to the place where the farmer transfers ownership of
 40 the farm products to another. This exemption is not forfeited by
 41 using a trailer to transport the farmer's farm equipment. The
 42 exemption provided under this paragraph does not apply to the
 43 lease or rental of a trailer.

44 (5) EXEMPTIONS; ACCOUNT OF USE.—

45 (a) *Items in agricultural use and certain nets.*—There are
 46 exempt from the tax imposed by this chapter nets designed and
 47 used exclusively by commercial fisheries; disinfectants,
 48 fertilizers, insecticides, pesticides, herbicides, fungicides,
 49 and weed killers used for application on crops or groves,
 50 including commercial nurseries and home vegetable gardens, used

51 | in dairy barns or on poultry farms for the purpose of protecting
52 | poultry or livestock, or used directly on poultry or livestock;
53 | animal health products which are applied to or consumed by
54 | poultry or livestock for alleviation of pain or the cure or
55 | prevention of sickness, disease, or suffering, including
56 | antiseptics, absorbent cotton, gauze for bandages, lotions,
57 | vitamins, and worm remedies; aquaculture health products;
58 | portable containers or movable receptacles in which portable
59 | containers are placed, used for processing farm products; field
60 | and garden seeds, including flower seeds; nursery stock,
61 | seedlings, cuttings, or other propagative material purchased for
62 | growing stock; seeds, seedlings, cuttings, and plants used to
63 | produce food for human consumption; cloth, plastic, and other
64 | similar materials used for shade, mulch, or protection from
65 | frost or insects on a farm; hog wire and nylon mesh netting used
66 | on a farm for protection from predatory or destructive animals;
67 | barbed wire fencing, including gates and materials used to
68 | construct or repair such fencing, used on a beef or dairy cattle
69 | farm; compressed or liquefied oxygen used in aquaculture
70 | production; stakes used by a farmer to support plants during
71 | agricultural production; generators used on poultry farms; and
72 | liquefied petroleum gas or other fuel used to heat a structure
73 | in which started pullets or broilers are raised; however, such
74 | exemption is not allowed unless the purchaser or lessee signs a
75 | certificate stating that the item to be exempted is for the

76 | exclusive use designated herein. Also exempt are cellophane
 77 | wrappers, glue for tin and glass (apiarists), mailing cases for
 78 | honey, shipping cases, window cartons, and baling wire and twine
 79 | used for baling hay, when used by a farmer to contain, produce,
 80 | or process an agricultural commodity.

81 | Section 2. Paragraph (n) of subsection (4) of section
 82 | 320.08, Florida Statutes, is amended to read:

83 | 320.08 License taxes.—Except as otherwise provided herein,
 84 | there are hereby levied and imposed annual license taxes for the
 85 | operation of motor vehicles, mopeds, motorized bicycles as
 86 | defined in s. 316.003(2), tri-vehicles as defined in s. 316.003,
 87 | and mobile homes as defined in s. 320.01, which shall be paid to
 88 | and collected by the department or its agent upon the
 89 | registration or renewal of registration of the following:

90 | (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS
 91 | VEHICLE WEIGHT.—

92 | (n) A truck tractor or heavy truck, not operated as a for-
 93 | hire vehicle, which is engaged exclusively in transporting raw,
 94 | unprocessed, and nonmanufactured agricultural or horticultural
 95 | products within the state ~~a 150-mile radius of its home address,~~
 96 | is eligible for a restricted license plate for a fee of:

97 | 1. If such vehicle's declared gross vehicle weight is less
 98 | than 44,000 pounds, \$87.75 flat, of which \$22.75 shall be
 99 | deposited into the General Revenue Fund.

100 | 2. If such vehicle's declared gross vehicle weight is

101 44,000 pounds or more and such vehicle only transports from the
 102 point of production to the point of primary manufacture; to the
 103 point of assembling the same; or to a shipping point of a rail,
 104 water, or motor transportation company, \$324 flat, of which \$84
 105 shall be deposited into the General Revenue Fund.

106
 107 Such not-for-hire truck tractors and heavy trucks used
 108 exclusively in transporting raw, unprocessed, and
 109 nonmanufactured agricultural or horticultural products may be
 110 incidentally used to haul farm implements and fertilizers
 111 delivered direct to the growers. The department may require any
 112 documentation deemed necessary to determine eligibility prior to
 113 issuance of this license plate. For the purpose of this
 114 paragraph, "not-for-hire" means the owner of the motor vehicle
 115 must also be the owner of the raw, unprocessed, and
 116 nonmanufactured agricultural or horticultural product, or the
 117 user of the farm implements and fertilizer being delivered.

118 Section 3. Paragraphs (d) through (j) of subsection (1)
 119 and subsection (2) of section 487.041, Florida Statutes, are
 120 amended to read:

121 487.041 Registration.—

122 (1)

123 ~~(d)1. Effective January 1, 2009, in addition to the fees~~
 124 ~~assessed pursuant to paragraphs (b) and (c), for the purpose of~~
 125 ~~defraying the expenses of the department for testing pesticides~~

126 ~~for food safety, each registrant shall pay a supplemental~~
127 ~~biennial registration fee for each registered brand of pesticide~~
128 ~~that contains an active ingredient for which the United States~~
129 ~~Environmental Protection Agency has established a food tolerance~~
130 ~~limit in 40 C.F.R. part 180. The department shall biennially~~
131 ~~publish by rule a list of the pesticide active ingredients for~~
132 ~~which a brand of pesticide is subject to the supplemental~~
133 ~~registration fee.~~

134 ~~2. Each registration issued by the department to a~~
135 ~~registrant for a period beginning in an odd-numbered year shall~~
136 ~~be assessed a supplemental registration fee of \$630 per brand of~~
137 ~~pesticide that is subject to the fee pursuant to subparagraph 1.~~
138 ~~Each registration issued by the department to a registrant for a~~
139 ~~period beginning in an even-numbered year shall be assessed a~~
140 ~~supplemental registration fee of \$315 per brand of pesticide~~
141 ~~that is subject to the fee pursuant to subparagraph 1. The~~
142 ~~department shall retroactively assess the supplemental~~
143 ~~registration fee for each brand of pesticide that registered on~~
144 ~~or after January 1, 2009, and that is subject to the fee~~
145 ~~pursuant to subparagraph 1.~~

146 ~~(d)(e)~~ (d) All revenues collected, less those costs determined
147 by the department to be nonrecurring or one-time costs, shall be
148 deferred over the 2-year registration period, deposited in the
149 General Inspection Trust Fund, and used by the department in
150 carrying out the provisions of this chapter. ~~Revenues collected~~

151 ~~from the supplemental registration fee may also be used by the~~
152 ~~department for testing pesticides for food safety.~~

153 (e)~~(f)~~ If the renewal of a brand of pesticide, including
154 the special local need label and experimental use permit, is not
155 filed by January 31 of the renewal year, an additional fee of
156 \$25 per brand of pesticide shall be assessed per month and added
157 to the original fee. This additional fee may not exceed \$250 per
158 brand of pesticide. The additional fee must be paid by the
159 registrant before the renewal certificate for the registration
160 of the brand of pesticide is issued. The additional fee shall be
161 deposited into the General Inspection Trust Fund.

162 (f)~~(g)~~ This subsection does not apply to distributors or
163 retail dealers selling brands of pesticide if such brands of
164 pesticide are registered by another person.

165 (g)~~(h)~~ All registration fees, including ~~supplemental fees~~
166 ~~and~~ late fees, are nonrefundable.

167 (h)~~(i)~~ For any currently registered pesticide product
168 brand that undergoes labeling revisions during the registration
169 period, the registrant shall submit to the department a copy of
170 the revised labeling along with a cover letter detailing such
171 revisions before the sale or distribution in this state of the
172 product brand with the revised labeling. If the labeling
173 revisions require notification of an amendment review by the
174 United States Environmental Protection Agency, the registrant
175 shall submit an additional copy of the labeling marked to

176 identify those revisions.

177 (i)~~(j)~~ ~~Effective January 1, 2013,~~ All payments of any
178 pesticide registration fees, including ~~supplemental fees and~~
179 late fees, shall be submitted electronically using the
180 department's Internet website for registration of pesticide
181 product brands.

182 (2) The department shall adopt rules governing the
183 procedures for the registration of a brand of pesticide and, for
184 the review of data submitted by an applicant for registration of
185 the brand of pesticide, ~~and for biennially publishing the list~~
186 ~~of active ingredients for which a brand of pesticide is subject~~
187 ~~to the supplemental registration fee pursuant to subparagraph~~
188 ~~(1)(d)1~~. The department shall determine whether the brand of
189 pesticide should be registered, registered with conditions, or
190 tested under field conditions in this state. The department
191 shall determine whether each request for registration of a brand
192 of pesticide meets the requirements of current state and federal
193 law. The department, whenever it deems it necessary in the
194 administration of this part, may require the manufacturer or
195 registrant to submit the complete formula, quantities shipped
196 into or manufactured in the state for distribution and sale,
197 evidence of the efficacy and the safety of any pesticide, and
198 other relevant data. The department may review and evaluate a
199 registered pesticide if new information is made available that
200 indicates that use of the pesticide has caused an unreasonable

201 adverse effect on public health or the environment. Such review
202 shall be conducted upon the request of the State Surgeon General
203 in the event of an unreasonable adverse effect on public health
204 or the Secretary of Environmental Protection in the event of an
205 unreasonable adverse effect on the environment. Such review may
206 result in modifications, revocation, cancellation, or suspension
207 of the registration of a brand of pesticide. The department, for
208 reasons of adulteration, misbranding, or other good cause, may
209 refuse or revoke the registration of the brand of any pesticide
210 after notice to the applicant or registrant giving the reason
211 for the decision. The applicant may then request a hearing,
212 pursuant to chapter 120, on the intention of the department to
213 refuse or revoke registration, and, upon his or her failure to
214 do so, the refusal or revocation shall become final without
215 further procedure. The registration of a brand of pesticide may
216 not be construed as a defense for the commission of any offense
217 prohibited under this part.

218 Section 4. Effective October 1, 2017, subsection (5) of
219 section 810.011, Florida Statutes, is amended to read:

220 810.011 Definitions.—As used in this chapter:

221 (5) (a) "Posted land" is that land upon which:

222 1. Signs are placed not more than 500 feet apart along,
223 and at each corner of, the boundaries of the land, upon which
224 signs there appears prominently, in letters of not less than 2
225 inches in height, the words "No Trespassing" and in addition

226 thereto the name of the owner, lessee, or occupant of the ~~said~~
 227 land. The ~~Said~~ signs shall be placed along the boundary line of
 228 posted land in a manner and in such position as to be clearly
 229 noticeable from outside the boundary line; or

230 2.a. Conspicuous no trespassing notice is painted on trees
 231 or posts on the property, provided that the notice is:

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

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

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

242 b. If ~~Beginning October 1, 2007,~~ when a landowner uses the
 243 painted no trespassing posting to identify a "no trespassing"
 244 area, such ~~these~~ painted notices must ~~shall~~ be accompanied by
 245 signs complying with subparagraph 1. and placed conspicuously at
 246 all places where entry to the property is normally expected or
 247 known to occur.

248 3.a. Identifying paint marks conspicuously painted on
 249 trees or posts provided that the paint marks are:

250 (I) Painted in an international orange color as a vertical
 251 line not less than 8 inches in length and not less than 1 inch
 252 in width;

253 (II) Placed so that the bottom of the paint mark is not
 254 less than 3 feet from the ground or more than 5 feet from the
 255 ground; and

256 (III) Placed in a manner and in such a position as to be
 257 clearly noticeable from outside the boundary line to any person
 258 approaching the property and no more than 100 feet apart on
 259 agricultural land.

260 b. If a landowner uses identifying paint marks on trees or
 261 posts to identify a "no trespassing" area, the landowner must
 262 also place signs conspicuously at all places where entry to the
 263 property is normally expected or known to occur, upon which
 264 there appears prominently, in letters of not less than 2 inches
 265 in height, the words "No Trespassing" and in addition thereto
 266 the name of the owner, lessee, or occupant of the land.

267 (b) It is ~~shall~~ not ~~be~~ necessary to give notice by posting
 268 on any enclosed land or place not exceeding 5 acres in area on
 269 which there is a dwelling house in order to obtain the benefits
 270 of ss. 810.09 and 810.12 pertaining to trespass on enclosed
 271 lands.

272 Section 5. Paragraph (c) of subsection (3) of section
 273 823.14, Florida Statutes, is amended to read:

274 823.14 Florida Right to Farm Act.—

275 (3) DEFINITIONS.—As used in this section:

276 (c) "Farm product" means any plant, as defined in s.
277 581.011; livestock as defined in s. 585.01 or s. 588.13;
278 poultry; aquatic plants and animals cultivated using
279 aquaculture; and bees. The term, ~~or animal or insect useful to~~
280 ~~humans and~~ includes, but is not limited to, any product derived
281 therefrom.

282 Section 6. Except as otherwise expressly provided in this
283 act, this act shall take effect July 1, 2017.