Tab 1	**CS/CS/SB 462** by **RI, TR, DiCeglie;** Compare to CS/H 00567 Transportation					
~~869842~~	A	S	WD	FP, DiCeglie	Delete L.115 - 1175:	04/09 08:01 AM
745518	A	S	RS	FP, DiCeglie	Delete L.115 - 1175:	04/09 08:01 AM
808846	SA	S	RCS	FP, DiCeglie	Delete L.115 - 1175:	04/09 08:01 AM
923832	A	S	TP	FP, Avila	btw L.1209 - 1210:	04/09 08:01 AM

Tab 2	**CS/CS/SB 628** by **TR, CJ, Martin;** Similar to CS/CS/CS/H 00289 Boating Safety					
~~793128~~	A	S	WD	FP, Martin	Delete L.160 - 182:	04/09 08:01 AM
~~800572~~	SA	S	WD	FP, Martin	Delete L.160 - 182:	04/09 08:01 AM

Tab 3	**CS/CS/SB 700** by **AEG, AG, Truenow;** Similar to CS/CS/H 00651 Department of Agriculture and Consumer Services					
202232	D	S	RCS	FP, Truenow	Delete everything after	04/09 08:01 AM

Tab 4	**SB 796** by **Bradley;** Identical to CS/H 00645 General Permits for Distributed Wastewater Treatment Systems

Tab 5	**CS/SB 1618** by **AED, Calatayud;** Compare to H 00355 Prekindergarten Through Grade 12 Education					
329394	D	S	RCS	FP, Calatayud	Delete everything after	04/09 08:00 AM
~~459520~~	A	S	WD	FP, Calatayud	btw L.802 - 803:	04/09 08:00 AM

Tab 6	**SB 7016** by **EE (CO-INTRODUCERS) Gaetz, Grall;** Compare to CS/1ST ENG/H 01205 Amendments to the State Constitution					
120382	D	S	RCS	FP, Gaetz, Grall	Delete everything after	04/09 07:59 AM

The Florida Senate

COMMITTEE MEETING EXPANDED AGENDA

FISCAL POLICY
Senator Gruters, Chair
Senator Osgood, Vice Chair

MEETING DATE: Tuesday, April 8, 2025
TIME: 2:00—5:00 p.m.
PLACE: *Pat Thomas Committee Room,* 412 Knott Building

MEMBERS: Senator Gruters, Chair; Senator Osgood, Vice Chair; Senators Arrington, Avila, Bernard, Boyd, Bradley, Burton, Calatayud, Davis, Gaetz, Ingoglia, Jones, Leek, Passidomo, Rodriguez, Simon, Truenow, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	**CS/CS/SB 462** Regulated Industries / Transportation / DiCeglie (Compare CS/H 567)	Transportation; Requiring the Department of Revenue to distribute from the proceeds of a specified tax a specified amount monthly to the State Transportation Trust Fund beginning on a certain date; revising provisions relating to the administration and financing of certain aviation and airport programs and projects; revising requirements for the designation of additional metropolitan planning organizations (M.P.O.'s); revising membership of the governing body of the Greater Miami Expressway Agency, etc. TR 03/19/2025 Fav/CS RI 04/01/2025 Fav/CS FP 04/08/2025 Fav/CS	Fav/CS Yeas 19 Nays 0
2	**CS/CS/SB 628** Transportation / Criminal Justice / Martin (Similar CS/CS/CS/H 289, Compare S 58)	Boating Safety; Citing this act as "Lucy's Law"; revising the definition of the term "livery vessel"; revising and providing penalties for vessel collisions, accidents, and casualties; revising and providing penalties for reckless or careless operation of a vessel; requiring the suspension of driver licenses for boating under the influence and reckless or careless operation of a vessel; requiring a person convicted of a certain criminal violation or certain noncriminal infractions within a specified period to complete a boater safety education course, etc. CJ 03/04/2025 Fav/CS TR 03/12/2025 Fav/CS FP 04/08/2025 Favorable	Favorable Yeas 19 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
3	**CS/CS/SB 700** Appropriations Committee on Agriculture, Environment, and General Government / Agriculture / Truenow (Similar CS/CS/H 651, Compare H 1159, S 84, 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 acquired or owned by an electric utility be offered for fee simple acquisition by the department before the land may be offered for sale or transfer to a private individual or entity; requiring local governmental entities to issue permits for electric vehicle charging stations based on specified standards and provisions of law; requiring the Cattle Enhancement Board, Inc., in coordination with the department, to establish a Florida beef marketing program, subject to appropriation, etc. AG 03/11/2025 Fav/CS AEG 03/26/2025 Fav/CS FP 04/08/2025 Fav/CS	Fav/CS Yeas 13 Nays 5
4	**SB 796** Bradley (Identical CS/H 645)	General Permits for Distributed Wastewater Treatment Systems; Authorizing the Secretary of Environmental Protection to grant a general permit for the replacement of an existing onsite sewage treatment and disposal system with a distributed wastewater treatment system under certain circumstances; providing for the installation of distributed wastewater treatment units to proceed without any further action by the Department of Environmental Protection if a permittee submits a notification to the department at least a specified number of days before installation, etc. EN 03/11/2025 Favorable AEG 03/26/2025 Favorable FP 04/08/2025 Favorable	Favorable Yeas 19 Nays 0
5	**CS/SB 1618** Appropriations Committee on Pre-K - 12 Education / Calatayud (Compare H 355, CS/H 1255, CS/H 1261, H 1309, H 5101, S 442, CS/S 1702, S 2510)	Prekindergarten Through Grade 12 Education; Removing the Florida School for Competitive Academics from audit requirements; removing the Florida School for Competitive Academics from specified classification and pay plans; removing the Florida School for Competitive Academics from the definition of a public employer; prohibiting the expenditure of funds by public schools, charter schools, school districts, charter school administrators, or direct-support organizations to purchase membership in, or goods or services from, any organization that discriminates on the basis of race, color, national origin, sex, disability, or religion, etc. ED 03/11/2025 Favorable AED 03/24/2025 Fav/CS FP 04/08/2025 Fav/CS	Fav/CS Yeas 18 Nays 1

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
6	**SB 7016** Ethics and Elections (Compare CS/H 1205, S 1414)	Initiative Petitions Proposing an Amendment to the State Constitution; Requiring the Secretary of State to have received the ballot summary and the full text of the proposed revision or amendment to the State Constitution from the sponsor and to have received the financial impact statement from the Financial Impact Estimating Conference before submitting an initiative petition to the Attorney General; revising the criteria that the Attorney General uses when petitioning the Supreme Court for an advisory opinion related to a proposed revision or amendment to the State Constitution, etc. FP 04/08/2025 Fav/CS	Fav/CS Yeas 14 Nays 5

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 Fiscal Policy

BILL:	CS/CS/CS/SB 462
INTRODUCER:	Fiscal Policy Committee; Regulated Industries Committee; Transportation Committee; and Senator DiCeglie
SUBJECT:	Transportation
DATE:	April 9, 2025
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Vickers	TR	**Fav/CS**
2.	Schrader	Imhof	RI	**Fav/CS**
3.	Johnson	Siples	FP	**Fav/CS**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/CS/SB 462 addresses various provisions relating to transportation. Specifically, the bill:

- Requires each county to annually submit to the Office of Economic and Demographic Research specified information regarding its use of the Charter County and Regional Transportation System Surtax.
- Increases maximum allowable speed limits on certain highways by five miles per hour.
- Prohibits airports from charging new landing fees for aircraft operations related to flight training operations conducted by certain institutions.
- Authorizes public-use airports to participate in the federal Airport Investment Partnership Program and make such airports eligible for certain state funds.
- Establishes a pilot program at the Sarasota Manatee Airport to determine the long-term feasibility of alternative airport permitting procedures.
- Authorizes the Florida Department of Transportation (FDOT) to use eminent domain to preserve a corridor for future proposed improvements.
- Authorizes FDOT to provide workforce development grants to state colleges and school districts to fund elective courses in heavy civil construction.
- Requires certain studies regarding capacity improvements on limited access facilities to evaluate the use of elevated roadways.
- Requires project development and environmental studies, to the maximum extent possible, be completed within 18 months.

- Provides requirements for FDOT to obtain reduced offers from bidders, and for rebidding certain contracts when it rejects all initial bids.
- Revises various provisions related to phased design-build contracts.
- Provides additional insurance requirements for bridge-related contracts over navigable waters.
- Authorizes FDOT to waive prequalification for certain contracts of $1 million or less.
- Requires contractors seeking to bid on certain FDOT maintenance contracts to possess the qualifications and equipment needed to perform such work.
- Increases threshold amounts for contract disputes resolved by the State Arbitration Board.
- Revises provisions regarding metropolitan planning organizations, including requiring the exchange of best practices, and accountability and transparency requirements.
- Revises the geographic residency for two of the members of the governing body of the Greater Miami Expressway Agency.
- Requires FDOT to develop and submit a report regarding the widening of Interstate 4.

The bill has a potential fiscal impact on state and local governmental entities. *See* section V, "Fiscal Impact Statement" for details.

The bill takes effect July 1, 2025.

II. Present Situation:

For ease of organization and readability, the present situation is discussed below with the effect of proposed changes.

III. Effect of Proposed Changes:

County Transportation Project Data (Section 1)

Present Situation

Section 212.055(1), F.S., authorizes the Charter County and Regional Transportation System Surtax. Under that statute, each charter county, each county the government of which is consolidated with one or more municipalities, and each county that is within or under an interlocal agreement with a statutorily created regional transportation or transit authority[1] may levy a discretionary sales surtax of up to 1 percent. This surtax is subject to approval by a majority vote of the electorate of the county or by a charter amendment approved by a majority vote of the electorate of the county.[2]

[1] These are the authorities created under chs. 343 and 349, F.S.
[2] Section 212.055(1)(a) and (b), F.S.

Based on the statutory criteria, 23 counties are eligible to levy the surtax.[3] In 2024, Broward County levied the surtax at 1 percent, and Duval and Miami-Dade counties levied the surtax at 0.5 percent.[4]

Generally, surtax proceeds may be expended by the county government or an expressway, transit or transportation authority for the planning, development, construction, operation, and maintenance of roads and bridges in the county; for the planning, development, expansion, operation, and maintenance of bus and fixed guideway systems; for the planning, development, construction, operation, and maintenance of on-demand transportation services; and for the payment of principal and interest on bonds issued for the construction of fixed guideway rapid transit systems, bus systems, roads, or bridges. Florida law authorizes additional uses of the surtax proceeds for Miami-Dade County.[5]

Effect of Proposed Changes

The bill requires each county to annually by January 15 report to the Office of Economic and Demographic Research (EDR) all of the following information, by county fiscal year, for charter county and regional transportation surtax revenues received:

- The total proceeds from the surtax received by the county.
- The amount allocated by the county for road and bridge projects. EDR, in consultation with the Florida Department of Transportation (FDOT), must define broad categories, including, but not limited to, widening, repair and rehabilitation, sidewalks, or payment or pledge of bonds for the construction of roads or bridges, for reporting this information. This information must be reported as a total by category and by revenue source by category.
- The total expenditure on road and bridge projects by category.
- The unexpended balance of funds allocated to road and bridge projects by category.
- A list of current road and bridge projects, including the project cost, location, and scope.
- The amount allocated by the county to all other permissible uses of the proceeds from the surtax, excluding road and bridge projects and the payment or pledge of bonds for the construction of roads or bridges.

The bill requires counties to report the required information on the format specified by EDR. EDR must compile the information into a report and provide the report to the President of the Senate, the Speaker of the House of Representatives, and FDOT.

[3] The counties eligible to levy the surtax are Alachua, Brevard, Broward, Charlotte, Clay, Columbia, Duval, Hernando, Hillsborough, Lee, Leon, Manatee, Miami-Dade, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Sarasota, Seminole, Volusia, and Wakulla.
[4] Office of Economic and Demographic Research, *2024 Florida Tax Handbook*, p. 245. https://edr.state.fl.us/content/revenues/reports/tax-handbook/taxhandbook2024.pdf (last visited April 7, 2025).
[5] *Id.* at 246.

Speed Limits (Sections 2 and 3)

Present Situation

Florida law prohibits a person from driving a vehicle on a highway at a speed greater than what is reasonable and prudent under current conditions and with regard to actual and potential hazard.[6]

Florida law also establishes minimum speed limits. On all highways on the National System of Interstate and Defense and have four or more lanes, the minimum speed is 40 miles per hour, except that when the posted speed limit is 70 miles per hour, then the minimum speed is 50 miles per hour.[7] Florida law establishes the following maximum allowable speed limits:

- On limited access highways - 70 miles per hour.[8]
- On divided highways outside an urban area of 5,000 or more persons, with at least four lanes - 65 miles per hour.[9]
- On other FDOT roadways - as FDOT deems safe and advisable, but not to exceed 60 miles per hour.[10]

Speeding violations are noncriminal traffic infractions, punishable as moving violations.[11] The statutory fines, based on the miles per hour above the speed limit are as follows:

- 1-5 mph -Warning
- 6-9 mph - $25
- 10-14 mph - $100
- 15-19 mph - $150
- 20-29 mph - $175
- 30 mph and above - $250[12]

Effect of Proposed Changes

The bill requires FDOT to determine the safe and advisable minimum speed on all highways on the National System of Interstate and Defense Highways that have at least four lanes.

The bill increases maximum allowable speed limits as follows:

- For limited-access highways, from 70 to 75 miles per hour.
- For other highways outside an urban area that have at least four lanes and are a divided highway, from 65 to 70 miles per hour.
- For other roadways under FDOT's jurisdiction, from 60 to 65 miles per hour.

[6] Section 316.183(1), F.S.
[7] Section 316.183(2), F.S.
[8] Section 316.187(2)(a), F.S.
[9] Section 316.187(2)(b), F.S.
[10] Section 316.187(2)(c), F.S.
[11] Sections 316.183(7) and 316.187(3), F.S. Penalties are as provided in ch. 318, F.S.
[12] Section 318.18(3)(b), F.S. In addition to these penalties, Florida law imposes or authorizes additional fees and surcharges.

Aircraft Landing Fees (Section 4)

Present Situation

Florida law does not currently address aircraft landing fees charged by airports. A landing fee is an amount levied on an aircraft operator by the airport for landing and use of the runway. These fees help pay the cost of operating the airport and are typically based on the weight of the aircraft.[13]

In 2000, the Federal Aviation Administration (FAA) required aircraft to contain certain aircraft positioning equipment on general aviation equipment operating in certain airspace. This information has allowed airports to automatically invoice landing fees.[14]

Several collegiate institutions in Florida offer aviation-related programs, including Embry-Riddle Aeronautical University, Jacksonville University, the Florida Institute of Technology, and Everglades University.

Effect of Proposed Changes

The bill prohibits a publicly owned airport from charging a landing fee established on or after January 1, 2025, for aircraft operations conducted by an accredited nonprofit institution located in Florida which offers a 4-year collegiate aviation program, when such aircraft operations are for flight training necessary for pilot certification and proficiency.

Florida Airport Development and Assistance Act (Sections 5-7)

Present Situation

The federal Airport Investment Partnership Program,[15] authorizes private companies to own, manage, lease, and develop public airports. Public airport sponsors and private operators may jointly manage an airport. The airport owner or leaseholder may be exempt from repayment of federal grants, return of property acquired with federal assistance, and the use of proceeds from the airport's sale or lease to be used exclusively for airport purposes.[16]

For purposes of the Florida Airport Development and Assistance Act,[17] the term "public-use airport" means any publicly owned airport which is used or to be used for public purposes.[18]

The term "eligible agency" means a political subdivision of the state or an authority which owns or seeks to develop a public-use airport.[19]

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[13] Simple Flying, *What Are Landing Fees in Aviation & Why Are They Important?* https://simpleflying.com/aviation-landing-fees-guide/ (last visited April 7, 2025).
[14] Aircraft Owners and Pilots Association, *Florida cities, county prepare to impose new fees on airport users*, https://www.aopa.org/news-and-media/all-news/2024/september/04/florida-cities-county-prepare-to-impose-new-fees-on-airport-users (last visited April, 7, 2025).
[15] 49 U.S.C. s. 47134, the program was previously known as the Airport Privatization Pilot Program.
[16] Federal Aviation Administration, *Airport Investment Partnership Program, formerly Airport Privatization Pilot Program*, https://www.faa.gov/airports/airport_compliance/privatization (last visit March 28, 2025).
[17] Sections 332.003-332.007, F.S.
[18] Section 332.004(14), F.S.
[19] Section 332.004(7), F.S.

The Florida Airport Development and Assistance Act provides FDOT with certain statutory duties regarding aviation development and assistance. These duties include providing financial and technical assistance to airports,[20] and encouraging the maximum allocation of federal funds to local airport projects.[21]

FDOT's annual legislative budget request for aviation and airport development projects is based on the funding required for development projects in its aviation and airport work program. FDOT must prioritize funding to support the planning, design, and construction of proposed projects by local sponsors, with special emphasis on projects for runways and taxiways, including the painting and marking of runways and taxiways, lighting, other related airside activities, and airport access transportation facility projects on airport property.[22]

Section 332.007, F.S., authorizes FDOT to fund certain aviation and airport-related projects. The statute provides requirements and limits on airport funding from the State Transportation Trust Fund (STTF). Requirements can be based on the airport type, availability of federal funds, project type, and size of the airport.

Section 255.065, F.S., authorizes local jurisdictions, including counties, municipalities, and special districts to enter into public-private partnerships for qualifying projects, which include airport facilities, for a public purpose. That statute provides legislative findings and intent, requirements for project approval, a project qualification process, the requirements for agreements related to the partnership, powers and duties of the private entity, and other related provisions.

Effect of Proposed Changes

The bill amends the Florida Airport Development and Assistance Act to change various references from airports to public-use airports.

The bill amends the definition of the term "eligible agency" to include a public-private partnership through a lease or agreement under s. 255.065, F.S., with a political subdivision of the state or an authority, which owns or seeks to develop a public-use airport.

The bill authorizes a municipality, county, or authority that owns a public-use airport to participate in the FAA's Airport Investment Partnership Program by contracting with a private partner to operate the airport under lease or agreement. Subject to the availability of appropriated funds from aviation fuel tax revenues, FDOT may provide for improvements to a municipality, county, or authority that has a private partner under the federal Airport Investment Partnership Program for capital costs of a discretionary improvement project at a public-use airport.

[20] Section 332.006(4), F.S.
[21] Section 332.006(8), F.S.
[22] Section 332.007(4)(a), F.S.

Sarasota Manatee Airport Authority Pilot Program (Section 8)

Present Situation

The Sarasota Manatee Airport Authority (SMAA) is an independent special district that operates and manages the Sarasota Bradenton International Airport.[23] The airport is located in both Sarasota and Manatee counties, including within the City of Sarasota.

Effect of Proposed Changes

The bill establishes a pilot program with the SMAA in order to determine long-term feasibility of alternative airport permitting procedures, such as those provided in s. 553.80, F.S., relating to the enforcement of the Florida Building Code, s. 1013.33, F.S., relating to the coordination of planning with local governing bodies relating to public educational facilities, and s. 1013.371, F.S., relating to public educational facilities and their conformity to building codes.

The bill requires FDOT to, by December 1, 2027, submit recommendations to the President of the Senate and the Speaker of the House of Representatives about how to expand the pilot program to additional airports, amend the pilot program to increase effectiveness, or terminate the pilot program.

The bill requires FDOT to adopt rules as necessary to implement the program.

The bill provides repeals the pilot program June 30, 2028, unless it is reviewed and reenacted by the Legislature.

FDOT - Eminent Domain Authority (Section 9)

Present Situation

Eminent domain refers to the government's power to take private property and convert it into public use. The Fifth Amendment of the United States Constitution provides that the government may only exercise the power of eminent domain if it provides just compensation to the property owners.[24]

Similarly, Article X, section 6(a) of the Florida Constitution provides that "[n]o private property shall be taken except for a public purpose and with full compensation therefor paid to each owner or secured by deposit in the registry of the court and available to the owner."[25]

FDOT may acquire, by eminent domain, all property or property rights, whether public or private, which it determines necessary to perform its duties or execute its powers.[26]

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[23] The Sarasota-Manatee Airport Authority is codified in chapters 2003-309, 2004-401, 2006-361, 2010-262, and 2015-185, Laws of Fla.
[24] Cornell Law School, Legal Information Institute, *Eminent Domain*, https://www.law.cornell.edu/wex/eminent_domain#:~:text=Eminent%20domain%20refers%20to%20the,compensation%20to%20the%20property%20owners. (last visited Mar. 28, 2025).
[25] Florida's eminent domain laws are codified in chs. 73 and 74, F.S.
[26] Section 334.044(6), F.S.

FDOT has the statutory authority to condemn all necessary lands and property, whether public or private, for the purpose of securing and utilizing transportation rights-of-way, including a FDOT-designated transportation corridor.[27] Florida's statutory definition of the term "transportation corridor" includes all property or property interests necessary for future transportation facilities for the purpose of securing and utilizing future transportation rights-of-way.[28]

Effect of Proposed Changes

The bill authorizes FDOT to use its eminent domain authority in advance to preserve a transportation corridor for future proposed improvements.

FDOT - Workforce Development (Section 9)

Present Situation

Florida law authorizes FDOT to provide a construction workforce development program, in consultation with affected stakeholders, to deliver projects in FDOT's work program.[29] FDOT must annually allocate $5 million to this program.[30]

Effect of Proposed Changes

The bill authorizes FDOT to annually expend, in fiscal years 2025-2026 through 2029-2030, up to $5 million, from the STTF, for grants to state colleges and school districts, prioritizing colleges and school districts located in counties in rural communities.[31] These grants may be used to purchase equipment simulators and a companion curriculum, and to support offering an elective course in heavy civil construction. The course must, at a minimum, provide the student with federal Occupational Safety and Health Administration certification and fill equipment simulator certification.

Center for Urban Transportation Research (Section 10)

Present Situation

The Center for Urban Transportation Research (CUTR) is established at the University of South Florida (USF). CUTR's responsibilities include conducting and facilitating research on issues related to Florida's urban transportation problems and serving as an information exchange and depository for the most current information pertaining to urban transportation and related issues.[32]

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[27] Section 337.27(1), F.S.
[28] Section 334.03(29)(b), F.S.
[29] Section 334.044(35), F.S. FDOT's work program is developed pursuant to s. 339.135, F.S.
[30] Section 339.84, F.S. This is beginning in the 2023-2024 fiscal year and for five years thereafter. These funds are from the STTF.
[31] Section 288.0656(2)(e), F.S., defines the term "rural community" to mean a county with a population of 75,000 or fewer; a county with a population of 125,000 or fewer which is contiguous to a county with a population of 75,000 or fewer; a municipality within a county above; or an unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or fewer and an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural, which has at least three or more of the economic distress factors and verified by the Department of Commerce.
[32] Section 334.065(1), F.S.

CUTR's advisory board reviews and advises CUTR concerning its research program. Except for projects mandated by law, CUTR may not undertake state-funded projects without advisory board approval. CUTR's advisory board consists of nine transportation-related experts, including:

- The Secretary of Transportation or his or her designee.
- The Secretary of Environmental Protection or his or her designee.
- The Secretary of Commerce or his or her designee.
- A member of the Florida Transportation Commission.

The nomination of the remaining board members is made to USF's President by the USF College of Engineering. The appointments of these members are reviewed and approved by the Florida Transportation Commission and confirmed by the Board of Governors.[33]

Effect of Proposed Changes

The bill amends CUTR's advisory board to consist of nine transportation-related experts including the following:

- A member appointed by the President of the Senate.
- A member appointed by the Speaker of the House of Representatives.
- The Secretary of Transportation or his or her designee.
- The Secretary of Commerce or his or her designee.
- A member of the Florida Transportation Commission.
- Four members recommended to the President of USF by USF's College of Engineering, whose appointments must be approved by USF's president.

FDOT – Project Concept Studies (Section 11)

Present Situation

FDOT conducts Project Development and Environment (PD&E) studies to meet federal National Environmental Policy Act[34] requirements. During these studies, FDOT determines the location and conceptual design of feasible build alternatives for roadway improvements and the social, economic, and environmental effects of such improvements. Throughout the study, a no-build alternative, where roads are left in their present state with routine maintenance, remains a viable alternative. A PD&E study is finalized when the Federal Highway Administration reviews the study's documentation and recommendations and provides a Location and Design Concept Acceptance.[35]

[33] Section 334.065(3), F.S.
[34] Pub. L. 91-190; 83 Stat. 852.
[35] FDOT District 7, *What is a PD&E Study*, https://www.fdotd7studies.com/projects/what-is-a-pde-study/. (last visited Mar. 27, 2025).

Effect of Proposed Changes

The bill requires project concept studies[36] and PD&E studies for capacity improvement projects on limited access facilities[37] to evaluate alternatives providing transportation capacity using elevated roadways above existing lanes.

The bill also requires PD&E studies for new alignment projects and capacity improvement projects to be completed to the maximum extent possible within 18 months after the date of commencement.

Awarding of FDOT Contracts (Section 12)

Present Situation

FDOT may award a contract for proposed construction and maintenance work to the lowest responsible bidder, or with a time-plus-money contract, the lowest evaluated responsible bidder, or it may reject all bids and rebid the work or otherwise perform the work.[38]

Effect of Proposed Changes

If FDOT intends to reject all bids on any project after announcing, but before posting official notice of its intent, the bill requires FDOT to provide to the lowest responsive, responsible bidder the opportunity to negotiate the scope of work with a corresponding reduction in price, as provided in the bid, to provide a reduced bid without filing a protest or posting a bond. Upon reaching a decision regarding the lowest bidder's reduced bid, FDOT must post notice of final agency action to either reject all bids or accept the reduced bid.

This does not prohibit any bidder from filing a protest or altering the statutory deadlines related to bid protests.[39]

The bill provides that notwithstanding s. 120.57(3)(c), F.S., relating to bid protests and s. 287.057(25), F.S., relating to a disclosure on the procurement of solicitations, upon receipt of a timely-filed formal written protest, FDOT may continue this process, but it may not take final agency action as to the lowest bidder except as part of its final agency action in the protest or upon the protesting party's dismissal of the protest.

FDOT Phased Design-Build Contracts (Section 12)

Present Situation

FDOT may enter into phased-design build contracts, where contract selection and award is done with a two-phase process. For phase one, FDOT competitively awards the contract, based upon

[36] The term "project concept study" is not defined in federal or state law.
[37] Section 334.03(12), F.S., defines the term "limited access facility" to mean a street or highway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no right or easement of access, light, air, or view by reason of the fact that their property abuts upon such limited access facility or for any other reason. Such highways or streets may be facilities from which trucks, buses, and other commercial vehicles are excluded; or they may be facilities open to use by all customary forms of street and highway traffic.
[38] Section 337.11(4), F.S.
[39] The statutory deadlines relating to bid protests are in s. 120.57(3), F.S.

qualifications, to a design-build firm. For phase two, the design-build firm competitively bids construction trade subcontractor packages and based upon these bids, negotiates with FDOT a price that meets the project's budget and scope.[40]

Effect of Proposed Changes

The bill requires FDOT, for phased design-build projects, to competitively award the contract to a qualified firm, provided that FDOT receives at least three statements of qualification from qualified firms. If during phase one, FDOT elects, based upon qualifications, to enter into contracts with more than one design-build firm, FDOT must competitively select a single design-build firm to perform the work associated with phase two.

The bill authorizes the design-build firm to self-perform portions of the project's work and use estimates related to this self-performance to negotiate with FDOT.

Marine General Liability Insurance (Section 12)

Present Situation

FDOT requires each contractor to indemnify and hold harmless FDOT and its officers and employees from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the contractor and persons employed or utilized by the contractor in the performance of the construction contract.[41]

FDOT also requires each contractor to carry commercial general liability insurance that provides continuous coverage for all work and operations provided under the contract. Additional requirements exist for construction adjacent to railroad tracks and certain utility facilities.[42]

Since commercial general liability insurance policies exclude marine work, marine general liability insurance is designed to protect against claims of liability for bodily injury, property damage, and personal injury for those who work on or near the water. These classes include ship repairers, marina operators, charterers, stevedores, and terminal operators.[43]

Each contract let by FDOT to perform bridge construction or maintenance over navigable waters must require marine general liability insurance, in an amount determined by FDOT, to cover third-party personal injury and property damage caused by vessels used by the contractor in the performance of the work.[44]

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[40] Section 337.11(7)(b), F.S. The project's budget and scope are as advertised in the request for qualifications.
[41] DOT Specs Book (January 2017) at Section 7-12.1, https://www.fdot.gov/docs/default-source/programmanagement/implemented/specbooks/january2017/files/007-117.pdf (last visited Mar. 28, 2025).
[42] *Id.* at Sections 7-13.2, 7-13.3, and 7-13.4.
[43] Kelly White and Associates Insurance, LLC, *Marine General Liability Insurance*, https://kwhiteinsurance.com/marine-insurance/#:~:text=Marine%20General%20Liability%20protects%20against,%2C%20stevedores%2C%20and%20terminal%20operators (last visited Mar. 28, 2025).
[44] Section 337.11(15), F.S.

Effect of Proposed Changes

The bill requires a contract let by FDOT on or after July 1, 2025, for work requiring a contractor to have marine general liability insurance, that such insurance includes protection and indemnity coverage. The contractor may receive this additional coverage by an endorsement on its marine general liability insurance policy or from a separate insurance policy.

Application for Qualification (Section 13)

Present Situation

Under Florida law any contractor desiring to bid on a construction contract in excess of $250,000 must be certified as qualified by FDOT.[45] FDOT's contractor certification rules address these qualifications and provide requirements regarding a contractor's equipment, past record, experience, financial resources, and organizational personnel.[46]

FDOT may waive prequalification for projects of $500,000 or less if FDOT determines that the project is of a noncritical nature and the waiver will not endanger public health, safety, or property.[47]

Effect of Proposed Changes

The bill authorizes FDOT to waive its prequalification requirements for push-button contracts of $1 million or less. Push-button contracts are contracts with diverse scope of work that may or may not be performed.

FDOT Contractor Certification (Section 13)

Present Situation

Certification by FDOT is required in order for a contractor to bid on a road, bridge, or public transportation construction contract of more than $250,000. However, prior to the award of the contract, the successful bidder must furnish a contract bond. FDOT may waive all or a portion of the bonding requirement for contracts of $150,000 or less.[48]

Effect of Proposed Changes

The bill increases the maximum contract amount for which FDOT may waive bond requirements from $150,000 to $250,000.

[45] Certification for qualification is pursuant to s. 337.14, F.S., and FDOT rules.
[46] Section 337.14(1), F.S.
[47] Section 337.14(1), F.S.
[48] Section 337.14(2), F.S.

FDOT Maintenance Contracts (Section 13)

Present Situation

Section 337.14(8), F.S., provides that s. 337.14, F.S., which relates to the applications for qualification and certificates of qualification for FDOT contractors, does not apply to maintenance contracts.

Effect of Proposed Changes

The bill amends s. 337.14(8), F.S., requiring a contractor seeking to bid on a maintenance contract in which the majority of the work includes repair and replacement of safety appurtenances, including, but not limited to, guardrails, attenuators, traffic signals, and striping, to possess the prescribed qualifications equipment, record, and experience to perform such repair and replacement.

State Arbitration Board (Section 14)

Present Situation

The State Arbitration Board (SAB), within FDOT, facilitates the prompt resolution of claims arising out of or in connection with FDOT's construction or maintenance contract.[49]A contractor[50] may submit a claim[51] of greater than $250,000 up to $1 million per contract or, upon agreement of the parties, up to $2 million per contract for arbitration by the SAB. A SAB-issued award is final, unless a request for a trial de novo is filed within the time frame provided by Rule 1.830, Florida Rules of Civil Procedure.[52]

Parties may not make an arbitration request prior to FDOT's final acceptance of the project;[53] but such requests must be made within 820 days after final acceptance.[54]

Effect of Proposed Changes

The bill authorizes the SAB to arbitrate a claim of up to $2 million, instead of the current $1 million or, upon agreement, claims greater than $2 million.

The bill provides that an arbitration request related to a written warranty notice provided by FDOT must be made within 360 days such notice or 820 days after final acceptance, whichever is later.

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[49] Section 337.185(1), F.S.
[50] Section 337.185(2)(b), F.S., defines the term "contractor" to mean a person or firm having a contract for rendering services to FDOT relating to the construction or maintenance of a transportation facility.
[51] Section 337.185(2)(a), F.S., defines the term "claim" to mean the aggregate of all outstanding written requests for additional monetary compensation, time, or other adjustments to the contract, the entitlement or impact of which is disputed by FDOT and could not be resolved by negotiation between FDOT and the contractor.
[52] Section 337.185(4), F.S.
[53] Section 337.185(2)(c), F.S., defines the term "final acceptance" to mean that the contractor has completely performed the work provided for under the contract, FDOT or its agent has determined that the contractor has satisfactorily completed the work provided for under the contract, and FDOT or its agent has submitted written notice of final acceptance to the contractor.
[54] Section 337.185(5), F.S.

Metropolitan Planning Organizations (Section 15)

A metropolitan planning organization (MPO) is a policy board created and designated to carry out the metropolitan transportation planning process.[55] MPOs are required to represent localities in all urbanized areas with populations over 50,000, as determined by the U.S. Census.[56] Currently, Florida has 27 MPOs, the largest number of MPOs in the nation.[57]

Federal law and regulations give MPOs, in coordination with FDOT and others, significant transportation planning responsibility. Federal law requires MPOs to be designated for each urbanized area with a population of more than 50,000 individuals by agreement between the Governor and units of general-purpose local government that together represent at least 75 percent of the affected population, including the largest incorporated city; or in accordance with procedures established by applicable state or local law.[58]

MPO Purpose/Intent

Present Situation

Florida law provides legislative intent to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and through the state's urbanized areas while minimizing transportation-related fuel consumption, air pollution, and greenhouse gas emissions through metropolitan transportation planning processes.[59]

To accomplish these objectives, MPOs must develop, in cooperation with the state and public transit operators, transportation plans and programs for metropolitan areas. These plans and programs must provide for the development and integrated management and operation of transportation systems and facilities that will function as an intermodal transportation system for the metropolitan area.[60]

Effect of Proposed Changes

The bill amends legislative intent regarding MPOs to emphasize:

- Developing multimodal transportation systems, instead of surface transportation systems; and
- Serving the mobility needs of people and freight and fostering economic growth and development throughout the urbanized areas of this state in accordance with FDOT's mission statement.

FDOT's mission is to provide a safe statewide transportation system that promotes the efficient movement of people and goods, supports the state's economic competitiveness, prioritizes

[55] 23 C.F.R. § 450.104.
[56] Federal Transit Administration, *Metropolitan Planning Organization*, https://www.transit.dot.gov/regulations-and-guidance/transportation-planning/metropolitan-planning-organization-mpo (last visited March 28, 2025).
[57] A list and a map of Florida's MPOs is available at: https://www.mpoac.org/mpos/ (last visited March 28, 2025).
[58] 23 U.S.C., § 134(d)(1)
[59] Section 339.175(1), F.S.
[60] *Id.*

Florida's environment and natural resources, and preserves the quality of life and connectedness of the state's communities.[61]

MPO Designation

Present Situation

An MPO must be designated for each urbanized area of the state. However, an individual MPO is not required to be designated for each urbanized area. MPO designation is done by agreement between the Governor and the general-purpose local governments representing at least 75 percent of the urbanized area's population. However, the general-purpose local government representing the central city or cities within the MPO must be a party to the agreement.[62]

To the extent possible, only one MPO may be designated for each urbanized area or group of contiguous urbanized areas. More than one MPO may be designated within an existing urbanized area only if the Governor and the existing MPO determine that the existing urbanized area's size and complexity makes designating more than one MPO for the area appropriate, in which case each MPO designated for the area must:

- Consult with every other MPO designated for the urbanized area and the state to coordinate plans and transportation improvement programs.
- Ensure, to the maximum extent practicable, the consistency of data used in the planning process, including data used in forecasting travel demand within the urbanized area.[63]

MPO boundaries are determined by agreement between the Governor and the MPO. The MPO's boundaries must include at least the metropolitan planning area but may encompass the entire metropolitan statistical area or the consolidated metropolitan statistical area.[64]

Effect of Proposed Changes

The bill provides that after July 1, 2025, no additional MPOs may be designated in Florida except in urbanized areas[65] where the urbanized area is not contiguous to an urbanized area designated before the 2020 census.

The bill repeals the requirement that when there is more than one MPO in an urbanized area, the MPOs must consult with every other MPO in the urbanized area and the state to coordinate plans and transportation improvement programs and to ensure consistency in data used in the planning process.

MPO Powers, Duties, and Responsibilities

Present Situation

Each MPO must perform all acts necessary to qualify for federal aid, and each MPO must be involved in transportation planning and programming to the extent permitted by state or federal

[61] FDOT, *Mission, Vision, and Values*, https://www.fdot.gov/info/moredot/mvv.shtm (last visited April 7, 2025).
[62] Section 339.175(2)(a)1., F.S.
[63] Section 339.175(2)(a)2., F.S.
[64] Section 339.175(2)(a)3., F.S.
[65] This is as defined by the United States Bureau of the Census.

law. However, an MPO may not perform project production or delivery for capital improvement projects on the State Highway System.[66]

In developing its long-range transportation plan (LRTP)[67] and the transportation improvement program (TIP),[68] each MPO must consider projects and strategies that will:

- Support the economic vitality of the contiguous urbanized metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.
- Increase the safety and security of the transportation system for motorized and nonmotorized users.
- Increase the accessibility and mobility options available to people and for freight.
- Protect and enhance the environment, promote energy conservation, and improve quality of life.
- Enhance the integration and connectivity of the transportation system, across and between modes and contiguous urbanized metropolitan areas, for people and freight.
- Promote efficient system management and operation.
- Emphasize the preservation of the existing transportation system.
- Improve the resilience of transportation infrastructure.[69]

To more fully accomplish an MPO's purposes, MPOs must develop coordination mechanisms with one another to expand and improve transportation within the state.[70]

Effect of Proposed Changes

The bill amends the considerations required by each MPO in developing its LRTP and TIP to include conserving natural resources, instead of promoting energy conservation. Additionally, MPOs must consider projects and strategies to reduce traffic and congestion.

The bill requires FDOT to, at least annually, convene MPOs of similar size, based on population served, to exchange best practices.

The bill authorizes MPOs to develop committees or working groups as needed to accomplish such purpose. At FDOT's discretion, training for new MPO governing board members must be provided by FDOT, by an entity pursuant to a contract with FDOT, by the Center for Urban Transportation Research at the University of South Florida, or by Implementing Solutions for Transportation Research and Evaluation of Emerging Technologies (I-STREET) Living Lab at the University of Florida.

MPO Consolidation Report

Present Situation

By December 31, 2023, the MPOs serving Hillsborough, Pasco, and Pinellas counties were required to submit a feasibility report to the Governor, the President of the Senate, and the

[66] Section 339.175(6), F.S.
[67] The long-range transportation plan is developed pursuant to s. 339.175(7), F.S.
[68] The transportation improvement program is developed pursuant to s. 339.175(8), F.S.
[69] Section 339.175(6)(b), F.S.
[70] Section 339.175(6)(j)1., F.S.

Speaker of the House of Representatives exploring the benefits, costs, and process of consolidation into a single MPO serving the contiguous urbanized area, the goals of which would be to:

- Coordinate transportation projects deemed to be regionally significant.
- Review the impact of regionally significant land use decisions on the region.
- Review all proposed regionally significant transportation projects in the transportation improvement programs.[71]

Effect of Proposed Changes

The bill repeals this obsolete report requirement.

MPO Long-Range Transportation Plans

Present Situation

Each MPO must develop an LRTP addressing at least a 20-year planning horizon. The LRTP must include both long-range and short-range strategies. The prevailing principles to be considered in the LRTP are preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility.[72]

The LRTP must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved local government comprehensive plans of the local government within the MPO. Each MPO is encouraged to consider strategies integrating transportation and land use planning to provide for sustainable development and reduce greenhouse gas emissions. Local governments must consider LRTPs in developing transportation elements in local government comprehensive plans.[73]

In developing its LRTP, each MPO must provide the public and other interested parties with a reasonable opportunity to comment. The MPO must approve its LRTP.[74]

Effect of Proposed Changes

The bill revises provisions relating to MPO LRTPs by removing the requirement that multiple MPOs within a contiguous urbanized area must coordinate the development of LRTPs to be reviewed by the MPOAC.

The bill includes public-private partnerships in the list of innovative financing techniques that MPOs may consider.

Regarding transportation enhancement activities, the bill includes the integration of advanced air mobility and integration of autonomous and electric vehicles, electric bicycles, and motorized scooters used for freight, commuter or micromobility purposes. The bill removes historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising as potential transportation enhancement activities.

[71] Section 339.175(6)(i), F.S.
[72] Section 339.175(7), F.S.
[73] Section 339.175(7), F.S.
[74] Section 339.175(7), F.S.

MPO Agreements and Accountability

Present Situation

Currently, there are no MPO-specific statutory accountability provisions.

Effect of Proposed Changes

The bill authorizes each MPO to execute a written agreement with FDOT, which must be reviewed, and updated as necessary, every five years, which clearly establishes the cooperative relationship essential to accomplish state and federal transportation planning requirements. Roles, responsibilities, and expectations for accomplishing consistency with federal and state requirements and priorities must be set forth in the agreement. In addition, the agreement must set forth the MPO's responsibility, in collaboration with FDOT, to identify, prioritize, and present a complete list of multimodal transportation projects consistent with the metropolitan planning area's needs. It is FDOT's responsibility to provide projects in the state transportation improvement plan.

The bill requires FDOT to establish, in collaboration with each MPO, quality performance metrics such as safety, infrastructure condition, congestion relief, and mobility. Each MPO, as part of its LRTP, in direct coordination with FDOT, must develop targets for each performance measure within the metropolitan planning area. The performance targets must support efficient and safe movement of people and goods both within the metropolitan planning area and between regions. Each MPO must report progress toward establishing performance targets for each measure annually in its transportation improvement plan. FDOT must evaluate and post on its website whether each MPO has made significant progress toward its target for the applicable reporting period.

Strategic Intermodal System Highway Corridors (Section 16)

Present Situation

Florida's Strategic Intermodal System (SIS) is its high priority network of transportation facilities important to the state's economy and mobility.[75] FDOT must plan and develop SIS highway corridors to allow for high-speed and high-volume.[76] SIS highway corridors include facilities on State Highway System[77] that meet FDOT-adopted criteria, including Interstate highways, the Florida Turnpike System, interregional and intercity limited access facilities, existing interregional and intercity arterial highways meeting certain standards, and new limited access facilities necessary to complete a balanced statewide system.[78]

[75] FDOT, *Strategic Intermodal System*, https://www.fdot.gov/planning/systems/sis (last visited Mar. 28, 2025).
[76] Section 339.65(1), F.S.
[77] Section 334.03(24), F.S., defines the term "State Highway System" to mean the interstate system and all other roads within the state which were under the jurisdiction of the state on June 10, 1995, and roads constructed by an agency of the state for the State Highway System, plus roads transferred to the state's jurisdiction after that date by mutual consent with another governmental entity, but not including roads so transferred from the state's jurisdiction. These facilities shall be facilities to which access is regulated.
[78] Section 339.65(2), F.S.

FDOT must develop and maintain a plan of SIS highway corridor projects that it anticipates, to contract for construction within at least the next 20 years. This plan must also identify when SIS Highway Corridor segments will meet SIS standards and criteria.[79]

Effect of Proposed Changes

The bill requires FDOT, in its SIS highway corridors plan of projects, to prioritize projects affecting gaps in a corridor so that the corridor becomes contiguous in its functional characteristics.

Traffic Signal Modernization Program (Section 17)

Present Situation

FDOT is required to adopt a uniform system of traffic control devices for use on the streets and highways of the state.[80] To meet this requirement, it has adopted the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD).[81] The MUTCD is a compilation of national standards for all traffic control devices, including road markings, highway signs, and traffic signals. The MUTCD defines the standards used by road managers nationwide to install and maintain traffic control devices on all public streets, highways, bikeways, and private roads open to public travel.[82]

Effect of Proposed Changes

The bill requires FDOT to implement the Next-generation Traffic Signal Modernization Program (program), which consists of:

- Retrofitting existing traffic signals and controllers, and
- Providing a communication backbone for remote operations and management of such signals on the State Highway System and other road systems.

The bill requires FDOT to prioritize such signal upgrades based on average annual daily traffic and the impact of adding to an existing interconnected system.

Under the bill, the program must consist of an advanced traffic management platform that uses radar-camera fusion to deliver accurate detection in all weather conditions, offering fully integrated stop bar and advance detection, alongside dilemma zone and pedestrian protection.

In addition to supporting time-of-day signal timing plans, the program must provide real-time traffic optimization to improve flow and enhance safety.

The bill requires the program to be compliant with leading cybersecurity standards, such as SOC 2 and ISO 27001, in order to ensure robust data protection.

[79] Section 339.65(4), F.S.
[80] Section 316.0745(1), F.S.
[81] Rule 14-15.010, F.A.C.
[82] Federal Highway Administration, *Manual on Uniform Traffic Control Devices*, https://mutcd.fhwa.dot.gov/ (last visited April 4, 2025).

The bill provides that beginning in the 2025-2026 fiscal year and for 5 years thereafter, $10 million must be allocated from the STTF to the program. Fifty percent of these funds must be used for roads that are not on the State Highway System through the use of grants that require a 50 percent funding match.

Greater Miami Expressway Agency (GMX) (Section 18)

Present Situation

Part I of ch. 348, F.S., creates the GMX in Miami-Dade County and a portion of Monroe County.[83] GMX operates and maintains the Airport Expressway (SR 112), the Dolphin Expressway (SR 836), the Don Shula Expressway (SR 874), the Snapper Creek Expressway (SR 878) and the Gratigny Parkway (SR 924).[84]

GMX's governing board consists of the following nine voting members:

- Four members, appointed by the Governor, subject to Senate confirmation, each of whom must be a permanent resident of Miami-Dade County;
- Two members, appointed by the Miami-Dade County Board of County Commissioners, who must be residents of an unincorporated portion of GMX's geographic boundaries[85] and reside within 15 miles of an area with the highest amount of agency toll roads;
- Two members, appointed by the MPO for a county GMX serves, who must be residents of incorporated municipalities within a county served by the GMX; and
- FDOT's district secretary serving in the district that contains Miami-Dade County serves as an ex officio voting member.[86]

Appointments made by the Governor and board of county commissioners of Miami-Dade County must reflect the state's interests in the transportation sector and represent GMX's intent, duties, and purpose, and have at least three years of professional experience in one or more of the following areas: finance; land use planning; tolling industry; or transportation engineering.[87]

Effect of Proposed Changes

The bill amends s. 348.0304(3)(a), F.S., modifying the requirements for GMX governing body members. It deletes the requirement that two of the members (that are appointed by the Miami-Dade board of county commissioners) must reside within 15 miles of an area with the highest amount of agency toll roads. The bill requires such persons must, instead, reside within 15 miles of any GMX toll road. It maintains the requirement in current law that such persons must be residents of an unincorporated portion of GMX's geographic boundaries.

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[83] Section 348.0304(1), F.S.
[84] Greater Miami Expressway Agency, *History of Greater Miami-Expressway Agency*, https://gmx-way.com/about/history (last visited April 2, 2025).
[85] GMX serves the geographical boundaries of Miami-Dade County and the portion of northeast Monroe County including County Road 94 and the portion of Monroe County bounded on the north and east by the borders of Monroe County and on the south and west by County Road 94. *See* 348.0304(2), F.S.
[86] Section 348.0304(3)(a), F.S. Except for the FDOT district secretary, each member must be a permanent resident of either Miami-Dade or Monroe County and may not hold, or have held in the previous two years, elected or appointed office in such county.
[87] *Id.*

Interstate 4 Widening (Section 20)

Present Situation

Included in FDOT's Moving Florida Forward Initiative is the acceleration of the addition of two new express lanes in each direction along Interstate 4 (I-4) from west of U.S. 27 in Polk County to east of World Center Drive (S.R. 536) in Orange County. FDOT is also accelerating the construction of two new congestion relief lanes, one in each direction, between U.S. 27 and east of World Drive.[88]

Effect of Proposed Changes

The bill provides legislative findings that widening of I-4 from U.S. 27 in Polk County to I-75 in Hillsborough County is in the state's public interest and the region's strategic interest to improve the movement of people and goods.

The bill requires FDOT to develop a report on the efficient widening I-4 from U.S. 27 in Polk County to I-75 in Hillsborough County. The report must include, but is not limited to, detailed cost projections and schedules for project development and environmental studies, design, acquisition of rights-of-way, and construction. The report must identify funding shortfalls and provide strategies to address such shortfalls, including, but not limited to, the use of express lanes toll revenues[89] generated on the I-4 corridor and FDOT funds available for public-private partnerships.[90] By December 31, 2025, FDOT must submit its report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Conforming Change (Section 19)

The bill reenacts s. 332.115, F.S., incorporating a change made to s. 332.004, F.S.

Effective Date (Section 21)

The bill takes 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.

[88] FDOT, Moving I-4 Forward, https://movingi4forward.com/ (last visited Mar. 28, 2025).
[89] Tolls on express lanes are authorized in s. 338.166, F.S.
[90] Public-private partnerships are authorized in s. 334.30, F.S.

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:

The bill will have an indeterminate negative fiscal impact on the private sector through increased insurance costs for FDOT contactors performing certain work over navigable waters (section 12).

C. Government Sector Impact:

The bill (section 1) requires certain counties to annually submit transportation project data to EDR and for EDR to compile such data. Such counties will incur indeterminate costs to compile and provide this data. EDR will also incur costs associated with compiling and submitting the required data.

The bill (section 4) prohibits publicly-owned airports from charging new landing fees for aircraft operations conducted by certain collegiate institutions for flight training purposes. This may lead to a reduction in revenue for these airports.

The bill (section 9) authorizes FDOT to expend up to $5 million per fiscal year, from the STTF, in grants to state colleges and school districts to support offering elective courses in heavy civil construction. This provision authorizes transfer of state transportation funds to state colleges and school districts.

The bill (section 17) requires FDOT to implement a traffic signal modernization program and requires FDOT to allocate $10 million annually for this program, with 50 percent of the funds being used for local roads.

The bill (section 20) requires FDOT to develop a report regarding the widening of I-4. FDOT will incur indeterminate costs to develop this report.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 316.183, 316.187, 332.004, 332.006, 332.007, 334.044, 334.065, 337.11, 337.14, 337.185, 339.175, 339.65, and 348.0304.

This bill creates the following sections of the Florida Statutes: 218.3215, 330.355, 332.136, 334.63, and 339.85.

This bill reenacts s. 332.115 of the Florida Statutes.

This bill creates one undesignated section of Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS/CS by Fiscal Policy on April 8, 2025:

- Requires counties that receive proceeds from the Charter County and Regional Transportation Surtax to submit certain data on the use of such proceeds to the Office of Economic and Demographic Research.
- Prohibits publicly-owned airports from charging new landing fees for aircraft operations associated with flight training conducted by collegiate aviation programs.
- Creates a pilot program at the Sarasota-Manatee Airport Authority to determine the long-term feasibility of alternative permitting procedures for airports.
- Requires the President of the University of South Florida to approve certain advisory board members for the Center for Urban Transportation Research.
- Stipulates that the 18 month completion requirement for project development and environmental studies is to the maximum extent possible.
- Amends requirements regarding FDOT rejecting all bids by giving the lowest bidder the opportunity to negotiate the scope of work with a reduction in the contract price.
- Clarifies provisions regarding the selection of a single-design build firm for phase two of a phased design build project.
- Authorizes FDOT to waive prequalification for certain low-budget, quick turn-around contracts.
- Clarifies certain qualification requirements regarding FDOT maintenance contracts.
- Provides that arbitration requests related to warranty notices must be made within 360 days after such notice or 820 days after final acceptance whichever is later.
- Revises language relating to the purpose of metropolitan planning organizations to provide that it is in accordance with FDOT’s mission statement.

- Creates a next-generation traffic signal modernization program to retrofit certain traffic signals and allocates $10 million annually from the State Transportation Trust Fund for the program.
- Removes the following provisions from the bill:
  - Transfer of a portion of sales tax revenues to the State Transportation Trust Fund.
  - A statement that contractors provide a service to FDOT.
  - A requirement that if FDOT creates a new contract as part of a settlement of a bid protest, it must competitively bid the new contract.
  - Repeal of the Metropolitan Planning Organization Advisory Council.
- Makes technical and conforming changes.

CS/CS by Regulated Industries on April 1, 2025:

- Removes a requirement that certain contract-related lawsuits by and against the FDOT related to warranty and construction defect claims made after final acceptance, must be made within 360 days after notification of the claim.
- Removes portions of the bill relating to utility relocation—specifically, the following:
  - A requirement that certain underground utility facilities be electronically detectable;
  - A requirement that utility owners pay authorities (FDOT and local jurisdictions) reasonable damages for failure or refusal to timely remove or relocate a utility;
  - Requirements for the use of as-built plans as it relates to completed utility work in the right-of-way;
  - An authorization for FDOT, if certain conditions are met, to reimburse a utility owner for a portion of the utility owner's relocation costs;
  - Procedures for FDOT and the utility owner to follow related to notice requirements, the submission of relocation plans, and the need for additional work; and
  - A requirement that FDOT establish mediation boards to resolve utility-related disputes and requirements for such boards.
- Revises the governing body of the nine-member Greater Miami Expressway Agency. It deletes the requirement that two of the members (that are appointed by the Miami-Dade board of county commissioners) must reside within 15 miles of an area with the highest amount of agency toll roads. The committee substitute replaces this requirement with one that such persons must, instead, reside within 15 miles of any agency toll road.

CS by Transportation on March 19, 2025:

- Revises the monthly distribution of sales tax revenues to the STTF to $4.167 million.
- Increases maximum allowable highway speed limits on certain highways by 5 miles per hour.
- Authorizes public-use airports to participate in the FAA's Airport Investment Partnership Program and to contract with a private partner to operate the airport under lease or agreement.
- Makes airports operating under public-private partnership agreements eligible for certain aviation-related funding.

- Revises the membership of the board for the Center for Urban Transportation Research at the University of South Florida.
- Revises provisions regarding FDOT's requirements if it receives bids outside of its criteria to automatically award the bid.
- Requires the utility owner to pay actual, instead of reasonable, damages and costs associated with its failure or refusal to timely relocate utilities.
- Authorizes FDOT to reimburse the utility owner for a portion of its utility relocation costs if certain conditions are met.
- Authorizes FDOT to withhold amounts due to a utility owner or withhold the issuance of new permits to the utility owner in the same FDOT district where the utility relocation is located, if the utility owner is not meeting certain obligations.
- Provides that the members of FDOT's mediation boards are compensated for their services.
- Revises provisions relating to MPOs, including requiring the exchange of best practices, and accountability and transparency requirements, and the repeal of the MPOAC.
- Clarifies the scope of FDOT's report on the widening of I-4.
- Makes other technical and conforming changes.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/09/2025	.	
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The Committee on Fiscal Policy (DiCeglie) recommended the following:

Senate Amendment (with title amendment)

Delete lines 115 - 1175

and insert:

Section 1. Section 218.3215, Florida Statutes, is created to read:

218.3215 County transportation project data.—

(1) Each county shall annually provide to the Department of Transportation all of the following information, by county fiscal year, for surtax revenues received pursuant to s.

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212.055(1):

(a) Total proceeds from the surtax received by the county.

(b) The amount allocated by the county to road and bridge projects. The Department of Transportation shall define broad categories, such as widening, repair and rehabilitation, or sidewalks, for reporting this information. This information must be reported as a total by category and by revenue source by category.

(c) The total expenditure on road and bridge projects by category.

(d) The unexpended balances of funds allocated to road and bridge projects by category.

(e) A list of current road and bridge projects, including the project cost, location, and scope.

(f) The amount allocated by the county to all other permissible uses of the proceeds from the surtax, excluding road and bridge projects.

(2) The Department of Transportation shall adopt a uniform method, including the format, for counties to report the information. The Department of Transportation shall compile the information into a report, which must be published on the Department of Transportation's website.

Section 2. Subsection (2) of section 316.183, Florida Statutes, is amended to read:

316.183 Unlawful speed.—

(2) On all streets or highways, the maximum speed limits for all vehicles must be 30 miles per hour in business or residence districts, and 55 miles per hour at any time at all other locations. However, with respect to a residence district,

a county or municipality may set a maximum speed limit of 20 or 25 miles per hour on local streets and highways after an investigation determines that such a limit is reasonable. It is not necessary to conduct a separate investigation for each residence district. The Department of Transportation shall determine the safe and advisable minimum speed limit on all highways that comprise a part of the National System of Interstate and Defense Highways and have at least ~~not fewer than~~ four lanes ~~is 40 miles per hour, except that when the posted speed limit is 70 miles per hour, the minimum speed limit is 50 miles per hour~~.

Section 3. Subsection (2) of section 316.187, Florida Statutes, is amended to read:

316.187 Establishment of state speed zones.—

(2)(a) The maximum allowable speed limit on limited access highways is 75 ~~70~~ miles per hour.

(b) The maximum allowable speed limit on any other highway that ~~which~~ is outside an urban area of 5,000 or more persons and that ~~which~~ has at least four lanes divided by a median strip is 70 ~~65~~ miles per hour.

(c) The Department of Transportation is authorized to set such maximum and minimum speed limits for travel over other roadways under its authority as it deems safe and advisable, not to exceed as a maximum limit 65 ~~60~~ miles per hour.

Section 4. Subsections (4), (5), (7), and (8) of section 332.004, Florida Statutes, are amended to read:

332.004 Definitions of terms used in ss. 332.003-332.007.—As used in ss. 332.003-332.007, the term:

(4) "Airport or aviation development project" or

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"development project" means any activity associated with the design, construction, purchase, improvement, or repair of a public-use airport or portion thereof, including, but not limited to: the purchase of equipment; the acquisition of land, including land required as a condition of a federal, state, or local permit or agreement for environmental mitigation; off-airport noise mitigation projects; the removal, lowering, relocation, marking, and lighting of airport hazards; the installation of navigation aids used by aircraft in landing at or taking off from a public-use ~~public~~ airport; the installation of safety equipment required by rule or regulation for certification of the airport under s. 612 of the Federal Aviation Act of 1958, and amendments thereto; and the improvement of access to the airport by road or rail system which is on airport property and which is consistent, to the maximum extent feasible, with the approved local government comprehensive plan of the units of local government in which the airport is located.

(5) "Airport or aviation discretionary capacity improvement projects" or "discretionary capacity improvement projects" means capacity improvements which are consistent, to the maximum extent feasible, with the approved local government comprehensive plans of the units of local government in which the public-use airport is located, and which enhance intercontinental capacity at airports which:

(a) Are international airports with United States Bureau of Customs and Border Protection;

(b) Had one or more regularly scheduled intercontinental flights during the previous calendar year or have an agreement

in writing for installation of one or more regularly scheduled intercontinental flights upon the commitment of funds for stipulated airport capital improvements; and

(c) Have available or planned public ground transportation between the airport and other major transportation facilities.

(7) "Eligible agency" means a political subdivision of the state or an authority, or a public-private partnership through a lease or an agreement under s. 255.065 with a political subdivision of the state or an authority, which owns or seeks to develop a public-use airport.

(8) "Federal aid" means funds made available from the Federal Government for the accomplishment of public-use airport or aviation development projects.

Section 5. Subsections (4) and (8) of section 332.006, Florida Statutes, are amended to read:

332.006 Duties and responsibilities of the Department of Transportation.—The Department of Transportation shall, within the resources provided pursuant to chapter 216:

(4) Upon request, provide financial and technical assistance to public agencies that own ~~which operate~~ public-use airports by making department personnel and department-owned facilities and equipment available on a cost-reimbursement basis to such agencies for special needs of limited duration. The requirement relating to reimbursement of personnel costs may be waived by the department in those cases in which the assistance provided by its personnel was of a limited nature or duration.

(8) Encourage the maximum allocation of federal funds to local public-use airport projects in this state.

Section 6. Paragraphs (a) and (c) of subsection (4),

subsection (6), paragraphs (a) and (d) of subsection (7), and subsections (8) and (10) of section 332.007, Florida Statutes, are amended, and subsection (11) is added to that section, to read:

332.007 Administration and financing of aviation and airport programs and projects; state plan.—

(4)(a) The annual legislative budget request for aviation and airport development projects shall be based on the funding required for development projects in the aviation and airport work program. The department shall provide priority funding in support of the planning, design, and construction of proposed projects by local sponsors of public-use airports, with special emphasis on projects for runways and taxiways, including the painting and marking of runways and taxiways, lighting, other related airside activities, and airport access transportation facility projects on airport property.

(c) No single airport shall secure airport or aviation development project funds in excess of 25 percent of the total airport or aviation development project funds available in any given budget year. However, any public-use airport which receives discretionary capacity improvement project funds in a given fiscal year shall not receive greater than 10 percent of total aviation and airport development project funds appropriated in that fiscal year.

(6) Subject to the availability of appropriated funds, the department may participate in the capital cost of eligible public-use ~~public~~ airport and aviation development projects in accordance with the following rates, unless otherwise provided in the General Appropriations Act or the substantive bill

implementing the General Appropriations Act:

(a) The department may fund up to 50 percent of the portion of eligible project costs which are not funded by the Federal Government, except that the department may initially fund up to 75 percent of the cost of land acquisition for a new airport or for the expansion of an existing airport which is owned ~~and operated~~ by a municipality, a county, or an authority, and shall be reimbursed to the normal statutory project share when federal funds become available or within 10 years after the date of acquisition, whichever is earlier. Due to federal budgeting constraints, the department may also initially fund the federal portion of eligible project costs subject to:

1. The department receiving adequate assurance from the Federal Government or local sponsor that this amount will be reimbursed to the department; and

2. The department having adequate funds in the work program to fund the project.

Such projects must be contained in the Federal Government's Airport Capital Improvement Program, and the Federal Government must fund, or have funded, the first year of the project.

(b) The department may retroactively reimburse cities, counties, or airport authorities up to 50 percent of the nonfederal share for land acquisition when such land is needed for airport safety, expansion, tall structure control, clear zone protection, or noise impact reduction. No land purchased prior to July 1, 1990, or purchased prior to executing the required department agreements shall be eligible for reimbursement.

(c) When federal funds are not available, the department may fund up to 80 percent of master planning and eligible aviation development projects at public-use ~~publicly owned, publicly operated~~ airports. If federal funds are available, the department may fund up to 80 percent of the nonfederal share of such projects. Such funding is limited to general aviation airports, or commercial service airports that have fewer than 100,000 passenger boardings per year as determined by the Federal Aviation Administration.

(d) The department is authorized to fund up to 100 percent of the cost of an eligible project that is statewide in scope or that involves more than one county where no other governmental entity or appropriate jurisdiction exists.

(7) Subject to the availability of appropriated funds in addition to aviation fuel tax revenues, the department may participate in the capital cost of eligible public airport and aviation discretionary capacity improvement projects. The annual legislative budget request shall be based on the funding required for discretionary capacity improvement projects in the aviation and airport work program.

(a) The department shall provide priority funding in support of:

1. Land acquisition which provides additional capacity at the qualifying international airport or at that airport’s supplemental air carrier airport.

2. Runway and taxiway projects that add capacity or are necessary to accommodate technological changes in the aviation industry.

3. Public-use airport access transportation projects that

improve direct airport access and are approved by the airport sponsor.

4. International terminal projects that increase international gate capacity.

(d) The department may fund up to 50 percent of the portion of eligible project costs which are not funded by the Federal Government except that the department may initially fund up to 75 percent of the cost of land acquisition for a new public-use airport or for the expansion of an existing public-use airport which is owned ~~and operated~~ by a municipality, a county, or an authority, and shall be reimbursed to the normal statutory project share when federal funds become available or within 10 years after the date of acquisition, whichever is earlier.

(8) The department may also fund eligible projects performed by not-for-profit organizations that represent a majority of public airports in this state. Eligible projects may include activities associated with aviation master planning, professional education, safety and security planning, enhancing economic development and efficiency at airports in this state, or other planning efforts to improve the viability of public-use airports in this state.

(10) Subject to the availability of appropriated funds, and unless otherwise provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, the department may fund up to 100 percent of eligible project costs of all of the following at a public-use ~~publicly owned, publicly operated~~ airport located in a rural community as defined in s. 288.0656 which does not have any scheduled commercial service:

(a) The capital cost of runway and taxiway projects that add capacity. Such projects must be prioritized based on the amount of available nonstate matching funds.

(b) Economic development transportation projects pursuant to s. 339.2821.

Any remaining funds must be allocated for projects specified in subsection (6).

(11) Notwithstanding any other provisions of law, a municipality, a county, or an authority that owns a public-use airport may participate in the Federal Aviation Administration Airport Investment Partnership Program under federal law by contracting with a private partner to operate the airport under lease or agreement. Subject to the availability of appropriated funds from aviation fuel tax revenues, the department may provide for improvements under this section to a municipality, a county, or an authority that has a private partner under the Airport Investment Partnership Program for the capital cost of a discretionary improvement project at a public-use airport.

Section 7. Subsections (6) and (35) of section 334.044, Florida Statutes, are amended to read:

334.044 Powers and duties of the department.—The department shall have the following general powers and duties:

(6) To acquire, by the exercise of the power of eminent domain as provided by law, all property or property rights, whether public or private, which it may determine are necessary to the performance of its duties and the execution of its powers, including, but not limited to, in advance to preserve a corridor for future proposed improvements.

(35) To expend funds for ~~provide~~ a construction workforce development program, in consultation with affected stakeholders, for delivery of projects designated in the department's work program. The department may annually expend up to $5 million from the State Transportation Trust Fund for fiscal years 2025-2026 through 2029-2030 in grants to state colleges and school districts, with priority given to state colleges and school districts in counties that are rural communities as defined in s. 288.0656(2), for the purchase of equipment simulators with authentic original equipment manufacturer controls and a companion curriculum, for the purchase of instructional aids for use in conjunction with the equipment simulators, and to support offering an elective course in heavy civil construction which must, at a minimum, provide the student with an Occupational Safety and Health Administration 10-hour certification and a fill equipment simulator certification.

Section 8. Subsections (1) and (3) of section 334.065, Florida Statutes, are amended to read:

334.065 Center for Urban Transportation Research.—

(1) There is established within ~~at~~ the University of South Florida the Florida Center for Urban Transportation Research~~, to be administered by the Board of Governors of the State University System~~. The responsibilities of the center include, but are not limited to, conducting and facilitating research on issues related to urban transportation problems in this state and serving as an information exchange and depository for the most current information pertaining to urban transportation and related issues.

(3) An advisory board shall be created to periodically ~~and~~

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~~objectively~~ review and advise the center concerning its research program. ~~Except for projects mandated by law, state-funded base projects shall not be undertaken without approval of the advisory board.~~ The membership of the board shall be composed ~~consist~~ of nine experts in transportation-related areas, as follows:

(a) A member appointed by the President of the Senate.

(b) A member appointed by the Speaker of the House of Representatives.

(c) The Secretary of Transportation, or his or her designee.

(d) The Secretary of Commerce, or his or her designee. ~~including the secretaries of the Department of Transportation, the Department of Environmental Protection, and the Department of Commerce, or their designees, and~~

(e) A member of the Florida Transportation Commission.

(f) Four members nominated ~~The nomination of the remaining members of the board shall be made to the President of the University of South Florida~~ by the College of Engineering at the University of South Florida and approved by the university's president~~, and The appointment of these members must be reviewed and approved by the Florida Transportation Commission and confirmed by the Board of Governors~~.

Section 9. Section 334.63, Florida Statutes, is created to read:

334.63 Project concept studies and project development and environment studies.—

(1) Project concept studies and project development and environment studies for capacity improvement projects on limited

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access facilities must include the evaluation of alternatives that provide transportation capacity using elevated roadway above existing lanes.

(2) Project development and environment studies for new alignment projects and capacity improvement projects must be completed to the maximum extent possible within 18 months after the date of commencement.

Section 10. Subsection (4), paragraph (b) of subsection (7), and subsection (15) of section 337.11, Florida Statutes, are amended to read:

337.11 Contracting authority of department; bids; emergency repairs, supplemental agreements, and change orders; combined design and construction contracts; progress payments; records; requirements of vehicle registration.—

(4)(a) Except as provided in paragraph (b), the department may award the proposed construction and maintenance work to the lowest responsible bidder, or in the instance of a time-plus-money contract, the lowest evaluated responsible bidder, or it may reject all bids and proceed to rebid the work in accordance with subsection (2) or otherwise perform the work.

(b) Notwithstanding any other provision of law, if the department intends to reject all bids on any project after announcing, but before posting official notice of, such intent, the department must provide to the lowest responsive, responsible bidder the opportunity to negotiate the scope of work with a corresponding reduction in price, as provided in the bid, to provide a reduced bid without filing a protest or posting a bond under paragraph (5)(a). Upon reaching a decision regarding the lowest bidder’s reduced bid, the department must

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post notice of final agency action to either reject all bids or accept the reduced bid.

(c) This subsection does not prohibit the filing of a protest by any bidder or alter the deadlines provided in s. 120.57.

(d) Notwithstanding the requirements of ss. 120.57(3)(c) and 287.057(25), upon receipt of a formal written protest that is timely filed, the department may continue the process provided in this subsection but may not take final agency action as to the lowest bidder except as part of the department's final agency action in the protest or upon dismissal of the protest by the protesting party.

(7)

(b) If the department determines that it is in the best interests of the public, the department may combine the design and construction phases of a project fully funded in the work program into a single contract and select the design-build firm in the early stages of a project to ensure that the design-build firm is part of the collaboration and development of the design as part of a step-by-step progression through construction. Such a contract is referred to as a phased design-build contract. For phased design-build contracts, selection and award must include a two-phase process. For phase one, the department shall competitively award the contract to a design-build firm based upon qualifications, provided that the department receives at least three statements of qualifications from qualified design-build firms. If during phase one the department elects to enter into contracts with more than one design-build firm based upon qualifications, the department must competitively select a

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single design-build firm to perform the work associated with phase two. For phase two, the design-build firm may self-perform portions of the work and shall competitively bid construction trade subcontractor packages and, based upon these bids, negotiate with the department a fixed firm price or guaranteed maximum price that meets the project budget and scope as advertised in the request for qualifications.

(15) Each contract let by the department for performance of bridge construction or maintenance over navigable waters must contain a provision requiring marine general liability insurance, in an amount to be determined by the department, which covers third-party personal injury and property damage caused by vessels used by the contractor in the performance of the work. For a contract let by the department on or after July 1, 2025, such insurance must include protection and indemnity coverage, which may be covered by endorsement on the marine general liability insurance policy or may be a separate policy.

Section 11. Subsections (1), (2), and (8) of section 337.14, Florida Statutes, are amended to read:

337.14 Application for qualification; certificate of qualification; restrictions; request for hearing.—

(1) Any contractor desiring to bid for the performance of any construction contract in excess of $250,000 which the department proposes to let must first be certified by the department as qualified pursuant to this section and rules of the department. The rules of the department must address the qualification of contractors to bid on construction contracts in excess of $250,000 and must include requirements with respect to the equipment, past record, experience, financial resources, and

organizational personnel of the applying contractor which are necessary to perform the specific class of work for which the contractor seeks certification. Any contractor who desires to bid on contracts in excess of $50 million and who is not qualified and in good standing with the department as of January 1, 2019, must first be certified by the department as qualified and must have satisfactorily completed two projects, each in excess of $15 million, for the department or for any other state department of transportation. The department may limit the dollar amount of any contract upon which a contractor is qualified to bid or the aggregate total dollar volume of contracts such contractor is allowed to have under contract at any one time. Each applying contractor seeking qualification to bid on construction contracts in excess of $250,000 shall furnish the department a statement under oath, on such forms as the department may prescribe, setting forth detailed information as required on the application. Each application for certification must be accompanied by audited, certified financial statements prepared in accordance with generally accepted accounting principles and auditing standards by a certified public accountant licensed in this state or another state. The audited, certified financial statements must be for the applying contractor and must have been prepared within the immediately preceding 12 months. The department may not consider any financial information of the parent entity of the applying contractor, if any. The department may not certify as qualified any applying contractor who fails to submit the audited, certified financial statements required by this subsection. If the application or the annual financial statement shows the

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financial condition of the applying contractor more than 4 months before the date on which the application is received by the department, the applicant must also submit interim audited, certified financial statements prepared in accordance with generally accepted accounting principles and auditing standards by a certified public accountant licensed in this state or another state. The interim financial statements must cover the period from the end date of the annual statement and must show the financial condition of the applying contractor no more than 4 months before the date that the interim financial statements are received by the department. However, upon the request of the applying contractor, an application and accompanying annual or interim financial statement received by the department within 15 days after either 4-month period under this subsection shall be considered timely. An applying contractor desiring to bid exclusively for the performance of construction contracts with proposed budget estimates of less than $2 million may submit reviewed annual or reviewed interim financial statements prepared by a certified public accountant. The information required by this subsection is confidential and exempt from s. 119.07(1). The department shall act upon the application for qualification within 30 days after the department determines that the application is complete. The department may waive the requirements of this subsection for push-button projects having a contract price of $1 million or less, or for nonpush-button projects having a contract price of $500,000 or less, if the department determines that the project is of a noncritical nature and the waiver will not endanger public health, safety, or property.

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(2) Certification is ~~shall be~~ necessary in order to bid on a road, bridge, or public transportation construction contract of more than $250,000. However, the successful bidder on any construction contract must furnish a contract bond before ~~prior to~~ the award of the contract. The department may waive the requirement for all or a portion of a contract bond for contracts of $250,000 ~~$150,000~~ or less under s. 337.18(1).

(8) This section does not apply to maintenance contracts. Notwithstanding any other provision of law, a contractor seeking to bid on a maintenance contract in which the majority of the work includes repair and replacement of safety appurtenances, including, but not limited to, guardrails, attenuators, traffic signals, and striping, must possess the prescribed qualifications, equipment, record, and experience to perform such repair and replacement.

Section 12. Subsections (4) and (5) of section 337.185, Florida Statutes, are amended to read:

337.185 State Arbitration Board.—

(4) The contractor may submit a claim greater than $250,000 up to $2 ~~$1~~ million per contract or, upon agreement of the parties, greater than ~~up to~~ $2 million per contract to be arbitrated by the board. An award issued by the board pursuant to this subsection is final if a request for a trial de novo is not filed within the time provided by Rule 1.830, Florida Rules of Civil Procedure. At the trial de novo, the court may not admit evidence that there has been an arbitration proceeding, the nature or amount of the award, or any other matter concerning the conduct of the arbitration proceeding, except that testimony given in connection with ~~at~~ an arbitration

hearing may be used for any purpose otherwise permitted by the Florida Evidence Code. If a request for trial de novo is not filed within the time provided, the award issued by the board is final and enforceable by a court of law.

(5) An arbitration request may not be made to the board before final acceptance but must be made to the board within 820 days after final acceptance. An arbitration request related to a warranty notice provided by the department must be made to the board within 360 days after such notice or 820 days after final acceptance, whichever is later.

Section 13. Present subsection (10) of section 339.175, Florida Statutes, is redesignated as subsection (11), a new subsection (10) is added to that section, and subsection (1), paragraph (a) of subsection (2), paragraphs (b), (i), and (j) of subsection (6), and paragraphs (b) and (d) of subsection (7) of that section are amended, to read:

339.175 Metropolitan planning organization.—

(1) PURPOSE.—It is the intent of the Legislature to encourage and promote the safe and efficient management, operation, and development of multimodal ~~surface~~ transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and through urbanized areas of this state in accordance with the department's mission statement ~~while minimizing transportation-related fuel consumption, air pollution, and greenhouse gas emissions through metropolitan transportation planning processes identified in this section~~. To accomplish these objectives, metropolitan planning organizations, referred to in this section as M.P.O.'s, shall develop, in cooperation with the state and

public transit operators, transportation plans and programs for metropolitan areas. The plans and programs for each metropolitan area must provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities that will function as an intermodal transportation system for the metropolitan area, based upon the prevailing principles provided in s. 334.046(1). The process for developing such plans and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive, to the degree appropriate, based on the complexity of the transportation problems to be addressed. To ensure that the process is integrated with the statewide planning process, M.P.O.'s shall develop plans and programs that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state, and regional transportation functions. For the purposes of this section, those facilities include the facilities on the Strategic Intermodal System designated under s. 339.63 and facilities for which projects have been identified pursuant to s. 339.2819(4).

(2) DESIGNATION.—

(a)1. An M.P.O. shall be designated for each urbanized area of the state; however, this does not require that an individual M.P.O. be designated for each such area. Such designation shall be accomplished by agreement between the Governor and units of general-purpose local government representing at least 75 percent of the population of the urbanized area; however, the unit of general-purpose local government that represents the

central city or cities within the M.P.O. jurisdiction, as defined by the United States Bureau of the Census, must be a party to such agreement.

2. To the extent possible, only one M.P.O. shall be designated for each urbanized area or group of contiguous urbanized areas. More than one M.P.O. may be designated within an existing urbanized area only if the Governor and the existing M.P.O. determine that the size and complexity of the existing urbanized area makes the designation of more than one M.P.O. for the area appropriate. After July 1, 2025, no additional M.P.O.'s may be designated in this state except in urbanized areas, as defined by the United States Census Bureau, where the urbanized area boundary is not contiguous to an urbanized area designated before the 2020 census~~, in which case each M.P.O. designated for the area must:~~

~~a. Consult with every other M.P.O. designated for the urbanized area and the state to coordinate plans and transportation improvement programs~~.

~~b. Ensure, to the maximum extent practicable, the consistency of data used in the planning process, including data used in forecasting travel demand within the urbanized area.~~

Each M.P.O. required under this section must be fully operative no later than 6 months following its designation.

(6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers, privileges, and authority of an M.P.O. are those specified in this section or incorporated in an interlocal agreement authorized under s. 163.01. Each M.P.O. shall perform all acts required by federal or state laws or rules, now and subsequently

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applicable, which are necessary to qualify for federal aid. It is the intent of this section that each M.P.O. be involved in the planning and programming of transportation facilities, including, but not limited to, airports, intercity and high-speed rail lines, seaports, and intermodal facilities, to the extent permitted by state or federal law. An M.P.O. may not perform project production or delivery for capital improvement projects on the State Highway System.

(b) In developing the long-range transportation plan and the transportation improvement program required under paragraph (a), each M.P.O. shall provide for consideration of projects and strategies that will:

1. Support the economic vitality of the contiguous urbanized metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.

2. Increase the safety and security of the transportation system for motorized and nonmotorized users.

3. Increase the accessibility and mobility options available to people and for freight.

4. Protect and enhance the environment, conserve natural resources ~~promote energy conservation~~, and improve quality of life.

5. Enhance the integration and connectivity of the transportation system, across and between modes and contiguous urbanized metropolitan areas, for people and freight.

6. Promote efficient system management and operation.

7. Emphasize the preservation of the existing transportation system.

8. Improve the resilience of transportation infrastructure.

9. Reduce traffic and congestion.

~~(i) By December 31, 2023, the M.P.O.'s serving Hillsborough, Pasco, and Pinellas Counties must submit a feasibility report to the Governor, the President of the Senate, and the Speaker of the House of Representatives exploring the benefits, costs, and process of consolidation into a single M.P.O. serving the contiguous urbanized area, the goal of which would be to:~~

~~1. Coordinate transportation projects deemed to be regionally significant.~~

~~2. Review the impact of regionally significant land use decisions on the region.~~

~~3. Review all proposed regionally significant transportation projects in the transportation improvement programs.~~

(i)1.~~(j)1.~~ To more fully accomplish the purposes for which M.P.O.'s have been mandated, the department shall, at least annually, convene M.P.O.'s of similar size, based on the size of population served, for the purpose of exchanging best practices. M.P.O.'s may ~~shall~~ develop committees or working groups as needed to accomplish such purpose. At the discretion of the department, training for new M.P.O. governing board members shall be provided by the department, by an entity pursuant to a contract with the department, by the Florida Center for Urban Transportation Research, or by the Implementing Solutions from Transportation Research and Evaluation of Emerging Technologies (I-STREET) living lab ~~coordination mechanisms with one another to expand and improve transportation within the state. The appropriate method of coordination between M.P.O.'s shall vary~~

~~depending upon the project involved and given local and regional needs. Consequently, it is appropriate to set forth a flexible methodology that can be used by M.P.O.'s to coordinate with other M.P.O.'s and appropriate political subdivisions as circumstances demand~~.

2. Any M.P.O. may join with any other M.P.O. or any individual political subdivision to coordinate activities or to achieve any federal or state transportation planning or development goals or purposes consistent with federal or state law. When an M.P.O. determines that it is appropriate to join with another M.P.O. or any political subdivision to coordinate activities, the M.P.O. or political subdivision shall enter into an interlocal agreement pursuant to s. 163.01, which, at a minimum, creates a separate legal or administrative entity to coordinate the transportation planning or development activities required to achieve the goal or purpose; provides the purpose for which the entity is created; provides the duration of the agreement and the entity and specifies how the agreement may be terminated, modified, or rescinded; describes the precise organization of the entity, including who has voting rights on the governing board, whether alternative voting members are provided for, how voting members are appointed, and what the relative voting strength is for each constituent M.P.O. or political subdivision; provides the manner in which the parties to the agreement will provide for the financial support of the entity and payment of costs and expenses of the entity; provides the manner in which funds may be paid to and disbursed from the entity; and provides how members of the entity will resolve disagreements regarding interpretation of the interlocal

agreement or disputes relating to the operation of the entity. Such interlocal agreement shall become effective upon its recordation in the official public records of each county in which a member of the entity created by the interlocal agreement has a voting member. Multiple M.P.O.'s may merge, combine, or otherwise join together as a single M.P.O.

(7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must develop a long-range transportation plan that addresses at least a 20-year planning horizon. The plan must include both long-range and short-range strategies and must comply with all other state and federal requirements. The prevailing principles to be considered in the long-range transportation plan are: preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility. The long-range transportation plan must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved local government comprehensive plans of the units of local government located within the jurisdiction of the M.P.O. Each M.P.O. is encouraged to consider strategies that integrate transportation and land use planning to provide for sustainable development and reduce greenhouse gas emissions. The approved long-range transportation plan must be considered by local governments in the development of the transportation elements in local government comprehensive plans and any amendments thereto. The long-range transportation plan must, at a minimum:

(b) Include a financial plan that demonstrates how the plan can be implemented, indicating resources from public and private sources which are reasonably expected to be available to carry

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out the plan, and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted long-range transportation plan if reasonable additional resources beyond those identified in the financial plan were available. For the purpose of developing the long-range transportation plan, the M.P.O. and the department shall cooperatively develop estimates of funds that will be available to support the plan implementation. Innovative financing techniques may be used to fund needed projects and programs. Such techniques may include the assessment of tolls, public-private partnerships, the use of value capture financing, or the use of value pricing. Multiple M.P.O.'s within a contiguous urbanized area must ensure, to the maximum extent possible, the consistency of data used in the planning process.

(d) Indicate, as appropriate, proposed transportation enhancement activities, including, but not limited to, pedestrian and bicycle facilities, trails or facilities that are regionally significant or critical linkages for the Florida Shared-Use Nonmotorized Trail Network, scenic easements, landscaping, integration of advanced air mobility, and integration of autonomous and electric vehicles, electric bicycles, and motorized scooters used for freight, commuter, or micromobility purposes ~~historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising~~.

In the development of its long-range transportation plan, each M.P.O. must provide the public, affected public agencies,

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representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the long-range transportation plan. The long-range transportation plan must be approved by the M.P.O.

(10) AGREEMENTS; ACCOUNTABILITY.—

(a) Each M.P.O. may execute a written agreement with the department, which shall be reviewed, and updated as necessary, every 5 years, which clearly establishes the cooperative relationship essential to accomplish the transportation planning requirements of state and federal law. Roles, responsibilities, and expectations for accomplishing consistency with federal and state requirements and priorities must be set forth in the agreement. In addition, the agreement must set forth the M.P.O.'s responsibility, in collaboration with the department, to identify, prioritize, and present to the department a complete list of multimodal transportation projects consistent with the needs of the metropolitan planning area. It is the department's responsibility to program projects in the state transportation improvement program.

(b) The department must establish, in collaboration with each M.P.O., quality performance metrics, such as safety, infrastructure condition, congestion relief, and mobility. Each M.P.O. must, as part of its long-range transportation plan, in direct coordination with the department, develop targets for each performance measure within the metropolitan planning area boundary. The performance targets must support efficient and

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safe movement of people and goods both within the metropolitan planning area and between regions. Each M.P.O. must report progress toward establishing performance targets for each measure annually in its transportation improvement plan. The department shall evaluate and post on its website whether each M.P.O. has made significant progress toward its target for the applicable reporting period.

Section 14. Subsection (4) of section 339.65, Florida Statutes, is amended to read:

339.65 Strategic Intermodal System highway corridors.—

(4) The department shall develop and maintain a plan of Strategic Intermodal System highway corridor projects that are anticipated to be let to contract for construction within a time period of at least 20 years. The department shall prioritize projects affecting gaps in a corridor so that the corridor becomes contiguous in its functional characteristics across the corridor. The plan must ~~shall~~ also identify when segments of the corridor will meet the standards and criteria developed pursuant to subsection (5).

Section 15. Section 339.85, Florida Statutes, is created to read:

339.85 Next-generation traffic signal modernization program.—

(1) The department shall implement a next-generation traffic signal modernization program. The program must consist of retrofitting existing traffic signals and controllers and providing a communication system for remote operations and management of such signals on the State Highway System and other road systems. Signal upgrades must be prioritized based on

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average annual daily traffic and the impact of adding to an existing interconnected system.

(2) The program must consist of an advanced traffic management platform that uses radar-camera fusion to deliver accurate detection in all weather conditions, offering fully integrated stop bar and advance detection alongside dilemma zone and pedestrian protection. In addition to supporting time-of-day signal timing plans, the program must provide real-time traffic optimization to improve traffic flow and enhance safety. The program must comply with leading cybersecurity standards, such as SOC 2 and ISO 27001, ensuring robust data protection.

(3) Beginning in the 2025-2026 fiscal year and annually thereafter for 5 years, $10 million shall be allocated from the State Transportation Trust Fund to the program. Fifty percent of such funds must be used for roads that are not a part of the State Highway System through the use of grants that require a 50 percent funding match.

Section 16. Paragraph (a) of subsection (3) of section 348.0304, Florida Statutes, is amended to read:

348.0304 Greater Miami Expressway Agency.—

(3)(a) The governing body of the agency shall consist of nine voting members. Except for the district secretary of the department, each member must be a permanent resident of a county served by the agency and may not hold, or have held in the previous 2 years, elected or appointed office in such county, except that this paragraph does not apply to any initial appointment under paragraph (b) or to any member who previously served on the governing body of the former Greater Miami Expressway Agency. Each member may only serve two terms of 4

years each, except that there is no restriction on the term of the department's district secretary. Four members, each of whom must be a permanent resident of Miami-Dade County, shall be appointed by the Governor, subject to confirmation by the Senate at the next regular session of the Legislature. Refusal or failure of the Senate to confirm an appointment shall create a vacancy. Appointments made by the Governor and board of county commissioners of Miami-Dade County shall reflect the state's interests in the transportation sector and represent the intent, duties, and purpose of the Greater Miami Expressway Agency, and have at least 3 years of professional experience in one or more of the following areas: finance; land use planning; tolling industry; or transportation engineering. Two members, who must be residents of an unincorporated portion of the geographic area described in subsection (1) and residing within 15 miles of an ~~area with the highest amount of~~ agency toll road ~~roads~~, shall be appointed by the board of county commissioners of Miami-Dade County. Two members, who must be residents of incorporated municipalities within a county served by the agency, shall be appointed by the metropolitan planning organization for a county served by the agency. The district secretary of the department serving in the district that contains Miami-Dade County shall serve as an ex officio voting member of the governing body.

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

And the title is amended as follows:

Delete lines 2 - 101

and insert:

An act relating to transportation; creating s.

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218.3215, F.S.; requiring each county to provide certain information to the Department of Transportation; requiring the department to adopt a uniform method for counties to report such information; requiring the department to compile the information into a report and publish the report on its website; amending s. 316.183, F.S.; requiring the department to determine the safe and advisable minimum speed limit on certain highways; amending s. 316.187, F.S.; revising the maximum allowable speed limit on certain highways and roadways; amending s. 332.004, F.S.; revising definitions; amending s. 332.006, F.S.; revising duties and responsibilities of the department relating to airports; amending s. 332.007, F.S.; revising provisions relating to the administration and financing of certain aviation and airport programs and projects; authorizing certain airports to participate in a specified federal program in a certain manner; authorizing the department to provide for improvements to certain entities for the capital cost of a discretionary improvement project at a public-use airport, subject to the availability of certain funds; amending s. 334.044, F.S.; authorizing the department to acquire property or property rights in advance to preserve a corridor for future proposed improvements; authorizing the department to expend from the State Transportation Trust Fund a certain amount of grant funds annually to state colleges and school districts for certain construction workforce development

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programs; requiring that priority be given to certain colleges and school districts; amending s. 334.065, F.S.; deleting a provision specifying that the Florida Center for Urban Transportation Research shall be administered by the Board of Governors of the State University System; deleting a provision prohibiting the undertaking of certain projects without the approval of the Center for Urban Transportation Research advisory board; revising membership of such advisory board; creating s. 334.63, F.S.; providing requirements for certain project concept studies and project development and environment studies; amending s. 337.11, F.S.; revising the bidding and award process for contracts for road construction and maintenance projects; revising the circumstances in which the department must competitively award a phased design-build contract for phase one; requiring the department to select a single design-build firm to perform the work associated with phase two under certain circumstances; authorizing a design-build firm to self-perform portions of work under a contract; requiring that contracts let by the department on or after a certain date for bridge construction or maintenance over navigable waters include protection and indemnity coverage; amending s. 337.14, F.S.; authorizing the department to waive contractor certification requirements for certain projects; revising the threshold value of contracts for which the department may waive a contract bond requirement;

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requiring that a contractor seeking to bid on certain maintenance contracts possess certain qualifications; amending s. 337.185, F.S.; increasing the limits of claims per contract which a contractor may submit to the State Arbitration Board; revising the period in which an arbitration request may be made for a claim related to a warranty notice; amending s. 339.175, F.S.; revising legislative intent; revising requirements for the designation of additional metropolitan planning organizations (M.P.O.'s); revising projects and strategies to be considered in developing an M.P.O.'s long-range transportation plan and transportation improvement program; deleting obsolete provisions; requiring the department to convene M.P.O.'s of similar size to exchange best practices at least annually; authorizing M.P.O.'s to develop committees or working groups; requiring training for new M.P.O. governing board members to be provided by the department or another specified entity; deleting provisions relating to M.P.O. coordination mechanisms; including public-private partnerships in authorized financing techniques; revising proposed transportation enhancement activities that must be indicated by the long-range transportation plan; authorizing each M.P.O. to execute a written agreement with the department regarding state and federal transportation planning requirements; requiring the department, in collaboration with M.P.O.'s, to establish certain

quality performance metrics and develop certain performance targets; requiring the department to evaluate and post on its website whether each M.P.O. has made significant progress toward such targets; amending s. 339.65, F.S.; requiring the department to prioritize certain Strategic Intermodal System highway corridor projects; creating s. 339.85, F.S.; requiring the department to implement a next-generation traffic signal modernization program; providing program requirements; requiring the allocation of funds from the State Transportation Trust Fund to the program; requiring that a certain percentage of such funds be used for certain roads through the use of matching grants; amending s. 348.0304, F.S.; revising membership of the governing body of the Greater Miami Expressway Agency; reenacting s.

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LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
04/09/2025	.	
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The Committee on Fiscal Policy (DiCeglie) recommended the following:

Senate Amendment (with title amendment)

Delete lines 115 - 1175

and insert:

Section 1. Section 218.3215, Florida Statutes, is created to read:

218.3215 County transportation project data.—

(1) Each county shall annually by January 15 report to the Office of Economic and Demographic Research all of the following information, by county fiscal year, for surtax revenues received

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pursuant to s. 212.055(1):

(a) Total proceeds from the surtax received by the county.

(b) The amount allocated by the county for road and bridge projects. The Office of Economic and Demographic Research, in consultation with the Department of Transportation, shall define broad categories, including, but not limited to, widening, repair and rehabilitation, sidewalks, or payment or pledge of bonds for the construction of roads or bridges, for reporting this information. This information must be reported as a total by category and by revenue source by category.

(c) The total expenditure on road and bridge projects by category.

(d) The unexpended balances of funds allocated to road and bridge projects by category.

(e) A list of current road and bridge projects, including the project cost, location, and scope.

(f) The amount allocated by the county to all other permissible uses of the proceeds from the surtax, excluding road and bridge projects and the payment or pledge of bonds for the construction of roads or bridges.

(2) Counties shall report the information required by this section in the format specified by the Office of Economic and Demographic Research. The Office of Economic and Demographic Research shall compile the information into a report and provide the report to the President of the Senate, the Speaker of the House of Representatives, and the Department of Transportation.

Section 2. Subsection (2) of section 316.183, Florida Statutes, is amended to read:

316.183 Unlawful speed.—

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(2) On all streets or highways, the maximum speed limits for all vehicles must be 30 miles per hour in business or residence districts, and 55 miles per hour at any time at all other locations. However, with respect to a residence district, a county or municipality may set a maximum speed limit of 20 or 25 miles per hour on local streets and highways after an investigation determines that such a limit is reasonable. It is not necessary to conduct a separate investigation for each residence district. The Department of Transportation shall determine the safe and advisable minimum speed limit on all highways that comprise a part of the National System of Interstate and Defense Highways and have at least ~~not fewer than~~ four lanes ~~is 40 miles per hour, except that when the posted speed limit is 70 miles per hour, the minimum speed limit is 50 miles per hour~~.

Section 3. Subsection (2) of section 316.187, Florida Statutes, is amended to read:

316.187 Establishment of state speed zones.—

(2)(a) The maximum allowable speed limit on limited access highways is 75 ~~70~~ miles per hour.

(b) The maximum allowable speed limit on any other highway that ~~which~~ is outside an urban area of 5,000 or more persons and that ~~which~~ has at least four lanes divided by a median strip is 70 ~~65~~ miles per hour.

(c) The Department of Transportation is authorized to set such maximum and minimum speed limits for travel over other roadways under its authority as it deems safe and advisable, not to exceed as a maximum limit 65 ~~60~~ miles per hour.

Section 4. Subsections (4), (5), (7), and (8) of section

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332.004, Florida Statutes, are amended to read:

332.004 Definitions of terms used in ss. 332.003-332.007.—As used in ss. 332.003-332.007, the term:

(4) "Airport or aviation development project" or "development project" means any activity associated with the design, construction, purchase, improvement, or repair of a public-use airport or portion thereof, including, but not limited to: the purchase of equipment; the acquisition of land, including land required as a condition of a federal, state, or local permit or agreement for environmental mitigation; off-airport noise mitigation projects; the removal, lowering, relocation, marking, and lighting of airport hazards; the installation of navigation aids used by aircraft in landing at or taking off from a public-use ~~public~~ airport; the installation of safety equipment required by rule or regulation for certification of the airport under s. 612 of the Federal Aviation Act of 1958, and amendments thereto; and the improvement of access to the airport by road or rail system which is on airport property and which is consistent, to the maximum extent feasible, with the approved local government comprehensive plan of the units of local government in which the airport is located.

(5) "Airport or aviation discretionary capacity improvement projects" or "discretionary capacity improvement projects" means capacity improvements which are consistent, to the maximum extent feasible, with the approved local government comprehensive plans of the units of local government in which the public-use airport is located, and which enhance intercontinental capacity at airports which:

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(a) Are international airports with United States Bureau of Customs and Border Protection;

(b) Had one or more regularly scheduled intercontinental flights during the previous calendar year or have an agreement in writing for installation of one or more regularly scheduled intercontinental flights upon the commitment of funds for stipulated airport capital improvements; and

(c) Have available or planned public ground transportation between the airport and other major transportation facilities.

(7) "Eligible agency" means a political subdivision of the state or an authority, or a public-private partnership through a lease or an agreement under s. 255.065 with a political subdivision of the state or an authority, which owns or seeks to develop a public-use airport.

(8) "Federal aid" means funds made available from the Federal Government for the accomplishment of public-use airport or aviation development projects.

Section 5. Subsections (4) and (8) of section 332.006, Florida Statutes, are amended to read:

332.006 Duties and responsibilities of the Department of Transportation.—The Department of Transportation shall, within the resources provided pursuant to chapter 216:

(4) Upon request, provide financial and technical assistance to public agencies that own ~~which operate~~ public-use airports by making department personnel and department-owned facilities and equipment available on a cost-reimbursement basis to such agencies for special needs of limited duration. The requirement relating to reimbursement of personnel costs may be waived by the department in those cases in which the assistance

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provided by its personnel was of a limited nature or duration.

(8) Encourage the maximum allocation of federal funds to local public-use airport projects in this state.

Section 6. Paragraphs (a) and (c) of subsection (4), subsection (6), paragraphs (a) and (d) of subsection (7), and subsections (8) and (10) of section 332.007, Florida Statutes, are amended, and subsection (11) is added to that section, to read:

332.007 Administration and financing of aviation and airport programs and projects; state plan.—

(4)(a) The annual legislative budget request for aviation and airport development projects shall be based on the funding required for development projects in the aviation and airport work program. The department shall provide priority funding in support of the planning, design, and construction of proposed projects by local sponsors of public-use airports, with special emphasis on projects for runways and taxiways, including the painting and marking of runways and taxiways, lighting, other related airside activities, and airport access transportation facility projects on airport property.

(c) No single airport shall secure airport or aviation development project funds in excess of 25 percent of the total airport or aviation development project funds available in any given budget year. However, any public-use airport which receives discretionary capacity improvement project funds in a given fiscal year shall not receive greater than 10 percent of total aviation and airport development project funds appropriated in that fiscal year.

(6) Subject to the availability of appropriated funds, the

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department may participate in the capital cost of eligible public-use ~~public~~ airport and aviation development projects in accordance with the following rates, unless otherwise provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act:

(a) The department may fund up to 50 percent of the portion of eligible project costs which are not funded by the Federal Government, except that the department may initially fund up to 75 percent of the cost of land acquisition for a new airport or for the expansion of an existing airport which is owned ~~and operated~~ by a municipality, a county, or an authority, and shall be reimbursed to the normal statutory project share when federal funds become available or within 10 years after the date of acquisition, whichever is earlier. Due to federal budgeting constraints, the department may also initially fund the federal portion of eligible project costs subject to:

1. The department receiving adequate assurance from the Federal Government or local sponsor that this amount will be reimbursed to the department; and

2. The department having adequate funds in the work program to fund the project.

Such projects must be contained in the Federal Government's Airport Capital Improvement Program, and the Federal Government must fund, or have funded, the first year of the project.

(b) The department may retroactively reimburse cities, counties, or airport authorities up to 50 percent of the nonfederal share for land acquisition when such land is needed for airport safety, expansion, tall structure control, clear

zone protection, or noise impact reduction. No land purchased prior to July 1, 1990, or purchased prior to executing the required department agreements shall be eligible for reimbursement.

(c) When federal funds are not available, the department may fund up to 80 percent of master planning and eligible aviation development projects at public-use ~~publicly owned, publicly operated~~ airports. If federal funds are available, the department may fund up to 80 percent of the nonfederal share of such projects. Such funding is limited to general aviation airports, or commercial service airports that have fewer than 100,000 passenger boardings per year as determined by the Federal Aviation Administration.

(d) The department is authorized to fund up to 100 percent of the cost of an eligible project that is statewide in scope or that involves more than one county where no other governmental entity or appropriate jurisdiction exists.

(7) Subject to the availability of appropriated funds in addition to aviation fuel tax revenues, the department may participate in the capital cost of eligible public airport and aviation discretionary capacity improvement projects. The annual legislative budget request shall be based on the funding required for discretionary capacity improvement projects in the aviation and airport work program.

(a) The department shall provide priority funding in support of:

1. Land acquisition which provides additional capacity at the qualifying international airport or at that airport’s supplemental air carrier airport.

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2. Runway and taxiway projects that add capacity or are necessary to accommodate technological changes in the aviation industry.

3. Public-use airport access transportation projects that improve direct airport access and are approved by the airport sponsor.

4. International terminal projects that increase international gate capacity.

(d) The department may fund up to 50 percent of the portion of eligible project costs which are not funded by the Federal Government except that the department may initially fund up to 75 percent of the cost of land acquisition for a new public-use airport or for the expansion of an existing public-use airport which is owned ~~and operated~~ by a municipality, a county, or an authority, and shall be reimbursed to the normal statutory project share when federal funds become available or within 10 years after the date of acquisition, whichever is earlier.

(8) The department may also fund eligible projects performed by not-for-profit organizations that represent a majority of public airports in this state. Eligible projects may include activities associated with aviation master planning, professional education, safety and security planning, enhancing economic development and efficiency at airports in this state, or other planning efforts to improve the viability of public-use airports in this state.

(10) Subject to the availability of appropriated funds, and unless otherwise provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, the department may fund up to 100 percent of eligible

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project costs of all of the following at a public-use ~~publicly owned, publicly operated~~ airport located in a rural community as defined in s. 288.0656 which does not have any scheduled commercial service:

(a) The capital cost of runway and taxiway projects that add capacity. Such projects must be prioritized based on the amount of available nonstate matching funds.

(b) Economic development transportation projects pursuant to s. 339.2821.

Any remaining funds must be allocated for projects specified in subsection (6).

(11) Notwithstanding any other provisions of law, a municipality, a county, or an authority that owns a public-use airport may participate in the Federal Aviation Administration Airport Investment Partnership Program under federal law by contracting with a private partner to operate the airport under lease or agreement. Subject to the availability of appropriated funds from aviation fuel tax revenues, the department may provide for improvements under this section to a municipality, a county, or an authority that has a private partner under the Airport Investment Partnership Program for the capital cost of a discretionary improvement project at a public-use airport.

Section 7. Section 332.136, Florida Statutes, is created to read:

332.136 Sarasota Manatee Airport Authority; airport pilot program.—

(1) There is established at the Sarasota Manatee Airport Authority an airport pilot program. The purpose of the pilot

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program is to determine the long-term feasibility of alternative airport permitting procedures, such as those provided in ss. 553.80, 1013.30, 1013.33, and 1013.371.

(2) The department shall adopt rules as necessary to implement the pilot program.

(3) By December 1, 2027, the department shall submit recommendations to the President of the Senate and the Speaker of the House of Representatives about how to expand the pilot program to additional airports, amend the pilot program to increase its effectiveness, or terminate the pilot program.

(4) This section shall stand repealed on June 30, 2028, unless reviewed and saved from appeal through reenactment by the Legislature.

Section 8. Subsections (6) and (35) of section 334.044, Florida Statutes, are amended to read:

334.044 Powers and duties of the department.—The department shall have the following general powers and duties:

(6) To acquire, by the exercise of the power of eminent domain as provided by law, all property or property rights, whether public or private, which it may determine are necessary to the performance of its duties and the execution of its powers, including, but not limited to, in advance to preserve a corridor for future proposed improvements.

(35) To expend funds for ~~provide~~ a construction workforce development program, in consultation with affected stakeholders, for delivery of projects designated in the department's work program. The department may annually expend up to $5 million from the State Transportation Trust Fund for fiscal years 2025-2026 through 2029-2030 in grants to state colleges and school

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districts, with priority given to state colleges and school districts in counties that are rural communities as defined in s. 288.0656(2), for the purchase of equipment simulators with authentic original equipment manufacturer controls and a companion curriculum, for the purchase of instructional aids for use in conjunction with the equipment simulators, and to support offering an elective course in heavy civil construction which must, at a minimum, provide the student with an Occupational Safety and Health Administration 10-hour certification and a fill equipment simulator certification.

Section 9. Subsections (1) and (3) of section 334.065, Florida Statutes, are amended to read:

334.065 Center for Urban Transportation Research.—

(1) There is established within ~~at~~ the University of South Florida the Florida Center for Urban Transportation Research~~, to be administered by the Board of Governors of the State University System~~. The responsibilities of the center include, but are not limited to, conducting and facilitating research on issues related to urban transportation problems in this state and serving as an information exchange and depository for the most current information pertaining to urban transportation and related issues.

(3) An advisory board shall be created to periodically ~~and objectively~~ review and advise the center concerning its research program. ~~Except for projects mandated by law, state-funded base projects shall not be undertaken without approval of the advisory board.~~ The membership of the board shall be composed ~~consist~~ of nine experts in transportation-related areas, as follows:

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(a) A member appointed by the President of the Senate.

(b) A member appointed by the Speaker of the House of Representatives.

(c) The Secretary of Transportation, or his or her designee.

(d) The Secretary of Commerce, or his or her designee. ~~including the secretaries of the Department of Transportation, the Department of Environmental Protection, and the Department of Commerce, or their designees, and~~

(e) A member of the Florida Transportation Commission.

(f) Four members nominated ~~The nomination of the remaining members of the board shall be made to the President of the University of South Florida~~ by the College of Engineering at the University of South Florida and approved by the university's president~~, and The appointment of these members must be reviewed and approved by the Florida Transportation Commission and confirmed by the Board of Governors~~.

Section 10. Section 334.63, Florida Statutes, is created to read:

334.63 Project concept studies and project development and environment studies.—

(1) Project concept studies and project development and environment studies for capacity improvement projects on limited access facilities must include the evaluation of alternatives that provide transportation capacity using elevated roadway above existing lanes.

(2) Project development and environment studies for new alignment projects and capacity improvement projects must be completed to the maximum extent possible within 18 months after

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the date of commencement.

Section 11. Subsection (4), paragraph (b) of subsection (7), and subsection (15) of section 337.11, Florida Statutes, are amended to read:

337.11 Contracting authority of department; bids; emergency repairs, supplemental agreements, and change orders; combined design and construction contracts; progress payments; records; requirements of vehicle registration.—

(4)(a) Except as provided in paragraph (b), the department may award the proposed construction and maintenance work to the lowest responsible bidder, or in the instance of a time-plus-money contract, the lowest evaluated responsible bidder, or it may reject all bids and proceed to rebid the work in accordance with subsection (2) or otherwise perform the work.

(b) Notwithstanding any other provision of law, if the department intends to reject all bids on any project after announcing, but before posting official notice of, such intent, the department must provide to the lowest responsive, responsible bidder the opportunity to negotiate the scope of work with a corresponding reduction in price, as provided in the bid, to provide a reduced bid without filing a protest or posting a bond under paragraph (5)(a). Upon reaching a decision regarding the lowest bidder's reduced bid, the department must post notice of final agency action to either reject all bids or accept the reduced bid.

(c) This subsection does not prohibit the filing of a protest by any bidder or alter the deadlines provided in s. 120.57.

(d) Notwithstanding the requirements of ss. 120.57(3)(c)

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and 287.057(25), upon receipt of a formal written protest that is timely filed, the department may continue the process provided in this subsection but may not take final agency action as to the lowest bidder except as part of the department's final agency action in the protest or upon dismissal of the protest by the protesting party.

(7)

(b) If the department determines that it is in the best interests of the public, the department may combine the design and construction phases of a project fully funded in the work program into a single contract and select the design-build firm in the early stages of a project to ensure that the design-build firm is part of the collaboration and development of the design as part of a step-by-step progression through construction. Such a contract is referred to as a phased design-build contract. For phased design-build contracts, selection and award must include a two-phase process. For phase one, the department shall competitively award the contract to a design-build firm based upon qualifications, provided that the department receives at least three statements of qualifications from qualified design-build firms. If during phase one the department elects to enter into contracts with more than one design-build firm based upon qualifications, the department must competitively select a single design-build firm to perform the work associated with phase two. For phase two, the design-build firm may self-perform portions of the work and shall competitively bid construction trade subcontractor packages and, based upon these bids, negotiate with the department a fixed firm price or guaranteed maximum price that meets the project budget and scope as

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advertised in the request for qualifications.

(15) Each contract let by the department for performance of bridge construction or maintenance over navigable waters must contain a provision requiring marine general liability insurance, in an amount to be determined by the department, which covers third-party personal injury and property damage caused by vessels used by the contractor in the performance of the work. For a contract let by the department on or after July 1, 2025, such insurance must include protection and indemnity coverage, which may be covered by endorsement on the marine general liability insurance policy or may be a separate policy.

Section 12. Subsections (1), (2), and (8) of section 337.14, Florida Statutes, are amended to read:

337.14 Application for qualification; certificate of qualification; restrictions; request for hearing.—

(1) Any contractor desiring to bid for the performance of any construction contract in excess of $250,000 which the department proposes to let must first be certified by the department as qualified pursuant to this section and rules of the department. The rules of the department must address the qualification of contractors to bid on construction contracts in excess of $250,000 and must include requirements with respect to the equipment, past record, experience, financial resources, and organizational personnel of the applying contractor which are necessary to perform the specific class of work for which the contractor seeks certification. Any contractor who desires to bid on contracts in excess of $50 million and who is not qualified and in good standing with the department as of January 1, 2019, must first be certified by the department as qualified

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and must have satisfactorily completed two projects, each in excess of $15 million, for the department or for any other state department of transportation. The department may limit the dollar amount of any contract upon which a contractor is qualified to bid or the aggregate total dollar volume of contracts such contractor is allowed to have under contract at any one time. Each applying contractor seeking qualification to bid on construction contracts in excess of $250,000 shall furnish the department a statement under oath, on such forms as the department may prescribe, setting forth detailed information as required on the application. Each application for certification must be accompanied by audited, certified financial statements prepared in accordance with generally accepted accounting principles and auditing standards by a certified public accountant licensed in this state or another state. The audited, certified financial statements must be for the applying contractor and must have been prepared within the immediately preceding 12 months. The department may not consider any financial information of the parent entity of the applying contractor, if any. The department may not certify as qualified any applying contractor who fails to submit the audited, certified financial statements required by this subsection. If the application or the annual financial statement shows the financial condition of the applying contractor more than 4 months before the date on which the application is received by the department, the applicant must also submit interim audited, certified financial statements prepared in accordance with generally accepted accounting principles and auditing standards by a certified public accountant licensed in this state or

another state. The interim financial statements must cover the period from the end date of the annual statement and must show the financial condition of the applying contractor no more than 4 months before the date that the interim financial statements are received by the department. However, upon the request of the applying contractor, an application and accompanying annual or interim financial statement received by the department within 15 days after either 4-month period under this subsection shall be considered timely. An applying contractor desiring to bid exclusively for the performance of construction contracts with proposed budget estimates of less than $2 million may submit reviewed annual or reviewed interim financial statements prepared by a certified public accountant. The information required by this subsection is confidential and exempt from s. 119.07(1). The department shall act upon the application for qualification within 30 days after the department determines that the application is complete. The department may waive the requirements of this subsection for push-button projects having a contract price of $1 million or less, or for non-push-button projects having a contract price of $500,000 or less, if the department determines that the project is of a noncritical nature and the waiver will not endanger public health, safety, or property.

(2) Certification is ~~shall be~~ necessary in order to bid on a road, bridge, or public transportation construction contract of more than $250,000. However, the successful bidder on any construction contract must furnish a contract bond before ~~prior to~~ the award of the contract. The department may waive the requirement for all or a portion of a contract bond for

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contracts of $250,000 ~~$150,000~~ or less under s. 337.18(1).

(8) This section does not apply to maintenance contracts. Notwithstanding any other provision of law, a contractor seeking to bid on a maintenance contract in which the majority of the work includes repair and replacement of safety appurtenances, including, but not limited to, guardrails, attenuators, traffic signals, and striping, must possess the prescribed qualifications, equipment, record, and experience to perform such repair and replacement.

Section 13. Subsections (4) and (5) of section 337.185, Florida Statutes, are amended to read:

337.185 State Arbitration Board.—

(4) The contractor may submit a claim greater than $250,000 up to $2 ~~$1~~ million per contract or, upon agreement of the parties, greater than ~~up to~~ $2 million per contract to be arbitrated by the board. An award issued by the board pursuant to this subsection is final if a request for a trial de novo is not filed within the time provided by Rule 1.830, Florida Rules of Civil Procedure. At the trial de novo, the court may not admit evidence that there has been an arbitration proceeding, the nature or amount of the award, or any other matter concerning the conduct of the arbitration proceeding, except that testimony given in connection with ~~at~~ an arbitration hearing may be used for any purpose otherwise permitted by the Florida Evidence Code. If a request for trial de novo is not filed within the time provided, the award issued by the board is final and enforceable by a court of law.

(5) An arbitration request may not be made to the board before final acceptance but must be made to the board within 820

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days after final acceptance. An arbitration request related to a warranty notice provided by the department must be made to the board within 360 days after such notice or 820 days after final acceptance, whichever is later.

Section 14. Present subsection (10) of section 339.175, Florida Statutes, is redesignated as subsection (11), a new subsection (10) is added to that section, and subsection (1), paragraph (a) of subsection (2), paragraphs (b), (i), and (j) of subsection (6), and paragraphs (b) and (d) of subsection (7) of that section are amended, to read:

339.175 Metropolitan planning organization.—

(1) PURPOSE.—It is the intent of the Legislature to encourage and promote the safe and efficient management, operation, and development of multimodal ~~surface~~ transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and through urbanized areas of this state in accordance with the department's mission statement ~~while minimizing transportation-related fuel consumption, air pollution, and greenhouse gas emissions through metropolitan transportation planning processes identified in this section~~. To accomplish these objectives, metropolitan planning organizations, referred to in this section as M.P.O.'s, shall develop, in cooperation with the state and public transit operators, transportation plans and programs for metropolitan areas. The plans and programs for each metropolitan area must provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities that will function as an intermodal transportation

system for the metropolitan area, based upon the prevailing principles provided in s. 334.046(1). The process for developing such plans and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive, to the degree appropriate, based on the complexity of the transportation problems to be addressed. To ensure that the process is integrated with the statewide planning process, M.P.O.'s shall develop plans and programs that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state, and regional transportation functions. For the purposes of this section, those facilities include the facilities on the Strategic Intermodal System designated under s. 339.63 and facilities for which projects have been identified pursuant to s. 339.2819(4).

(2) DESIGNATION.—

(a)1. An M.P.O. shall be designated for each urbanized area of the state; however, this does not require that an individual M.P.O. be designated for each such area. Such designation shall be accomplished by agreement between the Governor and units of general-purpose local government representing at least 75 percent of the population of the urbanized area; however, the unit of general-purpose local government that represents the central city or cities within the M.P.O. jurisdiction, as defined by the United States Bureau of the Census, must be a party to such agreement.

2. To the extent possible, only one M.P.O. shall be designated for each urbanized area or group of contiguous urbanized areas. More than one M.P.O. may be designated within

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an existing urbanized area only if the Governor and the existing M.P.O. determine that the size and complexity of the existing urbanized area makes the designation of more than one M.P.O. for the area appropriate. After July 1, 2025, no additional M.P.O.'s may be designated in this state except in urbanized areas, as defined by the United States Census Bureau, where the urbanized area boundary is not contiguous to an urbanized area designated before the 2020 census~~, in which case each M.P.O. designated for the area must:~~

~~a. Consult with every other M.P.O. designated for the urbanized area and the state to coordinate plans and transportation improvement programs~~.

~~b. Ensure, to the maximum extent practicable, the consistency of data used in the planning process, including data used in forecasting travel demand within the urbanized area.~~

Each M.P.O. required under this section must be fully operative no later than 6 months following its designation.

(6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers, privileges, and authority of an M.P.O. are those specified in this section or incorporated in an interlocal agreement authorized under s. 163.01. Each M.P.O. shall perform all acts required by federal or state laws or rules, now and subsequently applicable, which are necessary to qualify for federal aid. It is the intent of this section that each M.P.O. be involved in the planning and programming of transportation facilities, including, but not limited to, airports, intercity and high-speed rail lines, seaports, and intermodal facilities, to the extent permitted by state or federal law. An M.P.O. may not

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perform project production or delivery for capital improvement projects on the State Highway System.

(b) In developing the long-range transportation plan and the transportation improvement program required under paragraph (a), each M.P.O. shall provide for consideration of projects and strategies that will:

1. Support the economic vitality of the contiguous urbanized metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.

2. Increase the safety and security of the transportation system for motorized and nonmotorized users.

3. Increase the accessibility and mobility options available to people and for freight.

4. Protect and enhance the environment, conserve natural resources ~~promote energy conservation~~, and improve quality of life.

5. Enhance the integration and connectivity of the transportation system, across and between modes and contiguous urbanized metropolitan areas, for people and freight.

6. Promote efficient system management and operation.

7. Emphasize the preservation of the existing transportation system.

8. Improve the resilience of transportation infrastructure.

9. Reduce traffic and congestion.

~~(i) By December 31, 2023, the M.P.O.'s serving Hillsborough, Pasco, and Pinellas Counties must submit a feasibility report to the Governor, the President of the Senate, and the Speaker of the House of Representatives exploring the benefits, costs, and process of consolidation into a single~~

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~~M.P.O. serving the contiguous urbanized area, the goal of which would be to:~~

~~1. Coordinate transportation projects deemed to be regionally significant.~~

~~2. Review the impact of regionally significant land use decisions on the region.~~

~~3. Review all proposed regionally significant transportation projects in the transportation improvement programs.~~

(i)1.~~(j)1.~~ To more fully accomplish the purposes for which M.P.O.'s have been mandated, the department shall, at least annually, convene M.P.O.'s of similar size, based on the size of population served, for the purpose of exchanging best practices. M.P.O.'s may ~~shall~~ develop committees or working groups as needed to accomplish such purpose. At the discretion of the department, training for new M.P.O. governing board members shall be provided by the department, by an entity pursuant to a contract with the department, by the Florida Center for Urban Transportation Research, or by the Implementing Solutions from Transportation Research and Evaluation of Emerging Technologies (I-STREET) living lab ~~coordination mechanisms with one another to expand and improve transportation within the state. The appropriate method of coordination between M.P.O.'s shall vary depending upon the project involved and given local and regional needs. Consequently, it is appropriate to set forth a flexible methodology that can be used by M.P.O.'s to coordinate with other M.P.O.'s and appropriate political subdivisions as circumstances demand~~.

2. Any M.P.O. may join with any other M.P.O. or any

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individual political subdivision to coordinate activities or to achieve any federal or state transportation planning or development goals or purposes consistent with federal or state law. When an M.P.O. determines that it is appropriate to join with another M.P.O. or any political subdivision to coordinate activities, the M.P.O. or political subdivision shall enter into an interlocal agreement pursuant to s. 163.01, which, at a minimum, creates a separate legal or administrative entity to coordinate the transportation planning or development activities required to achieve the goal or purpose; provides the purpose for which the entity is created; provides the duration of the agreement and the entity and specifies how the agreement may be terminated, modified, or rescinded; describes the precise organization of the entity, including who has voting rights on the governing board, whether alternative voting members are provided for, how voting members are appointed, and what the relative voting strength is for each constituent M.P.O. or political subdivision; provides the manner in which the parties to the agreement will provide for the financial support of the entity and payment of costs and expenses of the entity; provides the manner in which funds may be paid to and disbursed from the entity; and provides how members of the entity will resolve disagreements regarding interpretation of the interlocal agreement or disputes relating to the operation of the entity. Such interlocal agreement shall become effective upon its recordation in the official public records of each county in which a member of the entity created by the interlocal agreement has a voting member. Multiple M.P.O.’s may merge, combine, or otherwise join together as a single M.P.O.

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(7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must develop a long-range transportation plan that addresses at least a 20-year planning horizon. The plan must include both long-range and short-range strategies and must comply with all other state and federal requirements. The prevailing principles to be considered in the long-range transportation plan are: preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility. The long-range transportation plan must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved local government comprehensive plans of the units of local government located within the jurisdiction of the M.P.O. Each M.P.O. is encouraged to consider strategies that integrate transportation and land use planning to provide for sustainable development and reduce greenhouse gas emissions. The approved long-range transportation plan must be considered by local governments in the development of the transportation elements in local government comprehensive plans and any amendments thereto. The long-range transportation plan must, at a minimum:

(b) Include a financial plan that demonstrates how the plan can be implemented, indicating resources from public and private sources which are reasonably expected to be available to carry out the plan, and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted long-range transportation plan if reasonable additional resources beyond those identified in the financial plan were available. For the purpose of developing

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the long-range transportation plan, the M.P.O. and the department shall cooperatively develop estimates of funds that will be available to support the plan implementation. Innovative financing techniques may be used to fund needed projects and programs. Such techniques may include the assessment of tolls, public-private partnerships, the use of value capture financing, or the use of value pricing. Multiple M.P.O.'s within a contiguous urbanized area must ensure, to the maximum extent possible, the consistency of data used in the planning process.

(d) Indicate, as appropriate, proposed transportation enhancement activities, including, but not limited to, pedestrian and bicycle facilities, trails or facilities that are regionally significant or critical linkages for the Florida Shared-Use Nonmotorized Trail Network, scenic easements, landscaping, integration of advanced air mobility, and integration of autonomous and electric vehicles, electric bicycles, and motorized scooters used for freight, commuter, or micromobility purposes ~~historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising~~.

In the development of its long-range transportation plan, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the long-range transportation plan. The long-range transportation plan must be approved by the

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M.P.O.

(10) AGREEMENTS; ACCOUNTABILITY.—

(a) Each M.P.O. may execute a written agreement with the department, which shall be reviewed, and updated as necessary, every 5 years, which clearly establishes the cooperative relationship essential to accomplish the transportation planning requirements of state and federal law. Roles, responsibilities, and expectations for accomplishing consistency with federal and state requirements and priorities must be set forth in the agreement. In addition, the agreement must set forth the M.P.O.'s responsibility, in collaboration with the department, to identify, prioritize, and present to the department a complete list of multimodal transportation projects consistent with the needs of the metropolitan planning area. It is the department's responsibility to program projects in the state transportation improvement program.

(b) The department must establish, in collaboration with each M.P.O., quality performance metrics, such as safety, infrastructure condition, congestion relief, and mobility. Each M.P.O. must, as part of its long-range transportation plan, in direct coordination with the department, develop targets for each performance measure within the metropolitan planning area boundary. The performance targets must support efficient and safe movement of people and goods both within the metropolitan planning area and between regions. Each M.P.O. must report progress toward establishing performance targets for each measure annually in its transportation improvement plan. The department shall evaluate and post on its website whether each M.P.O. has made significant progress toward its target for the

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applicable reporting period.

Section 15. Subsection (4) of section 339.65, Florida Statutes, is amended to read:

339.65 Strategic Intermodal System highway corridors.—

(4) The department shall develop and maintain a plan of Strategic Intermodal System highway corridor projects that are anticipated to be let to contract for construction within a time period of at least 20 years. The department shall prioritize projects affecting gaps in a corridor so that the corridor becomes contiguous in its functional characteristics across the corridor. The plan must ~~shall~~ also identify when segments of the corridor will meet the standards and criteria developed pursuant to subsection (5).

Section 16. Section 339.85, Florida Statutes, is created to read:

339.85 Next-generation traffic signal modernization program.—

(1) The department shall implement a next-generation traffic signal modernization program. The program must consist of retrofitting existing traffic signals and controllers and providing a communication system for remote operations and management of such signals on the State Highway System and other road systems. Signal upgrades must be prioritized based on average annual daily traffic and the impact of adding to an existing interconnected system.

(2) The program must consist of an advanced traffic management platform that uses radar-camera fusion to deliver accurate detection in all weather conditions, offering fully integrated stop bar and advance detection alongside dilemma zone

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and pedestrian protection. In addition to supporting time-of-day signal timing plans, the program must provide real-time traffic optimization to improve traffic flow and enhance safety. The program must comply with leading cybersecurity standards, such as SOC 2 and ISO 27001, ensuring robust data protection.

(3) Beginning in the 2025-2026 fiscal year and annually thereafter for 5 years, $10 million shall be allocated from the State Transportation Trust Fund to the program. Fifty percent of such funds must be used for roads that are not a part of the State Highway System through the use of grants that require a 50 percent funding match.

Section 17. Paragraph (a) of subsection (3) of section 348.0304, Florida Statutes, is amended to read:

348.0304 Greater Miami Expressway Agency.—

(3)(a) The governing body of the agency shall consist of nine voting members. Except for the district secretary of the department, each member must be a permanent resident of a county served by the agency and may not hold, or have held in the previous 2 years, elected or appointed office in such county, except that this paragraph does not apply to any initial appointment under paragraph (b) or to any member who previously served on the governing body of the former Greater Miami Expressway Agency. Each member may only serve two terms of 4 years each, except that there is no restriction on the term of the department’s district secretary. Four members, each of whom must be a permanent resident of Miami-Dade County, shall be appointed by the Governor, subject to confirmation by the Senate at the next regular session of the Legislature. Refusal or failure of the Senate to confirm an appointment shall create a

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vacancy. Appointments made by the Governor and board of county commissioners of Miami-Dade County shall reflect the state's interests in the transportation sector and represent the intent, duties, and purpose of the Greater Miami Expressway Agency, and have at least 3 years of professional experience in one or more of the following areas: finance; land use planning; tolling industry; or transportation engineering. Two members, who must be residents of an unincorporated portion of the geographic area described in subsection (1) and residing within 15 miles of an ~~area with the highest amount of~~ agency toll road ~~roads~~, shall be appointed by the board of county commissioners of Miami-Dade County. Two members, who must be residents of incorporated municipalities within a county served by the agency, shall be appointed by the metropolitan planning organization for a county served by the agency. The district secretary of the department serving in the district that contains Miami-Dade County shall serve as an ex officio voting member of the governing body.

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

And the title is amended as follows:

Delete lines 2 - 101

and insert:

An act relating to transportation; creating s. 218.3215, F.S.; requiring counties to report certain information to the Office of Economic and Demographic Research annually by a specified date; requiring counties to report the information in the format specified by the office; requiring the office to provide a certain report to the Legislature and the

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Department of Transportation; amending s. 316.183, F.S.; requiring the department to determine the safe and advisable minimum speed limit on certain highways; amending s. 316.187, F.S.; revising the maximum allowable speed limit on certain highways and roadways; amending s. 332.004, F.S.; revising definitions; amending s. 332.006, F.S.; revising duties and responsibilities of the department relating to airports; amending s. 332.007, F.S.; revising provisions relating to the administration and financing of certain aviation and airport programs and projects; authorizing certain airports to participate in a specified federal program in a certain manner; authorizing the department to provide for improvements to certain entities for the capital cost of a discretionary improvement project at a public-use airport, subject to the availability of certain funds; creating s. 332.136, F.S.; establishing an airport pilot program at the Sarasota Manatee Airport Authority; providing the purpose of the pilot program; requiring the department to adopt rules; requiring the department, by a specified date, to submit certain recommendations to the Governor and the Legislature; providing for the future repeal of specified provisions; amending s. 334.044, F.S.; authorizing the department to acquire property or property rights in advance to preserve a corridor for future proposed improvements; authorizing the department to expend from the State Transportation Trust Fund a certain

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amount of grant funds annually to state colleges and school districts for certain construction workforce development programs; requiring that priority be given to certain colleges and school districts; amending s. 334.065, F.S.; deleting a provision specifying that the Florida Center for Urban Transportation Research shall be administered by the Board of Governors of the State University System; deleting a provision prohibiting the undertaking of certain projects without the approval of the Center for Urban Transportation Research advisory board; revising membership of such advisory board; creating s. 334.63, F.S.; providing requirements for certain project concept studies and project development and environment studies; amending s. 337.11, F.S.; revising the bidding and award process for contracts for road construction and maintenance projects; revising the circumstances in which the department must competitively award a phased design-build contract for phase one; requiring the department to select a single design-build firm to perform the work associated with phase two under certain circumstances; authorizing a design-build firm to self-perform portions of work under a contract; requiring that contracts let by the department on or after a certain date for bridge construction or maintenance over navigable waters include protection and indemnity coverage; amending s. 337.14, F.S.; authorizing the department to waive contractor certification

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requirements for certain projects; revising the threshold value of contracts for which the department may waive a contract bond requirement; requiring that a contractor seeking to bid on certain maintenance contracts possess certain qualifications; amending s. 337.185, F.S.; increasing the limits of claims per contract which a contractor may submit to the State Arbitration Board; revising the period in which an arbitration request may be made for a claim related to a warranty notice; amending s. 339.175, F.S.; revising legislative intent; revising requirements for the designation of additional metropolitan planning organizations (M.P.O.'s); revising projects and strategies to be considered in developing an M.P.O.'s long-range transportation plan and transportation improvement program; deleting obsolete provisions; requiring the department to convene M.P.O.'s of similar size to exchange best practices at least annually; authorizing M.P.O.'s to develop committees or working groups; requiring training for new M.P.O. governing board members to be provided by the department or another specified entity; deleting provisions relating to M.P.O. coordination mechanisms; including public-private partnerships in authorized financing techniques; revising proposed transportation enhancement activities that must be indicated by the long-range transportation plan; authorizing each M.P.O. to execute a written agreement with the department regarding state and federal transportation

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planning requirements; requiring the department, in collaboration with M.P.O.'s, to establish certain quality performance metrics and develop certain performance targets; requiring the department to evaluate and post on its website whether each M.P.O. has made significant progress toward such targets; amending s. 339.65, F.S.; requiring the department to prioritize certain Strategic Intermodal System highway corridor projects; creating s. 339.85, F.S.; requiring the department to implement a next-generation traffic signal modernization program; providing program requirements; requiring the allocation of funds from the State Transportation Trust Fund to the program; requiring that a certain percentage of such funds be used for certain roads through the use of matching grants; amending s. 348.0304, F.S.; revising membership of the governing body of the Greater Miami Expressway Agency; reenacting s.

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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/09/2025	.	
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The Committee on Fiscal Policy (DiCeglie) recommended the following:

Senate Substitute for Amendment (745518) (with title amendment)

Delete lines 115 - 1175
and insert:
Section 1. Section 218.3215, Florida Statutes, is created to read:
218.3215 County transportation project data.—
(1) Each county shall annually by January 15 report to the Office of Economic and Demographic Research all of the following

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information, by county fiscal year, for surtax revenues received pursuant to s. 212.055(1):

(a) Total proceeds from the surtax received by the county.

(b) The amount allocated by the county for road and bridge projects. The Office of Economic and Demographic Research, in consultation with the Department of Transportation, shall define broad categories, including, but not limited to, widening, repair and rehabilitation, sidewalks, or payment or pledge of bonds for the construction of roads or bridges, for reporting this information. This information must be reported as a total by category and by revenue source by category.

(c) The total expenditure on road and bridge projects by category.

(d) The unexpended balances of funds allocated to road and bridge projects by category.

(e) A list of current road and bridge projects, including the project cost, location, and scope.

(f) The amount allocated by the county to all other permissible uses of the proceeds from the surtax, excluding road and bridge projects and the payment or pledge of bonds for the construction of roads or bridges.

(2) Counties shall report the information required by this section in the format specified by the Office of Economic and Demographic Research. The Office of Economic and Demographic Research shall compile the information into a report and provide the report to the President of the Senate, the Speaker of the House of Representatives, and the Department of Transportation.

Section 2. Subsection (2) of section 316.183, Florida Statutes, is amended to read:

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316.183 Unlawful speed.—

(2) On all streets or highways, the maximum speed limits for all vehicles must be 30 miles per hour in business or residence districts, and 55 miles per hour at any time at all other locations. However, with respect to a residence district, a county or municipality may set a maximum speed limit of 20 or 25 miles per hour on local streets and highways after an investigation determines that such a limit is reasonable. It is not necessary to conduct a separate investigation for each residence district. The Department of Transportation shall determine the safe and advisable minimum speed limit on all highways that comprise a part of the National System of Interstate and Defense Highways and have at least ~~not fewer than~~ four lanes ~~is 40 miles per hour, except that when the posted speed limit is 70 miles per hour, the minimum speed limit is 50 miles per hour~~.

Section 3. Subsection (2) of section 316.187, Florida Statutes, is amended to read:

316.187 Establishment of state speed zones.—

(2)(a) The maximum allowable speed limit on limited access highways is 75 ~~70~~ miles per hour.

(b) The maximum allowable speed limit on any other highway that ~~which~~ is outside an urban area of 5,000 or more persons and that ~~which~~ has at least four lanes divided by a median strip is 70 ~~65~~ miles per hour.

(c) The Department of Transportation is authorized to set such maximum and minimum speed limits for travel over other roadways under its authority as it deems safe and advisable, not to exceed as a maximum limit 65 ~~60~~ miles per hour.

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Section 4. Section 330.355, Florida Statutes, is created to read:

330.355 Prohibition on landing fees for certain aircraft operations.—A publicly owned airport in this state may not charge a landing fee established on or after January 1, 2025, for aircraft operations conducted by an accredited nonprofit institution located in this state which offers a 4-year collegiate aviation program, when such aircraft operations are for flight training necessary for pilot certification and proficiency.

Section 5. Subsections (4), (5), (7), and (8) of section 332.004, Florida Statutes, are amended to read:

332.004 Definitions of terms used in ss. 332.003-332.007.—As used in ss. 332.003-332.007, the term:

(4) "Airport or aviation development project" or "development project" means any activity associated with the design, construction, purchase, improvement, or repair of a public-use airport or portion thereof, including, but not limited to: the purchase of equipment; the acquisition of land, including land required as a condition of a federal, state, or local permit or agreement for environmental mitigation; off-airport noise mitigation projects; the removal, lowering, relocation, marking, and lighting of airport hazards; the installation of navigation aids used by aircraft in landing at or taking off from a public-use ~~public~~ airport; the installation of safety equipment required by rule or regulation for certification of the airport under s. 612 of the Federal Aviation Act of 1958, and amendments thereto; and the improvement of access to the airport by road or rail system

which is on airport property and which is consistent, to the maximum extent feasible, with the approved local government comprehensive plan of the units of local government in which the airport is located.

(5) "Airport or aviation discretionary capacity improvement projects" or "discretionary capacity improvement projects" means capacity improvements which are consistent, to the maximum extent feasible, with the approved local government comprehensive plans of the units of local government in which the public-use airport is located, and which enhance intercontinental capacity at airports which:

(a) Are international airports with United States Bureau of Customs and Border Protection;

(b) Had one or more regularly scheduled intercontinental flights during the previous calendar year or have an agreement in writing for installation of one or more regularly scheduled intercontinental flights upon the commitment of funds for stipulated airport capital improvements; and

(c) Have available or planned public ground transportation between the airport and other major transportation facilities.

(7) "Eligible agency" means a political subdivision of the state or an authority, or a public-private partnership through a lease or an agreement under s. 255.065 with a political subdivision of the state or an authority, which owns or seeks to develop a public-use airport.

(8) "Federal aid" means funds made available from the Federal Government for the accomplishment of public-use airport or aviation development projects.

Section 6. Subsections (4) and (8) of section 332.006,

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Florida Statutes, are amended to read:

332.006 Duties and responsibilities of the Department of Transportation.—The Department of Transportation shall, within the resources provided pursuant to chapter 216:

(4) Upon request, provide financial and technical assistance to public agencies that own ~~which operate~~ public-use airports by making department personnel and department-owned facilities and equipment available on a cost-reimbursement basis to such agencies for special needs of limited duration. The requirement relating to reimbursement of personnel costs may be waived by the department in those cases in which the assistance provided by its personnel was of a limited nature or duration.

(8) Encourage the maximum allocation of federal funds to local public-use airport projects in this state.

Section 7. Paragraphs (a) and (c) of subsection (4), subsection (6), paragraphs (a) and (d) of subsection (7), and subsections (8) and (10) of section 332.007, Florida Statutes, are amended, and subsection (11) is added to that section, to read:

332.007 Administration and financing of aviation and airport programs and projects; state plan.—

(4)(a) The annual legislative budget request for aviation and airport development projects shall be based on the funding required for development projects in the aviation and airport work program. The department shall provide priority funding in support of the planning, design, and construction of proposed projects by local sponsors of public-use airports, with special emphasis on projects for runways and taxiways, including the painting and marking of runways and taxiways, lighting, other

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related airside activities, and airport access transportation facility projects on airport property.

(c) No single airport shall secure airport or aviation development project funds in excess of 25 percent of the total airport or aviation development project funds available in any given budget year. However, any public-use airport which receives discretionary capacity improvement project funds in a given fiscal year shall not receive greater than 10 percent of total aviation and airport development project funds appropriated in that fiscal year.

(6) Subject to the availability of appropriated funds, the department may participate in the capital cost of eligible public-use ~~public~~ airport and aviation development projects in accordance with the following rates, unless otherwise provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act:

(a) The department may fund up to 50 percent of the portion of eligible project costs which are not funded by the Federal Government, except that the department may initially fund up to 75 percent of the cost of land acquisition for a new airport or for the expansion of an existing airport which is owned ~~and operated~~ by a municipality, a county, or an authority, and shall be reimbursed to the normal statutory project share when federal funds become available or within 10 years after the date of acquisition, whichever is earlier. Due to federal budgeting constraints, the department may also initially fund the federal portion of eligible project costs subject to:

1. The department receiving adequate assurance from the Federal Government or local sponsor that this amount will be

reimbursed to the department; and

2. The department having adequate funds in the work program to fund the project.

Such projects must be contained in the Federal Government's Airport Capital Improvement Program, and the Federal Government must fund, or have funded, the first year of the project.

(b) The department may retroactively reimburse cities, counties, or airport authorities up to 50 percent of the nonfederal share for land acquisition when such land is needed for airport safety, expansion, tall structure control, clear zone protection, or noise impact reduction. No land purchased prior to July 1, 1990, or purchased prior to executing the required department agreements shall be eligible for reimbursement.

(c) When federal funds are not available, the department may fund up to 80 percent of master planning and eligible aviation development projects at public-use ~~publicly owned, publicly operated~~ airports. If federal funds are available, the department may fund up to 80 percent of the nonfederal share of such projects. Such funding is limited to general aviation airports, or commercial service airports that have fewer than 100,000 passenger boardings per year as determined by the Federal Aviation Administration.

(d) The department is authorized to fund up to 100 percent of the cost of an eligible project that is statewide in scope or that involves more than one county where no other governmental entity or appropriate jurisdiction exists.

(7) Subject to the availability of appropriated funds in

addition to aviation fuel tax revenues, the department may participate in the capital cost of eligible public airport and aviation discretionary capacity improvement projects. The annual legislative budget request shall be based on the funding required for discretionary capacity improvement projects in the aviation and airport work program.

(a) The department shall provide priority funding in support of:

1. Land acquisition which provides additional capacity at the qualifying international airport or at that airport's supplemental air carrier airport.

2. Runway and taxiway projects that add capacity or are necessary to accommodate technological changes in the aviation industry.

3. Public-use airport access transportation projects that improve direct airport access and are approved by the airport sponsor.

4. International terminal projects that increase international gate capacity.

(d) The department may fund up to 50 percent of the portion of eligible project costs which are not funded by the Federal Government except that the department may initially fund up to 75 percent of the cost of land acquisition for a new public-use airport or for the expansion of an existing public-use airport which is owned ~~and operated~~ by a municipality, a county, or an authority, and shall be reimbursed to the normal statutory project share when federal funds become available or within 10 years after the date of acquisition, whichever is earlier.

(8) The department may also fund eligible projects

performed by not-for-profit organizations that represent a majority of public airports in this state. Eligible projects may include activities associated with aviation master planning, professional education, safety and security planning, enhancing economic development and efficiency at airports in this state, or other planning efforts to improve the viability of public-use airports in this state.

(10) Subject to the availability of appropriated funds, and unless otherwise provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, the department may fund up to 100 percent of eligible project costs of all of the following at a public-use ~~publicly owned, publicly operated~~ airport located in a rural community as defined in s. 288.0656 which does not have any scheduled commercial service:

(a) The capital cost of runway and taxiway projects that add capacity. Such projects must be prioritized based on the amount of available nonstate matching funds.

(b) Economic development transportation projects pursuant to s. 339.2821.

Any remaining funds must be allocated for projects specified in subsection (6).

(11) Notwithstanding any other provisions of law, a municipality, a county, or an authority that owns a public-use airport may participate in the Federal Aviation Administration Airport Investment Partnership Program under federal law by contracting with a private partner to operate the airport under lease or agreement. Subject to the availability of appropriated

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funds from aviation fuel tax revenues, the department may provide for improvements under this section to a municipality, a county, or an authority that has a private partner under the Airport Investment Partnership Program for the capital cost of a discretionary improvement project at a public-use airport.

Section 8. Section 332.136, Florida Statutes, is created to read:

332.136 Sarasota Manatee Airport Authority; airport pilot program.—

(1) There is established at the Sarasota Manatee Airport Authority an airport pilot program. The purpose of the pilot program is to determine the long-term feasibility of alternative airport permitting procedures, such as those provided in ss. 553.80, 1013.30, 1013.33, and 1013.371.

(2) The department shall adopt rules as necessary to implement the pilot program.

(3) By December 1, 2027, the department shall submit recommendations to the President of the Senate and the Speaker of the House of Representatives about how to expand the pilot program to additional airports, amend the pilot program to increase its effectiveness, or terminate the pilot program.

(4) This section shall stand repealed on June 30, 2028, unless reviewed and saved from appeal through reenactment by the Legislature.

Section 9. Subsections (6) and (35) of section 334.044, Florida Statutes, are amended to read:

334.044 Powers and duties of the department.—The department shall have the following general powers and duties:

(6) To acquire, by the exercise of the power of eminent

domain as provided by law, all property or property rights, whether public or private, which it may determine are necessary to the performance of its duties and the execution of its powers, including, but not limited to, in advance to preserve a corridor for future proposed improvements.

(35) To expend funds for ~~provide~~ a construction workforce development program, in consultation with affected stakeholders, for delivery of projects designated in the department's work program. The department may annually expend up to $5 million from the State Transportation Trust Fund for fiscal years 2025-2026 through 2029-2030 in grants to state colleges and school districts, with priority given to state colleges and school districts in counties that are rural communities as defined in s. 288.0656(2), for the purchase of equipment simulators with authentic original equipment manufacturer controls and a companion curriculum, for the purchase of instructional aids for use in conjunction with the equipment simulators, and to support offering an elective course in heavy civil construction which must, at a minimum, provide the student with an Occupational Safety and Health Administration 10-hour certification and a fill equipment simulator certification.

Section 10. Subsections (1) and (3) of section 334.065, Florida Statutes, are amended to read:

334.065 Center for Urban Transportation Research.—

(1) There is established within ~~at~~ the University of South Florida the Florida Center for Urban Transportation Research~~, to be administered by the Board of Governors of the State University System~~. The responsibilities of the center include, but are not limited to, conducting and facilitating research on

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issues related to urban transportation problems in this state and serving as an information exchange and depository for the most current information pertaining to urban transportation and related issues.

(3) An advisory board shall be created to periodically ~~and objectively~~ review and advise the center concerning its research program. ~~Except for projects mandated by law, state-funded base projects shall not be undertaken without approval of the advisory board.~~ The membership of the board shall be composed ~~consist~~ of nine experts in transportation-related areas, as follows:

(a) A member appointed by the President of the Senate.

(b) A member appointed by the Speaker of the House of Representatives.

(c) The Secretary of Transportation, or his or her designee.

(d) The Secretary of Commerce, or his or her designee. ~~including the secretaries of the Department of Transportation, the Department of Environmental Protection, and the Department of Commerce, or their designees, and~~

(e) A member of the Florida Transportation Commission.

(f) Four members nominated ~~The nomination of the remaining members of the board shall be made to the President of the University of South Florida~~ by the College of Engineering at the University of South Florida and approved by the university's president~~, and The appointment of these members must be reviewed and approved by the Florida Transportation Commission and confirmed by the Board of Governors~~.

Section 11. Section 334.63, Florida Statutes, is created to

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read:

334.63 Project concept studies and project development and environment studies.—

(1) Project concept studies and project development and environment studies for capacity improvement projects on limited access facilities must include the evaluation of alternatives that provide transportation capacity using elevated roadway above existing lanes.

(2) Project development and environment studies for new alignment projects and capacity improvement projects must be completed to the maximum extent possible within 18 months after the date of commencement.

Section 12. Subsection (4), paragraph (b) of subsection (7), and subsection (15) of section 337.11, Florida Statutes, are amended to read:

337.11 Contracting authority of department; bids; emergency repairs, supplemental agreements, and change orders; combined design and construction contracts; progress payments; records; requirements of vehicle registration.—

(4)(a) Except as provided in paragraph (b), the department may award the proposed construction and maintenance work to the lowest responsible bidder, or in the instance of a time-plus-money contract, the lowest evaluated responsible bidder, or it may reject all bids and proceed to rebid the work in accordance with subsection (2) or otherwise perform the work.

(b) Notwithstanding any other provision of law, if the department intends to reject all bids on any project after announcing, but before posting official notice of, such intent, the department must provide to the lowest responsive,

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responsible bidder the opportunity to negotiate the scope of work with a corresponding reduction in price, as provided in the bid, to provide a reduced bid without filing a protest or posting a bond under paragraph (5)(a). Upon reaching a decision regarding the lowest bidder's reduced bid, the department must post notice of final agency action to either reject all bids or accept the reduced bid.

(c) This subsection does not prohibit the filing of a protest by any bidder or alter the deadlines provided in s. 120.57.

(d) Notwithstanding the requirements of ss. 120.57(3)(c) and 287.057(25), upon receipt of a formal written protest that is timely filed, the department may continue the process provided in this subsection but may not take final agency action as to the lowest bidder except as part of the department's final agency action in the protest or upon dismissal of the protest by the protesting party.

(7)

(b) If the department determines that it is in the best interests of the public, the department may combine the design and construction phases of a project fully funded in the work program into a single contract and select the design-build firm in the early stages of a project to ensure that the design-build firm is part of the collaboration and development of the design as part of a step-by-step progression through construction. Such a contract is referred to as a phased design-build contract. For phased design-build contracts, selection and award must include a two-phase process. For phase one, the department shall competitively award the contract to a design-build firm based

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upon qualifications, provided that the department receives at least three statements of qualifications from qualified design-build firms. If during phase one the department elects to enter into contracts with more than one design-build firm based upon qualifications, the department must competitively select a single design-build firm to perform the work associated with phase two. For phase two, the design-build firm may self-perform portions of the work and shall competitively bid construction trade subcontractor packages and, based upon these bids, negotiate with the department a fixed firm price or guaranteed maximum price that meets the project budget and scope as advertised in the request for qualifications.

(15) Each contract let by the department for performance of bridge construction or maintenance over navigable waters must contain a provision requiring marine general liability insurance, in an amount to be determined by the department, which covers third-party personal injury and property damage caused by vessels used by the contractor in the performance of the work. For a contract let by the department on or after July 1, 2025, such insurance must include protection and indemnity coverage, which may be covered by endorsement on the marine general liability insurance policy or may be a separate policy.

Section 13. Subsections (1), (2), and (8) of section 337.14, Florida Statutes, are amended to read:

337.14 Application for qualification; certificate of qualification; restrictions; request for hearing.—

(1) Any contractor desiring to bid for the performance of any construction contract in excess of $250,000 which the department proposes to let must first be certified by the

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department as qualified pursuant to this section and rules of the department. The rules of the department must address the qualification of contractors to bid on construction contracts in excess of $250,000 and must include requirements with respect to the equipment, past record, experience, financial resources, and organizational personnel of the applying contractor which are necessary to perform the specific class of work for which the contractor seeks certification. Any contractor who desires to bid on contracts in excess of $50 million and who is not qualified and in good standing with the department as of January 1, 2019, must first be certified by the department as qualified and must have satisfactorily completed two projects, each in excess of $15 million, for the department or for any other state department of transportation. The department may limit the dollar amount of any contract upon which a contractor is qualified to bid or the aggregate total dollar volume of contracts such contractor is allowed to have under contract at any one time. Each applying contractor seeking qualification to bid on construction contracts in excess of $250,000 shall furnish the department a statement under oath, on such forms as the department may prescribe, setting forth detailed information as required on the application. Each application for certification must be accompanied by audited, certified financial statements prepared in accordance with generally accepted accounting principles and auditing standards by a certified public accountant licensed in this state or another state. The audited, certified financial statements must be for the applying contractor and must have been prepared within the immediately preceding 12 months. The department may not consider

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any financial information of the parent entity of the applying contractor, if any. The department may not certify as qualified any applying contractor who fails to submit the audited, certified financial statements required by this subsection. If the application or the annual financial statement shows the financial condition of the applying contractor more than 4 months before the date on which the application is received by the department, the applicant must also submit interim audited, certified financial statements prepared in accordance with generally accepted accounting principles and auditing standards by a certified public accountant licensed in this state or another state. The interim financial statements must cover the period from the end date of the annual statement and must show the financial condition of the applying contractor no more than 4 months before the date that the interim financial statements are received by the department. However, upon the request of the applying contractor, an application and accompanying annual or interim financial statement received by the department within 15 days after either 4-month period under this subsection shall be considered timely. An applying contractor desiring to bid exclusively for the performance of construction contracts with proposed budget estimates of less than $2 million may submit reviewed annual or reviewed interim financial statements prepared by a certified public accountant. The information required by this subsection is confidential and exempt from s. 119.07(1). The department shall act upon the application for qualification within 30 days after the department determines that the application is complete. The department may waive the requirements of this subsection for push-button projects having

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a contract price of $1 million or less, or for non-push-button projects having a contract price of $500,000 or less, if the department determines that the project is of a noncritical nature and the waiver will not endanger public health, safety, or property.

(2) Certification is ~~shall be~~ necessary in order to bid on a road, bridge, or public transportation construction contract of more than $250,000. However, the successful bidder on any construction contract must furnish a contract bond before ~~prior to~~ the award of the contract. The department may waive the requirement for all or a portion of a contract bond for contracts of $250,000 ~~$150,000~~ or less under s. 337.18(1).

(8) This section does not apply to maintenance contracts. Notwithstanding any other provision of law, a contractor seeking to bid on a maintenance contract in which the majority of the work includes repair and replacement of safety appurtenances, including, but not limited to, guardrails, attenuators, traffic signals, and striping, must possess the prescribed qualifications, equipment, record, and experience to perform such repair and replacement.

Section 14. Subsections (4) and (5) of section 337.185, Florida Statutes, are amended to read:

337.185 State Arbitration Board.—

(4) The contractor may submit a claim greater than $250,000 up to $2 ~~$1~~ million per contract or, upon agreement of the parties, greater than ~~up to~~ $2 million per contract to be arbitrated by the board. An award issued by the board pursuant to this subsection is final if a request for a trial de novo is not filed within the time provided by Rule 1.830, Florida Rules

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of Civil Procedure. At the trial de novo, the court may not admit evidence that there has been an arbitration proceeding, the nature or amount of the award, or any other matter concerning the conduct of the arbitration proceeding, except that testimony given in connection with ~~at~~ an arbitration hearing may be used for any purpose otherwise permitted by the Florida Evidence Code. If a request for trial de novo is not filed within the time provided, the award issued by the board is final and enforceable by a court of law.

(5) An arbitration request may not be made to the board before final acceptance but must be made to the board within 820 days after final acceptance. An arbitration request related to a warranty notice provided by the department must be made to the board within 360 days after such notice or 820 days after final acceptance, whichever is later.

Section 15. Present subsection (10) of section 339.175, Florida Statutes, is redesignated as subsection (11), a new subsection (10) is added to that section, and subsection (1), paragraph (a) of subsection (2), paragraphs (b), (i), and (j) of subsection (6), and paragraphs (b) and (d) of subsection (7) of that section are amended, to read:

339.175 Metropolitan planning organization.—

(1) PURPOSE.—It is the intent of the Legislature to encourage and promote the safe and efficient management, operation, and development of multimodal ~~surface~~ transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and through urbanized areas of this state in accordance with the department's mission statement ~~while minimizing transportation-~~

~~related fuel consumption, air pollution, and greenhouse gas emissions through metropolitan transportation planning processes identified in this section~~. To accomplish these objectives, metropolitan planning organizations, referred to in this section as M.P.O.’s, shall develop, in cooperation with the state and public transit operators, transportation plans and programs for metropolitan areas. The plans and programs for each metropolitan area must provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities that will function as an intermodal transportation system for the metropolitan area, based upon the prevailing principles provided in s. 334.046(1). The process for developing such plans and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive, to the degree appropriate, based on the complexity of the transportation problems to be addressed. To ensure that the process is integrated with the statewide planning process, M.P.O.’s shall develop plans and programs that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state, and regional transportation functions. For the purposes of this section, those facilities include the facilities on the Strategic Intermodal System designated under s. 339.63 and facilities for which projects have been identified pursuant to s. 339.2819(4).

(2) DESIGNATION.—

(a)1. An M.P.O. shall be designated for each urbanized area of the state; however, this does not require that an individual

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M.P.O. be designated for each such area. Such designation shall be accomplished by agreement between the Governor and units of general-purpose local government representing at least 75 percent of the population of the urbanized area; however, the unit of general-purpose local government that represents the central city or cities within the M.P.O. jurisdiction, as defined by the United States Bureau of the Census, must be a party to such agreement.

2. To the extent possible, only one M.P.O. shall be designated for each urbanized area or group of contiguous urbanized areas. More than one M.P.O. may be designated within an existing urbanized area only if the Governor and the existing M.P.O. determine that the size and complexity of the existing urbanized area makes the designation of more than one M.P.O. for the area appropriate. After July 1, 2025, no additional M.P.O.'s may be designated in this state except in urbanized areas, as defined by the United States Census Bureau, where the urbanized area boundary is not contiguous to an urbanized area designated before the 2020 census~~, in which case each M.P.O. designated for the area must:~~

~~a. Consult with every other M.P.O. designated for the urbanized area and the state to coordinate plans and transportation improvement programs~~.

~~b. Ensure, to the maximum extent practicable, the consistency of data used in the planning process, including data used in forecasting travel demand within the urbanized area.~~

Each M.P.O. required under this section must be fully operative no later than 6 months following its designation.

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(6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers, privileges, and authority of an M.P.O. are those specified in this section or incorporated in an interlocal agreement authorized under s. 163.01. Each M.P.O. shall perform all acts required by federal or state laws or rules, now and subsequently applicable, which are necessary to qualify for federal aid. It is the intent of this section that each M.P.O. be involved in the planning and programming of transportation facilities, including, but not limited to, airports, intercity and high-speed rail lines, seaports, and intermodal facilities, to the extent permitted by state or federal law. An M.P.O. may not perform project production or delivery for capital improvement projects on the State Highway System.

(b) In developing the long-range transportation plan and the transportation improvement program required under paragraph (a), each M.P.O. shall provide for consideration of projects and strategies that will:

1. Support the economic vitality of the contiguous urbanized metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.

2. Increase the safety and security of the transportation system for motorized and nonmotorized users.

3. Increase the accessibility and mobility options available to people and for freight.

4. Protect and enhance the environment, <u>conserve natural resources</u> ~~promote energy conservation~~, and improve quality of life.

5. Enhance the integration and connectivity of the transportation system, across and between modes and contiguous

urbanized metropolitan areas, for people and freight.

6. Promote efficient system management and operation.

7. Emphasize the preservation of the existing transportation system.

8. Improve the resilience of transportation infrastructure.

9. Reduce traffic and congestion.

~~(i) By December 31, 2023, the M.P.O.'s serving Hillsborough, Pasco, and Pinellas Counties must submit a feasibility report to the Governor, the President of the Senate, and the Speaker of the House of Representatives exploring the benefits, costs, and process of consolidation into a single M.P.O. serving the contiguous urbanized area, the goal of which would be to:~~

~~1. Coordinate transportation projects deemed to be regionally significant.~~

~~2. Review the impact of regionally significant land use decisions on the region.~~

~~3. Review all proposed regionally significant transportation projects in the transportation improvement programs.~~

(i)1.~~(j)1.~~ To more fully accomplish the purposes for which M.P.O.'s have been mandated, the department shall, at least annually, convene M.P.O.'s of similar size, based on the size of population served, for the purpose of exchanging best practices. M.P.O.'s may ~~shall~~ develop committees or working groups as needed to accomplish such purpose. At the discretion of the department, training for new M.P.O. governing board members shall be provided by the department, by an entity pursuant to a contract with the department, by the Florida Center for Urban

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Transportation Research, or by the Implementing Solutions from Transportation Research and Evaluation of Emerging Technologies (I-STREET) living lab ~~coordination mechanisms with one another to expand and improve transportation within the state. The appropriate method of coordination between M.P.O.'s shall vary depending upon the project involved and given local and regional needs. Consequently, it is appropriate to set forth a flexible methodology that can be used by M.P.O.'s to coordinate with other M.P.O.'s and appropriate political subdivisions as circumstances demand~~.

2. Any M.P.O. may join with any other M.P.O. or any individual political subdivision to coordinate activities or to achieve any federal or state transportation planning or development goals or purposes consistent with federal or state law. When an M.P.O. determines that it is appropriate to join with another M.P.O. or any political subdivision to coordinate activities, the M.P.O. or political subdivision shall enter into an interlocal agreement pursuant to s. 163.01, which, at a minimum, creates a separate legal or administrative entity to coordinate the transportation planning or development activities required to achieve the goal or purpose; provides the purpose for which the entity is created; provides the duration of the agreement and the entity and specifies how the agreement may be terminated, modified, or rescinded; describes the precise organization of the entity, including who has voting rights on the governing board, whether alternative voting members are provided for, how voting members are appointed, and what the relative voting strength is for each constituent M.P.O. or political subdivision; provides the manner in which the parties

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to the agreement will provide for the financial support of the entity and payment of costs and expenses of the entity; provides the manner in which funds may be paid to and disbursed from the entity; and provides how members of the entity will resolve disagreements regarding interpretation of the interlocal agreement or disputes relating to the operation of the entity. Such interlocal agreement shall become effective upon its recordation in the official public records of each county in which a member of the entity created by the interlocal agreement has a voting member. Multiple M.P.O.'s may merge, combine, or otherwise join together as a single M.P.O.

(7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must develop a long-range transportation plan that addresses at least a 20-year planning horizon. The plan must include both long-range and short-range strategies and must comply with all other state and federal requirements. The prevailing principles to be considered in the long-range transportation plan are: preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility. The long-range transportation plan must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved local government comprehensive plans of the units of local government located within the jurisdiction of the M.P.O. Each M.P.O. is encouraged to consider strategies that integrate transportation and land use planning to provide for sustainable development and reduce greenhouse gas emissions. The approved long-range transportation plan must be considered by local governments in the development of the transportation elements in local

government comprehensive plans and any amendments thereto. The long-range transportation plan must, at a minimum:

(b) Include a financial plan that demonstrates how the plan can be implemented, indicating resources from public and private sources which are reasonably expected to be available to carry out the plan, and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted long-range transportation plan if reasonable additional resources beyond those identified in the financial plan were available. For the purpose of developing the long-range transportation plan, the M.P.O. and the department shall cooperatively develop estimates of funds that will be available to support the plan implementation. Innovative financing techniques may be used to fund needed projects and programs. Such techniques may include the assessment of tolls, public-private partnerships, the use of value capture financing, or the use of value pricing. Multiple M.P.O.'s within a contiguous urbanized area must ensure, to the maximum extent possible, the consistency of data used in the planning process.

(d) Indicate, as appropriate, proposed transportation enhancement activities, including, but not limited to, pedestrian and bicycle facilities, trails or facilities that are regionally significant or critical linkages for the Florida Shared-Use Nonmotorized Trail Network, scenic easements, landscaping, integration of advanced air mobility, and integration of autonomous and electric vehicles, electric bicycles, and motorized scooters used for freight, commuter, or micromobility purposes ~~historic preservation, mitigation of~~

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~~water pollution due to highway runoff, and control of outdoor advertising~~.

In the development of its long-range transportation plan, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the long-range transportation plan. The long-range transportation plan must be approved by the M.P.O.

(10) AGREEMENTS; ACCOUNTABILITY.—

(a) Each M.P.O. may execute a written agreement with the department, which shall be reviewed, and updated as necessary, every 5 years, which clearly establishes the cooperative relationship essential to accomplish the transportation planning requirements of state and federal law. Roles, responsibilities, and expectations for accomplishing consistency with federal and state requirements and priorities must be set forth in the agreement. In addition, the agreement must set forth the M.P.O.'s responsibility, in collaboration with the department, to identify, prioritize, and present to the department a complete list of multimodal transportation projects consistent with the needs of the metropolitan planning area. It is the department's responsibility to program projects in the state transportation improvement program.

(b) The department must establish, in collaboration with each M.P.O., quality performance metrics, such as safety,

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infrastructure condition, congestion relief, and mobility. Each M.P.O. must, as part of its long-range transportation plan, in direct coordination with the department, develop targets for each performance measure within the metropolitan planning area boundary. The performance targets must support efficient and safe movement of people and goods both within the metropolitan planning area and between regions. Each M.P.O. must report progress toward establishing performance targets for each measure annually in its transportation improvement plan. The department shall evaluate and post on its website whether each M.P.O. has made significant progress toward its target for the applicable reporting period.

Section 16. Subsection (4) of section 339.65, Florida Statutes, is amended to read:

339.65 Strategic Intermodal System highway corridors.—

(4) The department shall develop and maintain a plan of Strategic Intermodal System highway corridor projects that are anticipated to be let to contract for construction within a time period of at least 20 years. The department shall prioritize projects affecting gaps in a corridor so that the corridor becomes contiguous in its functional characteristics across the corridor. The plan must ~~shall~~ also identify when segments of the corridor will meet the standards and criteria developed pursuant to subsection (5).

Section 17. Section 339.85, Florida Statutes, is created to read:

339.85 Next-generation traffic signal modernization program.—

(1) The department shall implement a next-generation

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traffic signal modernization program. The program must consist of retrofitting existing traffic signals and controllers and providing a communication system for remote operations and management of such signals on the State Highway System and other road systems. Signal upgrades must be prioritized based on average annual daily traffic and the impact of adding to an existing interconnected system.

(2) The program must consist of an advanced traffic management platform that uses radar-camera fusion to deliver accurate detection in all weather conditions, offering fully integrated stop bar and advance detection alongside dilemma zone and pedestrian protection. In addition to supporting time-of-day signal timing plans, the program must provide real-time traffic optimization to improve traffic flow and enhance safety. The program must comply with leading cybersecurity standards, such as SOC 2 and ISO 27001, ensuring robust data protection.

(3) Beginning in the 2025-2026 fiscal year and annually thereafter for 5 years, $10 million shall be allocated from the State Transportation Trust Fund to the program. Fifty percent of such funds must be used for roads that are not a part of the State Highway System through the use of grants that require a 50 percent funding match.

Section 18. Paragraph (a) of subsection (3) of section 348.0304, Florida Statutes, is amended to read:

348.0304 Greater Miami Expressway Agency.—

(3)(a) The governing body of the agency shall consist of nine voting members. Except for the district secretary of the department, each member must be a permanent resident of a county served by the agency and may not hold, or have held in the

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previous 2 years, elected or appointed office in such county, except that this paragraph does not apply to any initial appointment under paragraph (b) or to any member who previously served on the governing body of the former Greater Miami Expressway Agency. Each member may only serve two terms of 4 years each, except that there is no restriction on the term of the department's district secretary. Four members, each of whom must be a permanent resident of Miami-Dade County, shall be appointed by the Governor, subject to confirmation by the Senate at the next regular session of the Legislature. Refusal or failure of the Senate to confirm an appointment shall create a vacancy. Appointments made by the Governor and board of county commissioners of Miami-Dade County shall reflect the state's interests in the transportation sector and represent the intent, duties, and purpose of the Greater Miami Expressway Agency, and have at least 3 years of professional experience in one or more of the following areas: finance; land use planning; tolling industry; or transportation engineering. Two members, who must be residents of an unincorporated portion of the geographic area described in subsection (1) and residing within 15 miles of an ~~area with the highest amount of~~ agency toll road ~~roads~~, shall be appointed by the board of county commissioners of Miami-Dade County. Two members, who must be residents of incorporated municipalities within a county served by the agency, shall be appointed by the metropolitan planning organization for a county served by the agency. The district secretary of the department serving in the district that contains Miami-Dade County shall serve as an ex officio voting member of the governing body.

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881 ================ T I T L E A M E N D M E N T ================
882 And the title is amended as follows:
883 Delete lines 2 - 101
884 and insert:
885 An act relating to transportation; creating s.
886 218.3215, F.S.; requiring counties to report certain
887 information to the Office of Economic and Demographic
888 Research annually by a specified date; requiring
889 counties to report the information in the format
890 specified by the office; requiring the office to
891 provide a certain report to the Legislature and the
892 Department of Transportation; amending s. 316.183,
893 F.S.; requiring the department to determine the safe
894 and advisable minimum speed limit on certain highways;
895 amending s. 316.187, F.S.; revising the maximum
896 allowable speed limit on certain highways and
897 roadways; creating s. 330.355, F.S.; prohibiting
898 publicly owned airports from charging a landing fee
899 established on or after a specified date for certain
900 aircraft operations; amending s. 332.004, F.S.;
901 revising definitions; amending s. 332.006, F.S.;
902 revising duties and responsibilities of the department
903 relating to airports; amending s. 332.007, F.S.;
904 revising provisions relating to the administration and
905 financing of certain aviation and airport programs and
906 projects; authorizing certain airports to participate
907 in a specified federal program in a certain manner;
908 authorizing the department to provide for improvements
909 to certain entities for the capital cost of a

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discretionary improvement project at a public-use airport, subject to the availability of certain funds; creating s. 332.136, F.S.; establishing an airport pilot program at the Sarasota Manatee Airport Authority; providing the purpose of the pilot program; requiring the department to adopt rules; requiring the department, by a specified date, to submit certain recommendations to the Governor and the Legislature; providing for the future repeal of specified provisions; amending s. 334.044, F.S.; authorizing the department to acquire property or property rights in advance to preserve a corridor for future proposed improvements; authorizing the department to expend from the State Transportation Trust Fund a certain amount of grant funds annually to state colleges and school districts for certain construction workforce development programs; requiring that priority be given to certain colleges and school districts; amending s. 334.065, F.S.; deleting a provision specifying that the Florida Center for Urban Transportation Research shall be administered by the Board of Governors of the State University System; deleting a provision prohibiting the undertaking of certain projects without the approval of the Center for Urban Transportation Research advisory board; revising membership of such advisory board; creating s. 334.63, F.S.; providing requirements for certain project concept studies and project development and environment studies; amending s. 337.11, F.S.;

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revising the bidding and award process for contracts for road construction and maintenance projects; revising the circumstances in which the department must competitively award a phased design-build contract for phase one; requiring the department to select a single design-build firm to perform the work associated with phase two under certain circumstances; authorizing a design-build firm to self-perform portions of work under a contract; requiring that contracts let by the department on or after a certain date for bridge construction or maintenance over navigable waters include protection and indemnity coverage; amending s. 337.14, F.S.; authorizing the department to waive contractor certification requirements for certain projects; revising the threshold value of contracts for which the department may waive a contract bond requirement; requiring that a contractor seeking to bid on certain maintenance contracts possess certain qualifications; amending s. 337.185, F.S.; increasing the limits of claims per contract which a contractor may submit to the State Arbitration Board; revising the period in which an arbitration request may be made for a claim related to a warranty notice; amending s. 339.175, F.S.; revising legislative intent; revising requirements for the designation of additional metropolitan planning organizations (M.P.O.'s); revising projects and strategies to be considered in developing an M.P.O.'s long-range transportation plan and transportation

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improvement program; deleting obsolete provisions; requiring the department to convene M.P.O.'s of similar size to exchange best practices at least annually; authorizing M.P.O.'s to develop committees or working groups; requiring training for new M.P.O. governing board members to be provided by the department or another specified entity; deleting provisions relating to M.P.O. coordination mechanisms; including public-private partnerships in authorized financing techniques; revising proposed transportation enhancement activities that must be indicated by the long-range transportation plan; authorizing each M.P.O. to execute a written agreement with the department regarding state and federal transportation planning requirements; requiring the department, in collaboration with M.P.O.'s, to establish certain quality performance metrics and develop certain performance targets; requiring the department to evaluate and post on its website whether each M.P.O. has made significant progress toward such targets; amending s. 339.65, F.S.; requiring the department to prioritize certain Strategic Intermodal System highway corridor projects; creating s. 339.85, F.S.; requiring the department to implement a next-generation traffic signal modernization program; providing program requirements; requiring the allocation of funds from the State Transportation Trust Fund to the program; requiring that a certain percentage of such funds be used for certain roads through the use of matching

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grants; amending s. 348.0304, F.S.; revising membership of the governing body of the Greater Miami Expressway Agency; reenacting s.

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LEGISLATIVE ACTION

Senate	.	House
Comm: TP	.	
04/09/2025	.	
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	.	

The Committee on Fiscal Policy (Avila) recommended the following:

Senate Amendment (with title amendment)

Between lines 1209 and 1210
insert:

Section 21. Subsection (1) of section 479.16, Florida Statutes, is amended to read:

479.16 Signs for which permits are not required.—The following signs are exempt from the requirement that a permit for a sign be obtained under this chapter but are required to comply with s. 479.11(4)-(8), and subsections (15)-(20) may not

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be implemented or continued if the Federal Government notifies the department that implementation or continuation will adversely affect the allocation of federal funds to the department:

(1) Signs erected on the premises of an establishment which consist primarily of the name of the establishment or identify the principal or accessory merchandise, services, activities, or entertainment sold, produced, manufactured, or furnished on the premises of the establishment and which comply with the lighting restrictions imposed under s. 479.11(5), or signs owned by a municipality or a county located on the premises of such municipality or county which display information regarding governmental services, activities, events, or entertainment. For purposes of this section, the following types of messages are not considered information regarding governmental services, activities, events, or entertainment:

(a) Messages that specifically reference any commercial enterprise.

(b) Messages that reference a commercial sponsor of any event.

(c) Personal messages.

(d) Political campaign messages.

If a sign located on the premises of an establishment consists principally of brand name or trade name advertising and the merchandise or service is only incidental to the principal activity, or if the sign includes any commercial advertising for any goods, merchandise, services, brands, activities, entertainment, or products that are not physically present on

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the premises or that are offered for purchase or promoted on the premises only via e-commerce kiosks or computers, the sign is not exempt under this subsection. In addition, if any owner, operator, lessee, or sublessee of the establishment receives rental or other income from the sign, the sign is not exempt under this subsection.

If the exemptions in subsections (15)-(20) are not implemented or continued due to notification from the Federal Government that the allocation of federal funds to the department will be adversely impacted, the department shall provide notice to the sign owner that the sign must be removed within 30 days after receipt of the notice. If the sign is not removed within 30 days after receipt of the notice by the sign owner, the department may remove the sign, and the costs incurred in connection with the sign removal shall be assessed against and collected from the sign owner.

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

And the title is amended as follows:

Delete line 106

and insert:

thereto; amending s. 479.16, F.S.; revising an exception to an exemption from a requirement that a permit be obtained for certain signs; providing a legislative finding; requiring

By the Committees on Regulated Industries; and Transportation; and Senator DiCeglie

580-03186-25 2025462c2

A bill to be entitled

An act relating to transportation; amending s. 212.20, F.S.; requiring the Department of Revenue to distribute from the proceeds of a specified tax a specified amount monthly to the State Transportation Trust Fund beginning on a certain date; creating s. 218.3215, F.S.; requiring each county to provide the Department of Transportation with uniform project data; providing requirements for such data; requiring the department to compile the data and publish it on its website; amending s. 316.183, F.S.; requiring the department to determine the safe and advisable minimum speed limit on certain highways; amending s. 316.187, F.S.; revising the maximum allowable speed limit on certain highways and roadways; amending s. 331.3051, F.S.; conforming provisions to changes made by the act; amending s. 332.004, F.S.; revising definitions; amending s. 332.006, F.S.; revising duties and responsibilities of the department relating to airports; amending s. 332.007, F.S.; revising provisions relating to the administration and financing of certain aviation and airport programs and projects; authorizing certain airports to participate in a specified federal program in a certain manner; authorizing the department to provide for improvements to certain entities for the capital cost of a discretionary improvement project at a public-use airport, subject to the availability of certain funds; amending s. 334.044, F.S.; authorizing the department

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to acquire property or property rights in advance to preserve a corridor for future proposed improvements; authorizing the department to expend from the State Transportation Trust Fund a certain amount of grant funds annually to state colleges and school districts for certain construction workforce development programs; requiring that priority be given to certain colleges and school districts; amending s. 334.065, F.S.; revising membership of the Center for Urban Transportation Research advisory board; creating s. 334.63, F.S.; providing requirements for certain project concept studies and project development and environment studies; amending s. 337.11, F.S.; clarifying a provision related to third-party beneficiary rights; revising the bidding and award process for contracts for road construction and maintenance projects; revising the circumstances in which the department must competitively award a phased design-build contract for phase one; authorizing a design-build firm to self-perform portions of work under a contract; requiring that contracts let by the department on or after a certain date for bridge construction or maintenance over navigable waters include protection and indemnity coverage; amending s. 337.1101, F.S.; prohibiting the department from creating a new contract in certain circumstances unless the contract is competitively procured; amending s. 337.14, F.S.; authorizing the department to waive contractor certification requirements for

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certain projects; reducing the threshold value of contracts for which the department may waive a contract bond requirement; requiring that a contractor seeking to bid on certain maintenance contracts possess certain qualifications; amending s. 337.185, F.S.; increasing the limits of claims per contract which a contractor may submit to the State Arbitration Board; limiting the period in which an arbitration request may be made for a claim related to a written warranty or defect; amending s. 339.175, F.S.; revising legislative intent; revising requirements for the designation of additional metropolitan planning organizations (M.P.O.'s); revising projects and strategies to be considered in developing an M.P.O.'s long-range transportation plan and transportation improvement program; deleting obsolete provisions; requiring the department to convene M.P.O.'s of similar size to exchange best practices at least annually; authorizing M.P.O.'s to develop committees or working groups; requiring training for new M.P.O. governing board members to be provided by the department or another specified entity; deleting provisions relating to M.P.O. coordination mechanisms; including public-private partnerships in authorized financing techniques; revising proposed transportation enhancement activities that must be indicated by the long-range transportation plan; authorizing each M.P.O. to execute a written agreement with the department regarding state and federal transportation

planning requirements; requiring the department, in collaboration with M.P.O.'s, to establish certain quality performance metrics and develop certain performance targets; requiring the department to evaluate and post on its website whether each M.P.O. has made significant progress toward such targets; deleting provisions relating to the Metropolitan Planning Organization Advisory Council; amending s. 339.65, F.S.; requiring the department to prioritize certain Strategic Intermodal System highway corridor projects; amending s. 348.0304, F.S.; revising membership of the governing body of the Greater Miami Expressway Agency; amending s. 331.310, F.S.; conforming a cross-reference; reenacting s. 332.115(1), F.S., relating to joint project agreements with port districts for transportation corridors between airports and port facilities, to incorporate the amendment made to s. 332.004, F.S., in a reference thereto; providing a legislative finding; requiring the department to develop a report on widening Interstate 4; providing requirements for the report; requiring the department to submit the report to the Governor and the Legislature by a specified date; providing an effective date.

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

Section 1. Paragraph (d) of subsection (6) of section 212.20, Florida Statutes, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this chapter and ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

(d) The proceeds of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be distributed as follows:

1. In any fiscal year, the greater of $500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5.2 percent of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in monthly installments into the General Revenue Fund.

2. After the distribution under subparagraph 1., 8.9744 percent of the amount remitted by a sales tax dealer located within a participating county pursuant to s. 218.61 shall be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to be transferred shall be reduced by 0.1 percent, and the department shall distribute this amount to the Public Employees Relations Commission Trust Fund less $5,000 each month, which shall be added to the amount calculated in subparagraph 3. and distributed accordingly.

3. After the distribution under subparagraphs 1. and 2., 0.0966 percent shall be transferred to the Local Government Half-cent Sales Tax Clearing Trust Fund and distributed pursuant to s. 218.65.

4. After the distributions under subparagraphs 1., 2., and

3., 2.0810 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

5. After the distributions under subparagraphs 1., 2., and 3., 1.3653 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Municipalities pursuant to s. 218.215. If the total revenue to be distributed pursuant to this subparagraph is at least as great as the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, no municipality shall receive less than the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000. If the total proceeds to be distributed are less than the amount received in combination from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, each municipality shall receive an amount proportionate to the amount it was due in state fiscal year 1999-2000.

6. Of the remaining proceeds:

a. In each fiscal year, the sum of $29,915,500 shall be divided into as many equal parts as there are counties in the state, and one part shall be distributed to each county. The distribution among the several counties must begin each fiscal year on or before January 5th and continue monthly for a total of 4 months. If a local or special law required that any moneys accruing to a county in fiscal year 1999-2000 under the then-existing provisions of s. 550.135 be paid directly to the

district school board, special district, or a municipal government, such payment must continue until the local or special law is amended or repealed. The state covenants with holders of bonds or other instruments of indebtedness issued by local governments, special districts, or district school boards before July 1, 2000, that it is not the intent of this subparagraph to adversely affect the rights of those holders or relieve local governments, special districts, or district school boards of the duty to meet their obligations as a result of previous pledges or assignments or trusts entered into which obligated funds received from the distribution to county governments under then-existing s. 550.135. This distribution specifically is in lieu of funds distributed under s. 550.135 before July 1, 2000.

b. The department shall distribute $166,667 monthly to each applicant certified as a facility for a new or retained professional sports franchise pursuant to s. 288.1162. Up to $41,667 shall be distributed monthly by the department to each certified applicant as defined in s. 288.11621 for a facility for a spring training franchise. However, not more than $416,670 may be distributed monthly in the aggregate to all certified applicants for facilities for spring training franchises. Distributions begin 60 days after such certification and continue for not more than 30 years, except as otherwise provided in s. 288.11621. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided in s. 288.1162(5) or s. 288.11621(3).

c. The department shall distribute up to $83,333 monthly to

each certified applicant as defined in s. 288.11631 for a facility used by a single spring training franchise, or up to $166,667 monthly to each certified applicant as defined in s. 288.11631 for a facility used by more than one spring training franchise. Monthly distributions begin 60 days after such certification or July 1, 2016, whichever is later, and continue for not more than 20 years to each certified applicant as defined in s. 288.11631 for a facility used by a single spring training franchise or not more than 25 years to each certified applicant as defined in s. 288.11631 for a facility used by more than one spring training franchise. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided in s. 288.11631(3).

d. The department shall distribute $15,333 monthly to the State Transportation Trust Fund.

e.(I) On or before July 25, 2021, August 25, 2021, and September 25, 2021, the department shall distribute $324,533,334 in each of those months to the Unemployment Compensation Trust Fund, less an adjustment for refunds issued from the General Revenue Fund pursuant to s. 443.131(3)(e)3. before making the distribution. The adjustments made by the department to the total distributions shall be equal to the total refunds made pursuant to s. 443.131(3)(e)3. If the amount of refunds to be subtracted from any single distribution exceeds the distribution, the department may not make that distribution and must subtract the remaining balance from the next distribution.

(II) Beginning July 2022, and on or before the 25th day of each month, the department shall distribute $90 million monthly

to the Unemployment Compensation Trust Fund.

(III) If the ending balance of the Unemployment Compensation Trust Fund exceeds $4,071,519,600 on the last day of any month, as determined from United States Department of the Treasury data, the Office of Economic and Demographic Research shall certify to the department that the ending balance of the trust fund exceeds such amount.

(IV) This sub-subparagraph is repealed, and the department shall end monthly distributions under sub-sub-subparagraph (II), on the date the department receives certification under sub-sub-subparagraph (III).

f. Beginning July 1, 2023, in each fiscal year, the department shall distribute $27.5 million to the Florida Agricultural Promotional Campaign Trust Fund under s. 571.26, for further distribution in accordance with s. 571.265.

g. To account for the impact of electric and hybrid vehicles on the state highway system and the use of taxes collected from motorists when charging such vehicles, beginning July 2025, and reassessed every 5 fiscal years, on or before the 25th day of each month thereafter, of the portion of the proceeds of the tax imposed under s. 212.05(1)(e)1.c., the department shall distribute $4.167 million to the State Transportation Trust Fund.

7. All other proceeds must remain in the General Revenue Fund.

Section 2. Section 218.3215, Florida Statutes, is created to read:

218.3215 County transportation project data.—Each county shall annually provide the Department of Transportation with

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uniform project data. The data must conform to the county's fiscal year and must include details on transportation revenues by source of taxes or fees, expenditure of such revenues for projects that were funded, and any unexpended balance for the fiscal year. The data must also include project details, including the project cost, location, and scope. The scope of the project must be categorized broadly using a category such as widening, repair and rehabilitation, or sidewalks. The data must specify which projects the revenues not dedicated to specific projects are supporting. The Department of Transportation shall inform each county of the method and required format for submitting the data. The Department of Transportation shall compile the data and publish such compilation on its website.

Section 3. Subsection (2) of section 316.183, Florida Statutes, is amended to read:

316.183 Unlawful speed.—

(2) On all streets or highways, the maximum speed limits for all vehicles must be 30 miles per hour in business or residence districts, and 55 miles per hour at any time at all other locations. However, with respect to a residence district, a county or municipality may set a maximum speed limit of 20 or 25 miles per hour on local streets and highways after an investigation determines that such a limit is reasonable. It is not necessary to conduct a separate investigation for each residence district. The Department of Transportation shall determine the safe and advisable minimum speed limit on all highways that comprise a part of the National System of Interstate and Defense Highways and have at least ~~not fewer than~~ four lanes ~~is 40 miles per hour, except that when the posted~~

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~~speed limit is 70 miles per hour, the minimum speed limit is 50 miles per hour~~.

Section 4. Subsection (2) of section 316.187, Florida Statutes, is amended to read:

316.187 Establishment of state speed zones.—

(2)(a) The maximum allowable speed limit on limited access highways is 75 ~~70~~ miles per hour.

(b) The maximum allowable speed limit on any other highway that ~~which~~ is outside an urban area of 5,000 or more persons and that ~~which~~ has at least four lanes divided by a median strip is 70 ~~65~~ miles per hour.

(c) The Department of Transportation is authorized to set such maximum and minimum speed limits for travel over other roadways under its authority as it deems safe and advisable, not to exceed as a maximum limit 65 ~~60~~ miles per hour.

Section 5. Subsection (14) of section 331.3051, Florida Statutes, is amended to read:

331.3051 Duties of Space Florida.—Space Florida shall:

~~(14) Partner with the Metropolitan Planning Organization Advisory Council to coordinate and specify how aerospace planning and programming will be part of the state's cooperative transportation planning process.~~

Section 6. Subsections (4), (5), (7), and (8) of section 332.004, Florida Statutes, are amended to read:

332.004 Definitions of terms used in ss. 332.003-332.007.—As used in ss. 332.003-332.007, the term:

(4) "Airport or aviation development project" or "development project" means any activity associated with the design, construction, purchase, improvement, or repair of a

public-use airport or portion thereof, including, but not limited to: the purchase of equipment; the acquisition of land, including land required as a condition of a federal, state, or local permit or agreement for environmental mitigation; off-airport noise mitigation projects; the removal, lowering, relocation, marking, and lighting of airport hazards; the installation of navigation aids used by aircraft in landing at or taking off from a public-use ~~public~~ airport; the installation of safety equipment required by rule or regulation for certification of the airport under s. 612 of the Federal Aviation Act of 1958, and amendments thereto; and the improvement of access to the airport by road or rail system which is on airport property and which is consistent, to the maximum extent feasible, with the approved local government comprehensive plan of the units of local government in which the airport is located.

(5) "Airport or aviation discretionary capacity improvement projects" or "discretionary capacity improvement projects" means capacity improvements which are consistent, to the maximum extent feasible, with the approved local government comprehensive plans of the units of local government in which the public-use airport is located, and which enhance intercontinental capacity at airports which:

(a) Are international airports with United States Bureau of Customs and Border Protection;

(b) Had one or more regularly scheduled intercontinental flights during the previous calendar year or have an agreement in writing for installation of one or more regularly scheduled intercontinental flights upon the commitment of funds for

stipulated airport capital improvements; and

(c) Have available or planned public ground transportation between the airport and other major transportation facilities.

(7) "Eligible agency" means a political subdivision of the state or an authority, or a public-private partnership through a lease or an agreement under s. 255.065 with a political subdivision of the state or an authority, which owns or seeks to develop a public-use airport.

(8) "Federal aid" means funds made available from the Federal Government for the accomplishment of public-use airport or aviation development projects.

Section 7. Subsections (4) and (8) of section 332.006, Florida Statutes, are amended to read:

332.006 Duties and responsibilities of the Department of Transportation.—The Department of Transportation shall, within the resources provided pursuant to chapter 216:

(4) Upon request, provide financial and technical assistance to public agencies that own ~~which operate~~ public-use airports by making department personnel and department-owned facilities and equipment available on a cost-reimbursement basis to such agencies for special needs of limited duration. The requirement relating to reimbursement of personnel costs may be waived by the department in those cases in which the assistance provided by its personnel was of a limited nature or duration.

(8) Encourage the maximum allocation of federal funds to local public-use airport projects in this state.

Section 8. Paragraphs (a) and (c) of subsection (4), subsection (6), paragraphs (a) and (d) of subsection (7), and subsections (8) and (10) of section 332.007, Florida Statutes,

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are amended, and subsection (11) is added to that section, to read:

332.007 Administration and financing of aviation and airport programs and projects; state plan.—

(4)(a) The annual legislative budget request for aviation and airport development projects shall be based on the funding required for development projects in the aviation and airport work program. The department shall provide priority funding in support of the planning, design, and construction of proposed projects by local sponsors of public-use airports, with special emphasis on projects for runways and taxiways, including the painting and marking of runways and taxiways, lighting, other related airside activities, and airport access transportation facility projects on airport property.

(c) No single airport shall secure airport or aviation development project funds in excess of 25 percent of the total airport or aviation development project funds available in any given budget year. However, any public-use airport which receives discretionary capacity improvement project funds in a given fiscal year shall not receive greater than 10 percent of total aviation and airport development project funds appropriated in that fiscal year.

(6) Subject to the availability of appropriated funds, the department may participate in the capital cost of eligible public-use ~~public~~ airport and aviation development projects in accordance with the following rates, unless otherwise provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act:

(a) The department may fund up to 50 percent of the portion

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of eligible project costs which are not funded by the Federal Government, except that the department may initially fund up to 75 percent of the cost of land acquisition for a new airport or for the expansion of an existing airport which is owned ~~and operated~~ by a municipality, a county, or an authority, and shall be reimbursed to the normal statutory project share when federal funds become available or within 10 years after the date of acquisition, whichever is earlier. Due to federal budgeting constraints, the department may also initially fund the federal portion of eligible project costs subject to:

1. The department receiving adequate assurance from the Federal Government or local sponsor that this amount will be reimbursed to the department; and

2. The department having adequate funds in the work program to fund the project.

Such projects must be contained in the Federal Government's Airport Capital Improvement Program, and the Federal Government must fund, or have funded, the first year of the project.

(b) The department may retroactively reimburse cities, counties, or airport authorities up to 50 percent of the nonfederal share for land acquisition when such land is needed for airport safety, expansion, tall structure control, clear zone protection, or noise impact reduction. No land purchased prior to July 1, 1990, or purchased prior to executing the required department agreements shall be eligible for reimbursement.

(c) When federal funds are not available, the department may fund up to 80 percent of master planning and eligible

aviation development projects at public-use ~~publicly owned, publicly operated~~ airports. If federal funds are available, the department may fund up to 80 percent of the nonfederal share of such projects. Such funding is limited to general aviation airports, or commercial service airports that have fewer than 100,000 passenger boardings per year as determined by the Federal Aviation Administration.

(d) The department is authorized to fund up to 100 percent of the cost of an eligible project that is statewide in scope or that involves more than one county where no other governmental entity or appropriate jurisdiction exists.

(7) Subject to the availability of appropriated funds in addition to aviation fuel tax revenues, the department may participate in the capital cost of eligible public airport and aviation discretionary capacity improvement projects. The annual legislative budget request shall be based on the funding required for discretionary capacity improvement projects in the aviation and airport work program.

(a) The department shall provide priority funding in support of:

1. Land acquisition which provides additional capacity at the qualifying international airport or at that airport's supplemental air carrier airport.

2. Runway and taxiway projects that add capacity or are necessary to accommodate technological changes in the aviation industry.

3. Public-use airport access transportation projects that improve direct airport access and are approved by the airport sponsor.

4. International terminal projects that increase international gate capacity.

(d) The department may fund up to 50 percent of the portion of eligible project costs which are not funded by the Federal Government except that the department may initially fund up to 75 percent of the cost of land acquisition for a new public-use airport or for the expansion of an existing public-use airport which is owned ~~and operated~~ by a municipality, a county, or an authority, and shall be reimbursed to the normal statutory project share when federal funds become available or within 10 years after the date of acquisition, whichever is earlier.

(8) The department may also fund eligible projects performed by not-for-profit organizations that represent a majority of public airports in this state. Eligible projects may include activities associated with aviation master planning, professional education, safety and security planning, enhancing economic development and efficiency at airports in this state, or other planning efforts to improve the viability of public-use airports in this state.

(10) Subject to the availability of appropriated funds, and unless otherwise provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, the department may fund up to 100 percent of eligible project costs of all of the following at a public-use ~~publicly owned, publicly operated~~ airport located in a rural community as defined in s. 288.0656 which does not have any scheduled commercial service:

(a) The capital cost of runway and taxiway projects that add capacity. Such projects must be prioritized based on the

amount of available nonstate matching funds.

(b) Economic development transportation projects pursuant to s. 339.2821.

Any remaining funds must be allocated for projects specified in subsection (6).

(11) Notwithstanding any other provisions of law, a municipality, a county, or an authority that owns a public-use airport may participate in the Federal Aviation Administration Airport Investment Partnership Program under federal law by contracting with a private partner to operate the airport under lease or agreement. Subject to the availability of appropriated funds from aviation fuel tax revenues, the department may provide for improvements under this section to a municipality, a county, or an authority that has a private partner under the Airport Investment Partnership Program for the capital cost of a discretionary improvement project at a public-use airport.

Section 9. Subsections (6) and (35) of section 334.044, Florida Statutes, are amended to read:

334.044 Powers and duties of the department.—The department shall have the following general powers and duties:

(6) To acquire, by the exercise of the power of eminent domain as provided by law, all property or property rights, whether public or private, which it may determine are necessary to the performance of its duties and the execution of its powers, including, but not limited to, in advance to preserve a corridor for future proposed improvements.

(35) To expend funds for ~~provide~~ a construction workforce development program, in consultation with affected stakeholders,

for delivery of projects designated in the department's work program. The department may annually expend up to $5 million from the State Transportation Trust Fund for fiscal years 2025-2026 through 2029-2030 in grants to state colleges and school districts, with priority given to state colleges and school districts in counties that are rural communities as defined in s. 288.0656(2), for the purchase of equipment simulators with authentic original equipment manufacturer controls and a companion curriculum, for the purchase of instructional aids for use in conjunction with the equipment simulators, and to support offering an elective course in heavy civil construction which must, at a minimum, provide the student with an Occupational Safety and Health Administration 10-hour certification and a fill equipment simulator certification.

Section 10. Subsection (3) of section 334.065, Florida Statutes, is amended to read:

334.065 Center for Urban Transportation Research.—

(3) An advisory board shall be created to periodically and objectively review and advise the center concerning its research program. Except for projects mandated by law, state-funded base projects shall not be undertaken without approval of the advisory board. The membership of the board shall be composed ~~consist~~ of nine experts in transportation-related areas, as follows:

(a) A member appointed by the President of the Senate.

(b) A member appointed by the Speaker of the House of Representatives.

(c) The Secretary of Transportation, or his or her designee.

(d) The Secretary of Commerce, or his or her designee. ~~including the secretaries of the Department of Transportation, the Department of Environmental Protection, and the Department of Commerce, or their designees, and~~

(e) A member of the Florida Transportation Commission.

(f) The nomination of the remaining four members of the board shall be made to the President of the University of South Florida by the College of Engineering at the University of South Florida.~~, and~~ The appointment of these members must be reviewed and approved by the Florida Transportation Commission and confirmed by the Board of Governors.

Section 11. Section 334.63, Florida Statutes, is created to read:

334.63 Project concept studies and project development and environment studies.—

(1) Project concept studies and project development and environment studies for capacity improvement projects on limited access facilities must include the evaluation of alternatives that provide transportation capacity using elevated roadway above existing lanes.

(2) Project development and environment studies for new alignment projects and capacity improvement projects must be completed within 18 months after the date of commencement.

Section 12. Subsections (1) and (4), paragraph (b) of subsection (7), and subsection (15) of section 337.11, Florida Statutes, are amended to read:

337.11 Contracting authority of department; bids; emergency repairs, supplemental agreements, and change orders; combined design and construction contracts; progress payments; records;

requirements of vehicle registration.—

(1) The department shall have authority to enter into contracts for the construction and maintenance of all roads designated as part of the State Highway System or the State Park Road System or of any roads placed under its supervision by law. The department shall also have authority to enter into contracts for the construction and maintenance of rest areas, weigh stations, and other structures, including roads, parking areas, supporting facilities and associated buildings used in connection with such facilities. A contractor who enters into such a contract with the department provides a service to the department, and such contract does not ~~However, no such contract shall~~ create any third-party beneficiary rights in any person not a party to the contract.

(4)(a) Except as provided in paragraph (b), the department may award the proposed construction and maintenance work to the lowest responsible bidder, or in the instance of a time-plus-money contract, the lowest evaluated responsible bidder, or it may reject all bids and proceed to rebid the work in accordance with subsection (2) or otherwise perform the work.

(b) Notwithstanding any other provision of law to the contrary:

1. If the department receives bids outside the award criteria set forth by the department, the department must:

a. Arrange an in-person meeting with the lowest responsive, responsible bidder to determine why the bids are over the department's estimate and may subsequently award the contract to the lowest responsive, responsible bidder at its discretion;

b. Reject all bids and proceed to rebid the work in

accordance with subsection (2); or

c. Invite all responsive, responsible bidders to provide best and final offers without filing a protest or posting a bond under paragraph (5)(a). If the department thereafter awards the contract, the award must be to the bidder that presents the lowest best and final offer.

2. If the department intends to reject all bids on any project after announcing, but before posting official notice of, such intent, the department must provide to the lowest responsive, responsible bidder the opportunity to negotiate the scope of work with a corresponding reduction in price, as provided in the bid, to provide a best and final offer without filing a protest or posting a bond under paragraph (5)(a). Upon reaching a decision regarding the lowest bidder's best and final offer, the department must post notice of final agency action to either reject all bids or accept the best and final offer.

(c) This subsection does not prohibit the filing of a protest by any bidder or alter the deadlines provided in s. 120.57.

(d) Notwithstanding the requirements of ss. 120.57(3)(c) and 287.057(25), upon receipt of a formal written protest that is timely filed, the department may continue the process provided in this subsection but may not take final agency action as to the lowest bidder except as part of the department's final agency action in the protest or upon dismissal of the protest by the protesting party.

(7)

(b) If the department determines that it is in the best interests of the public, the department may combine the design

and construction phases of a project fully funded in the work program into a single contract and select the design-build firm in the early stages of a project to ensure that the design-build firm is part of the collaboration and development of the design as part of a step-by-step progression through construction. Such a contract is referred to as a phased design-build contract. For phased design-build contracts, selection and award must include a two-phase process. For phase one, the department shall competitively award the contract to a design-build firm based upon qualifications, provided that the department receives at least three statements of qualifications from qualified design-build firms. If during phase one the department elects to enter into contracts with more than one design-build firm based upon qualifications, the department must competitively award the contract for phase two to a single design-build firm. For phase two, the design-build firm may self-perform portions of the work and shall competitively bid construction trade subcontractor packages and, based upon these bids, negotiate with the department a fixed firm price or guaranteed maximum price that meets the project budget and scope as advertised in the request for qualifications.

(15) Each contract let by the department for performance of bridge construction or maintenance over navigable waters must contain a provision requiring marine general liability insurance, in an amount to be determined by the department, which covers third-party personal injury and property damage caused by vessels used by the contractor in the performance of the work. For a contract let by the department on or after July 1, 2025, such insurance must include protection and indemnity

coverage, which may be covered by endorsement on the marine general liability insurance policy or may be a separate policy.

Section 13. Subsection (3) is added to section 337.1101, Florida Statutes, to read:

337.1101 Contracting and procurement authority of the department; settlements; notification required.—

(3) The department may not, through a settlement of a protest filed in accordance with s. 120.57(3) of the award of a contract being procured pursuant to s. 337.11 or related to the purchase of commodities or contractual services being procured pursuant to s. 287.057, create a new contract unless the new contract is competitively procured.

Section 14. Subsections (1), (2), and (8) of section 337.14, Florida Statutes, are amended to read:

337.14 Application for qualification; certificate of qualification; restrictions; request for hearing.—

(1) Any contractor desiring to bid for the performance of any construction contract in excess of $250,000 which the department proposes to let must first be certified by the department as qualified pursuant to this section and rules of the department. The rules of the department must address the qualification of contractors to bid on construction contracts in excess of $250,000 and must include requirements with respect to the equipment, past record, experience, financial resources, and organizational personnel of the applying contractor which are necessary to perform the specific class of work for which the contractor seeks certification. Any contractor who desires to bid on contracts in excess of $50 million and who is not qualified and in good standing with the department as of January

1, 2019, must first be certified by the department as qualified and must have satisfactorily completed two projects, each in excess of $15 million, for the department or for any other state department of transportation. The department may limit the dollar amount of any contract upon which a contractor is qualified to bid or the aggregate total dollar volume of contracts such contractor is allowed to have under contract at any one time. Each applying contractor seeking qualification to bid on construction contracts in excess of $250,000 shall furnish the department a statement under oath, on such forms as the department may prescribe, setting forth detailed information as required on the application. Each application for certification must be accompanied by audited, certified financial statements prepared in accordance with generally accepted accounting principles and auditing standards by a certified public accountant licensed in this state or another state. The audited, certified financial statements must be for the applying contractor and must have been prepared within the immediately preceding 12 months. The department may not consider any financial information of the parent entity of the applying contractor, if any. The department may not certify as qualified any applying contractor who fails to submit the audited, certified financial statements required by this subsection. If the application or the annual financial statement shows the financial condition of the applying contractor more than 4 months before the date on which the application is received by the department, the applicant must also submit interim audited, certified financial statements prepared in accordance with generally accepted accounting principles and auditing standards

by a certified public accountant licensed in this state or another state. The interim financial statements must cover the period from the end date of the annual statement and must show the financial condition of the applying contractor no more than 4 months before the date that the interim financial statements are received by the department. However, upon the request of the applying contractor, an application and accompanying annual or interim financial statement received by the department within 15 days after either 4-month period under this subsection shall be considered timely. An applying contractor desiring to bid exclusively for the performance of construction contracts with proposed budget estimates of less than $2 million may submit reviewed annual or reviewed interim financial statements prepared by a certified public accountant. The information required by this subsection is confidential and exempt from s. 119.07(1). The department shall act upon the application for qualification within 30 days after the department determines that the application is complete. The department may waive the requirements of this subsection for projects having a contract price of $1 million or less which have diverse scopes of work that may or may not be performed or $500,000 or less if the department determines that the project is of a noncritical nature and the waiver will not endanger public health, safety, or property. Contracts for projects that have diverse scopes of work that may or may not be performed are typically referred to as push-button or task work order contracts.

(2) Certification is ~~shall be~~ necessary in order to bid on a road, bridge, or public transportation construction contract of more than $250,000. However, the successful bidder on any

construction contract must furnish a contract bond before ~~prior to~~ the award of the contract. The department may waive the requirement for all or a portion of a contract bond for contracts of $250,000 ~~$150,000~~ or less under s. 337.18(1).

(8) This section does not apply to maintenance contracts. Notwithstanding any provision of law to the contrary, a contractor seeking to bid on a maintenance contract that predominantly includes repair and replacement of safety appurtenances, including, but not limited to, guardrails, attenuators, traffic signals, and striping, must possess the prescribed qualifications, equipment, record, and experience to perform such repair and replacement.

Section 15. Subsections (4) and (5) of section 337.185, Florida Statutes, are amended to read:

337.185 State Arbitration Board.—

(4) The contractor may submit a claim greater than $250,000 up to $2 ~~$1~~ million per contract or, upon agreement of the parties, greater than ~~up to~~ $2 million per contract to be arbitrated by the board. An award issued by the board pursuant to this subsection is final if a request for a trial de novo is not filed within the time provided by Rule 1.830, Florida Rules of Civil Procedure. At the trial de novo, the court may not admit evidence that there has been an arbitration proceeding, the nature or amount of the award, or any other matter concerning the conduct of the arbitration proceeding, except that testimony given in connection with ~~at~~ an arbitration hearing may be used for any purpose otherwise permitted by the Florida Evidence Code. If a request for trial de novo is not filed within the time provided, the award issued by the board is

final and enforceable by a court of law.

(5) An arbitration request may not be made to the board before final acceptance but must be made to the board within 820 days after final acceptance or within 360 days after written notice by the department of a claim related to a written warranty or defect after final acceptance.

Section 16. Present subsection (10) of section 339.175, Florida Statutes, is redesignated as subsection (11), a new subsection (10) is added to that section, and subsection (1), paragraph (a) of subsection (2), paragraphs (b), (i), and (j) of subsection (6), paragraphs (a), (b), and (d) of subsection (7), and present subsection (11) of that section are amended, to read:

339.175 Metropolitan planning organization.—

(1) PURPOSE.—It is the intent of the Legislature to encourage and promote the safe and efficient management, operation, and development of multimodal ~~surface~~ transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and through urbanized areas of this state while balancing conservation of natural resources ~~minimizing transportation-related fuel consumption, air pollution, and greenhouse gas emissions through metropolitan transportation planning processes identified in this section~~. To accomplish these objectives, metropolitan planning organizations, referred to in this section as M.P.O.'s, shall develop, in cooperation with the state and public transit operators, transportation plans and programs for metropolitan areas. The plans and programs for each metropolitan area must provide for the development and integrated management and

operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities that will function as an intermodal transportation system for the metropolitan area, based upon the prevailing principles provided in s. 334.046(1). The process for developing such plans and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive, to the degree appropriate, based on the complexity of the transportation problems to be addressed. To ensure that the process is integrated with the statewide planning process, M.P.O.'s shall develop plans and programs that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state, and regional transportation functions. For the purposes of this section, those facilities include the facilities on the Strategic Intermodal System designated under s. 339.63 and facilities for which projects have been identified pursuant to s. 339.2819(4).

(2) DESIGNATION.—

(a)1. An M.P.O. shall be designated for each urbanized area of the state; however, this does not require that an individual M.P.O. be designated for each such area. Such designation shall be accomplished by agreement between the Governor and units of general-purpose local government representing at least 75 percent of the population of the urbanized area; however, the unit of general-purpose local government that represents the central city or cities within the M.P.O. jurisdiction, as defined by the United States Bureau of the Census, must be a party to such agreement.

2. To the extent possible, only one M.P.O. shall be designated for each urbanized area or group of contiguous urbanized areas. More than one M.P.O. may be designated within an existing urbanized area only if the Governor and the existing M.P.O. determine that the size and complexity of the existing urbanized area makes the designation of more than one M.P.O. for the area appropriate. After July 1, 2025, no additional M.P.O.'s may be designated in this state except in urbanized areas, as defined by the United States Census Bureau, where the urbanized area boundary is not contiguous to an urbanized area designated before the 2020 census~~, in which case each M.P.O. designated for the area must:~~

~~a. Consult with every other M.P.O. designated for the urbanized area and the state to coordinate plans and transportation improvement programs~~.

~~b. Ensure, to the maximum extent practicable, the consistency of data used in the planning process, including data used in forecasting travel demand within the urbanized area.~~

Each M.P.O. required under this section must be fully operative no later than 6 months following its designation.

(6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers, privileges, and authority of an M.P.O. are those specified in this section or incorporated in an interlocal agreement authorized under s. 163.01. Each M.P.O. shall perform all acts required by federal or state laws or rules, now and subsequently applicable, which are necessary to qualify for federal aid. It is the intent of this section that each M.P.O. be involved in the planning and programming of transportation facilities,

including, but not limited to, airports, intercity and high-speed rail lines, seaports, and intermodal facilities, to the extent permitted by state or federal law. An M.P.O. may not perform project production or delivery for capital improvement projects on the State Highway System.

(b) In developing the long-range transportation plan and the transportation improvement program required under paragraph (a), each M.P.O. shall provide for consideration of projects and strategies that will:

1. Support the economic vitality of the contiguous urbanized metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.

2. Increase the safety and security of the transportation system for motorized and nonmotorized users.

3. Increase the accessibility and mobility options available to people and for freight.

4. Protect and enhance the environment, conserve natural resources ~~promote energy conservation~~, and improve quality of life.

5. Enhance the integration and connectivity of the transportation system, across and between modes and contiguous urbanized metropolitan areas, for people and freight.

6. Promote efficient system management and operation.

7. Emphasize the preservation of the existing transportation system.

8. Improve the resilience of transportation infrastructure.

9. Reduce traffic and congestion.

~~(i) By December 31, 2023, the M.P.O.'s serving Hillsborough, Pasco, and Pinellas Counties must submit a~~

~~feasibility report to the Governor, the President of the Senate, and the Speaker of the House of Representatives exploring the benefits, costs, and process of consolidation into a single M.P.O. serving the contiguous urbanized area, the goal of which would be to:~~

~~1. Coordinate transportation projects deemed to be regionally significant.~~

~~2. Review the impact of regionally significant land use decisions on the region.~~

~~3. Review all proposed regionally significant transportation projects in the transportation improvement programs.~~

(i)1.~~(j)1.~~ To more fully accomplish the purposes for which M.P.O.'s have been mandated, the department shall, at least annually, convene M.P.O.'s of similar size, based on the size of population served, for the purpose of exchanging best practices. M.P.O.'s may ~~shall~~ develop committees or working groups as needed to accomplish such purpose. At the discretion of the department, training for new M.P.O. governing board members shall be provided by the department, by an entity pursuant to a contract with the department, by the Florida Center for Urban Transportation Research, or by the Implementing Solutions from Transportation Research and Evaluation of Emerging Technologies (I-STREET) living lab ~~coordination mechanisms with one another to expand and improve transportation within the state. The appropriate method of coordination between M.P.O.'s shall vary depending upon the project involved and given local and regional needs. Consequently, it is appropriate to set forth a flexible methodology that can be used by M.P.O.'s to coordinate with~~

~~other M.P.O.'s and appropriate political subdivisions as circumstances demand~~.

2. Any M.P.O. may join with any other M.P.O. or any individual political subdivision to coordinate activities or to achieve any federal or state transportation planning or development goals or purposes consistent with federal or state law. When an M.P.O. determines that it is appropriate to join with another M.P.O. or any political subdivision to coordinate activities, the M.P.O. or political subdivision shall enter into an interlocal agreement pursuant to s. 163.01, which, at a minimum, creates a separate legal or administrative entity to coordinate the transportation planning or development activities required to achieve the goal or purpose; provides the purpose for which the entity is created; provides the duration of the agreement and the entity and specifies how the agreement may be terminated, modified, or rescinded; describes the precise organization of the entity, including who has voting rights on the governing board, whether alternative voting members are provided for, how voting members are appointed, and what the relative voting strength is for each constituent M.P.O. or political subdivision; provides the manner in which the parties to the agreement will provide for the financial support of the entity and payment of costs and expenses of the entity; provides the manner in which funds may be paid to and disbursed from the entity; and provides how members of the entity will resolve disagreements regarding interpretation of the interlocal agreement or disputes relating to the operation of the entity. Such interlocal agreement shall become effective upon its recordation in the official public records of each county in

which a member of the entity created by the interlocal agreement has a voting member. Multiple M.P.O.'s may merge, combine, or otherwise join together as a single M.P.O.

(7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must develop a long-range transportation plan that addresses at least a 20-year planning horizon. The plan must include both long-range and short-range strategies and must comply with all other state and federal requirements. The prevailing principles to be considered in the long-range transportation plan are: preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility. The long-range transportation plan must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved local government comprehensive plans of the units of local government located within the jurisdiction of the M.P.O. Each M.P.O. is encouraged to consider strategies that integrate transportation and land use planning to provide for sustainable development and reduce greenhouse gas emissions. The approved long-range transportation plan must be considered by local governments in the development of the transportation elements in local government comprehensive plans and any amendments thereto. The long-range transportation plan must, at a minimum:

(a) Identify transportation facilities, including, but not limited to, major roadways, airports, seaports, spaceports, commuter rail systems, transit systems, and intermodal or multimodal terminals that will function as an integrated metropolitan transportation system. The long-range transportation plan must give emphasis to those transportation

facilities that serve national, statewide, or regional functions, and must consider the goals and objectives identified in the Florida Transportation Plan as provided in s. 339.155. If a project is located within the boundaries of more than one M.P.O., the M.P.O.'s must coordinate plans regarding the project in the long-range transportation plan. ~~Multiple M.P.O.'s within a contiguous urbanized area must coordinate the development of long-range transportation plans to be reviewed by the Metropolitan Planning Organization Advisory Council.~~

(b) Include a financial plan that demonstrates how the plan can be implemented, indicating resources from public and private sources which are reasonably expected to be available to carry out the plan, and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted long-range transportation plan if reasonable additional resources beyond those identified in the financial plan were available. For the purpose of developing the long-range transportation plan, the M.P.O. and the department shall cooperatively develop estimates of funds that will be available to support the plan implementation. Innovative financing techniques may be used to fund needed projects and programs. Such techniques may include the assessment of tolls, public-private partnerships, the use of value capture financing, or the use of value pricing. Multiple M.P.O.'s within a contiguous urbanized area must ensure, to the maximum extent possible, the consistency of data used in the planning process.

(d) Indicate, as appropriate, proposed transportation enhancement activities, including, but not limited to,

pedestrian and bicycle facilities, trails or facilities that are regionally significant or critical linkages for the Florida Shared-Use Nonmotorized Trail Network, scenic easements, landscaping, integration of advanced air mobility, and integration of autonomous and electric vehicles, electric bicycles, and motorized scooters used for freight, commuter, or micromobility purposes ~~historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising~~.

In the development of its long-range transportation plan, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the long-range transportation plan. The long-range transportation plan must be approved by the M.P.O.

(10) AGREEMENTS; ACCOUNTABILITY.—

(a) Each M.P.O. may execute a written agreement with the department, which shall be reviewed, and updated as necessary, every 5 years, which clearly establishes the cooperative relationship essential to accomplish the transportation planning requirements of state and federal law. Roles, responsibilities, and expectations for accomplishing consistency with federal and state requirements and priorities must be set forth in the agreement. In addition, the agreement must set forth the M.P.O.'s responsibility, in collaboration with the department,

to identify, prioritize, and present to the department a complete list of multimodal transportation projects consistent with the needs of the metropolitan planning area. It is the department's responsibility to program projects in the state transportation improvement program.

(b) The department must establish, in collaboration with each M.P.O., quality performance metrics, such as safety, infrastructure condition, congestion relief, and mobility. Each M.P.O. must, as part of its long-range transportation plan, in direct coordination with the department, develop targets for each performance measure within the metropolitan planning area boundary. The performance targets must support efficient and safe movement of people and goods both within the metropolitan planning area and between regions. Each M.P.O. must report progress toward establishing performance targets for each measure annually in its transportation improvement plan. The department shall evaluate and post on its website whether each M.P.O. has made significant progress toward its target for the applicable reporting period.

~~(11) METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL.—~~

~~(a) A Metropolitan Planning Organization Advisory Council is created to augment, and not supplant, the role of the individual M.P.O.'s in the cooperative transportation planning process described in this section.~~

~~(b) The council shall consist of one representative from each M.P.O. and shall elect a chairperson annually from its number. Each M.P.O. shall also elect an alternate representative from each M.P.O. to vote in the absence of the representative. Members of the council do not receive any compensation for their~~

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~~services, but may be reimbursed from funds made available to council members for travel and per diem expenses incurred in the performance of their council duties as provided in s. 112.061.~~

~~(c) The powers and duties of the Metropolitan Planning Organization Advisory Council are to:~~

~~1. Establish bylaws by action of its governing board providing procedural rules to guide its proceedings and consideration of matters before the council, or, alternatively, adopt rules pursuant to ss. 120.536(1) and 120.54 to implement provisions of law conferring powers or duties upon it.~~

~~2. Assist M.P.O.'s in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion pursuant to law.~~

~~3. Serve as a clearinghouse for review and comment by M.P.O.'s on the Florida Transportation Plan and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning processes instituted pursuant to s. 339.155. The council must also report annually to the Florida Transportation Commission on the alignment of M.P.O. long-range transportation plans with the Florida Transportation Plan.~~

~~4. Employ an executive director and such other staff as necessary to perform adequately the functions of the council, within budgetary limitations. The executive director and staff are exempt from part II of chapter 110 and serve at the direction and control of the council. The council is assigned to the Office of the Secretary of the Department of Transportation for fiscal and accountability purposes, but it shall otherwise function independently of the control and direction of the~~

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~~department.~~

~~5. Deliver training on federal and state program requirements and procedures to M.P.O. board members and M.P.O. staff.~~

~~6. Adopt an agency strategic plan that prioritizes steps the agency will take to carry out its mission within the context of the state comprehensive plan and any other statutory mandates and directives.~~

~~(d) The Metropolitan Planning Organization Advisory Council may enter into contracts in accordance with chapter 287 to support the activities described in paragraph (c). Lobbying and the acceptance of funds, grants, assistance, gifts, or bequests from private, local, state, or federal sources are prohibited.~~

Section 17. Subsection (4) of section 339.65, Florida Statutes, is amended to read:

339.65 Strategic Intermodal System highway corridors.—

(4) The department shall develop and maintain a plan of Strategic Intermodal System highway corridor projects that are anticipated to be let to contract for construction within a time period of at least 20 years. The department shall prioritize projects affecting gaps in a corridor so that the corridor becomes contiguous in its functional characteristics across the corridor. The plan must ~~shall~~ also identify when segments of the corridor will meet the standards and criteria developed pursuant to subsection (5).

Section 18. Paragraph (a) of subsection (3) of section 348.0304, Florida Statutes, is amended to read:

348.0304 Greater Miami Expressway Agency.—

(3)(a) The governing body of the agency shall consist of

nine voting members. Except for the district secretary of the department, each member must be a permanent resident of a county served by the agency and may not hold, or have held in the previous 2 years, elected or appointed office in such county, except that this paragraph does not apply to any initial appointment under paragraph (b) or to any member who previously served on the governing body of the former Greater Miami Expressway Agency. Each member may only serve two terms of 4 years each, except that there is no restriction on the term of the department's district secretary. Four members, each of whom must be a permanent resident of Miami-Dade County, shall be appointed by the Governor, subject to confirmation by the Senate at the next regular session of the Legislature. Refusal or failure of the Senate to confirm an appointment shall create a vacancy. Appointments made by the Governor and board of county commissioners of Miami-Dade County shall reflect the state's interests in the transportation sector and represent the intent, duties, and purpose of the Greater Miami Expressway Agency, and have at least 3 years of professional experience in one or more of the following areas: finance; land use planning; tolling industry; or transportation engineering. Two members, who must be residents of an unincorporated portion of the geographic area described in subsection (1) and residing within 15 miles of an ~~area with the highest amount of~~ agency toll road ~~roads~~, shall be appointed by the board of county commissioners of Miami-Dade County. Two members, who must be residents of incorporated municipalities within a county served by the agency, shall be appointed by the metropolitan planning organization for a county served by the agency. The district secretary of the department

serving in the district that contains Miami-Dade County shall serve as an ex officio voting member of the governing body.

Section 19. Paragraph (e) of subsection (2) of section 331.310, Florida Statutes, is amended to read:

331.310 Powers and duties of the board of directors.—

(2) The board of directors shall:

(e) Prepare an annual report of operations as a supplement to the annual report required under s. 331.3051(15) ~~s. 331.3051(16)~~. The report must include, but not be limited to, a balance sheet, an income statement, a statement of changes in financial position, a reconciliation of changes in equity accounts, a summary of significant accounting principles, the auditor's report, a summary of the status of existing and proposed bonding projects, comments from management about the year's business, and prospects for the next year.

Section 20. For the purpose of incorporating the amendment made by this act to section 332.004, Florida Statutes, in a reference thereto, subsection (1) of section 332.115, Florida Statutes, is reenacted to read:

332.115 Joint project agreement with port district for transportation corridor between airport and port facility.—

(1) An eligible agency may acquire, construct, and operate all equipment, appurtenances, and land necessary to establish, maintain, and operate, or to license others to establish, maintain, operate, or use, a transportation corridor connecting an airport operated by such eligible agency with a port facility, which corridor must be acquired, constructed, and used for the transportation of persons between the airport and the port facility, for the transportation of cargo, and for the

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

location and operation of lines for the transmission of water, electricity, communications, information, petroleum products, products of a public utility (including new technologies of a public utility nature), and materials. However, any such corridor may be established and operated only pursuant to a joint project agreement between an eligible agency as defined in s. 332.004 and a port district as defined in s. 315.02, and such agreement must be approved by the Department of Transportation and the Department of Commerce. Before the Department of Transportation approves the joint project agreement, that department must review the public purpose and necessity for the corridor pursuant to s. 337.273(5) and must also determine that the proposed corridor is consistent with the Florida Transportation Plan. Before the Department of Commerce approves the joint project agreement, that department must determine that the proposed corridor is consistent with the applicable local government comprehensive plans. An affected local government may provide its comments regarding the consistency of the proposed corridor with its comprehensive plan to the Department of Commerce.

Section 21. (1) The Legislature finds that the widening of Interstate 4, from U.S. 27 in Polk County to Interstate 75 in Hillsborough County, is in the public interest and the strategic interest of the region to improve the movement of people and goods.

(2) The Department of Transportation shall develop a report on widening Interstate 4, from U.S. 27 in Polk County to Interstate 75 in Hillsborough County, as efficiently as possible which includes, but is not limited to, detailed cost projections

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

and schedules for project development and environment studies, design, acquisition of rights-of-way, and construction. The report must identify funding shortfalls and provide strategies to address such shortfalls, including, but not limited to, the use of express lane toll revenues generated on the Interstate 4 corridor and available department funds for public-private partnerships. The Department of Transportation shall submit the report by December 31, 2025, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 22. This act shall take effect July 1, 2025.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

SB 462
Bill Number or Topic

923832
Amendment Barcode (if applicable)

Name French Brown

Phone 850-459-0992

Address 106 E. College Ave, Suite 1200
Street

Email fbrown@gmail.com

Tallahassee FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing: Florida Outdoor Advertising Association

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

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 Fiscal Policy

BILL:	CS/CS/SB 628
INTRODUCER:	Transportation Committee; Criminal Justice Committee; and Senator Martin
SUBJECT:	Boating Safety
DATE:	April 7, 2025
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Parker	Stokes	CJ	**Fav/CS**
2.	Shutes	Vickers	TR	**Fav/CS**
3.	Parker	Siples	FP	**Favorable**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 628 amends several statutes related to boating safety and provides that this act may be cited as "Lucy's Law."

The bill amends s. 327.30, F.S., to provide penalties for leaving the scene of a vessel accident or injury. If a person leaves the scene and the accident results in:

- Property damage only, the person commits a first degree misdemeanor.[1]
- Injury to a person other than serious bodily injury, the person commits a third degree felony.
- Serious bodily injury, the person commits a second degree felony.[2]
- The death of another person or an unborn child, the person commits a first degree felony.[3]
  - A person commits a third degree felony if he or she was operating a vessel involved in an accident that results in death of another person or an unborn child and provides a false statement to an investigating law enforcement officer.[4]

[1] A first degree misdemeanor is punishable by a definite term of imprisonment not exceeding 1 year and a $1,000 fine, as provided in ss. 775.082 and 775.083, F.S.

[2] A second degree felony is punishable by a term of imprisonment not exceeding 15 years and a fine up to $10,000, as provided in ss. 775.082, 775.083, and 775.084, F.S.

[3] A first degree felony is punishable by a term of imprisonment not to exceed 30 years and a fine up to $10,000, as provided in ss. 775.082, 775.083, and 775.084, F.S.

[4] Section 327.30, F.S.

The bill amends s. 327.33, F.S., to provide criminal penalties for reckless operation of a vessel. Current law provides that reckless operation of a vessel is a first degree misdemeanor. Under the bill, reckless operation of a vessel that:

- Does not result in an accident, is a first degree misdemeanor.
- Results in an accident that does not cause serious bodily injury, is a third degree felony.
- Results in an accident that causes serious bodily injury, is a second degree felony.
- Results in an accident that causes the death of another person or an unborn child, is a first-degree felony.

The bill creates s. 327.35105, F.S., to provide that the driver license of a person who is convicted of a violation of reckless or careless operation of a vessel,[5] or boating under the influence (BUI)[6] must be suspended until all orders of the court have been satisfied.

The bill amends s. 327.731, F.S., to provide that a person who is convicted of certain noncriminal boating infractions would be required to successfully complete an approved boating safety course.

The bill amends ss. 327.02 and 327.54, F.S., to revise the definition of "livery vessel," and "livery."

The bill amends s. 782.072, F.S., to revise the definition of the term "vessel homicide" to include the death of an unborn child caused by injury to the mother.

The bill may have a positive indeterminate impact. *See Section V. Fiscal Impact Statement*.

The bill is effective on July 1, 2025.

II. Present Situation:

Fish and Wildlife Conservation Commission

The Fish and Wildlife Conservation Commission (FWC) is responsible for regulating, managing, protecting, and conserving the state's fish and wildlife resources.[7] Chapter 327, F.S., concerning

[5] Section 327.33, F.S., provides that it is unlawful to operate a vessel in a reckless manner. A person who operates any vessel, or manipulates any water skis, aquaplane, or similar device, in willful or wanton disregard for the safety of persons or property at a speed or in a manner as to endanger, or likely to endanger, life or limb, or damage the property of, or injure a person is guilty of reckless operation of a vessel. Reckless operation of a vessel includes, but is not limited to, a violation of s. 327.331(6). A person who violates this subsection commits a first degree misdemeanor.

[6] Section 327.35, F.S., provides that a person is guilty of boating under the influence and is subject to punishment if the person is operating a vessel within this state and the person is under the influence of alcoholic beverages, and any chemical substance set forth in s. 877.111, or any substance controlled under chapter 893, when affected to the extent that the person's normal faculties are impaired. Such person commits a first degree misdemeanor.

[7] FLA. CONST. art. IV, s. 9. There shall be a fish and wildlife conservation commission, composed of seven members appointed by the governor, subject to confirmation by the senate for staggered terms of five years. The FWC shall exercise the regulatory and executive powers of the state with respect to wild animal life and fresh water aquatic life, and shall also exercise regulatory and executive powers of the state with respect to marine life, except that all license fees for taking wild animal life, fresh water aquatic life, and marine life and penalties for violating regulations of the FWC shall be prescribed by general law.

vessel safety, is enforced by the FWC's Division of Law Enforcement and its officers, county sheriffs and deputies, municipal police officers, and any other law enforcement officer.[8]

The Division of Law Enforcement manages the state's waterways to ensure boating safety for Florida residents and visitors.[9] This includes enforcing boating rules and regulations, coordinating boating safety campaigns and education, managing public waters and access to the waters, conducting boating accident investigations, identifying and removing derelict vessels, and investigating vessel theft and title fraud.[10]

Boating Crimes

Vessel Homicide

Vessel homicide is the killing of a human being by the operation of a vessel by another in a reckless manner likely to cause the death of, or great bodily harm to, another.[11] Vessel homicide is generally a second degree felony;[12] however, it is a first degree felony if:

- At the time of the accident, the person knew or should have known, that the accident occurred;[13] and
- The person failed to give information and render aid as required.[14]

Careless and Reckless Boating

Generally, a person may not operate a vessel in a reckless or careless manner. A person who operates any vessel, or manipulates any water skis, aquaplane, or similar device, in willful or wanton disregard for the safety of persons or property at a speed or in a manner as to endanger, or likely to endanger, life or limb, or damage the property of, or injure a person, commits the first degree misdemeanor offense of reckless operation of a vessel.[15]

A person must operate a vessel in a reasonable and prudent manner, having regard for other waterborne traffic, posted speed and wake restrictions, and all other attendant circumstances so as not to endanger the life, limb, or property of another person outside the vessel or to endanger the life, limb, or property of another person due to vessel overloading or excessive speed. Failing to operate a vessel in this manner is the noncriminal infraction of careless operation.[16]

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[8] Section 327.70(1), F.S.
[9] Fish and Wildlife Conservation Commission (FWC), *Boating*, available at https://myfwc.com/boating/ (last visited February 27, 2025).
[10] Fish and Wildlife Conservation Commission (FWC), *Law Enforcement*, available at https://myfwc.com/about/inside-fwc/le/ (last visited February 27, 2025). The FWC's Division of Law Enforcement is responsible for protecting Florida's natural resources, including fish, wildlife and the environment, while providing a safe atmosphere for residents and visitors to recreate. Fish and Wildlife Conservation Commission (FWC) officers have full police powers and statewide jurisdiction. They patrol rural, wilderness and inshore and offshore areas and are often the sole law enforcement presence in many remote parts of the state. The Division of Law Enforcement has cooperative agreements with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service. Officers are also cross-deputized to enforce federal marine fisheries and wildlife laws, thus ensuring state and federal consistency in resource-protection efforts.
[11] Section 782.072, F.S.
[12] Section 782.072(1), F.S.
[13] Section 782.072(2)(a), F.S.
[14] Section 782.072(2)(b), F.S.
[15] Section 327.33(1), F.S.
[16] Section 327.33(2), F.S.

Leaving the Scene

It is the duty of the operator of a vessel involved in a collision, accident, or other casualty, so far as he or she can do so without serious danger to the operator's own vessel, crew, and passengers, to render assistance to other persons. Additionally, he or she must give his or her name, address, and identification of his or her vessel in writing to any person injured and to the owner of any property damaged. The operator must also take all reasonable steps to locate and notify the owner or person in charge of un unattended vessel involved in an accident.[17]

A person commits a second degree misdemeanor for leaving the scene of a vessel involved in an accident, if such accident results in property damage only.

A person commits a third degree felony for leaving the scene of a vessel involved in an accident, if such accident results in personal injury. [18]

Boating Under the Influence

A person is guilty of BUI if the person is operating a vessel in this state and the person:

- Is under the influence of an alcoholic beverage, any chemical substance set forth in s. 877.111, F.S., or any substance controlled under ch. 893, F.S., when affected to the extent that the person's normal faculties are impaired;[19]
- Has a blood-alcohol level or 0.08 or more grams of alcohol per 100 milliliters of blood;[20] or
- Has a breath-alcohol level of 0.08 or more grams of alcohol per 210 liters of breath.[21]

The criminal penalties for BUI vary depending on numerous factors such as the number of prior convictions, the length of time between convictions, and the defendant's blood alcohol level.[22] The penalties for a first or second BUI offense includes:

- A fine of not less than $500 or more than $1,000 for a first conviction.[23]
- A fine of not less than $1,000 or more than $2,000 for a second conviction.[24]
- Imprisonment for not more than six months for a first conviction.[25]
- Imprisonment for not more than nine months for a second conviction.[26]
- A period of probation not exceeding one year for a first conviction.[27]
- A mandatory 50 hours of community service,[28] and a mandatory 10-day vessel impoundment or immobilization for a first conviction.[29]

[17] Section 327.30(1), F.S,
[18] Section 327.30(5), F.S.
[19] Section 327.35(1)(a), F.S.
[20] Section 327.35(1)(b), F.S.
[21] Section 327.35(1)(c), F.S.
[22] Section 327.35, F.S.
[23] Section 327.35(2)(a)1., F.S.
[24] Section 327.35(2)(a), F.S.
[25] Section 327.35(2)(a)2.a., F.S.
[26] Section 327.35(2)(a)2.b.,F.S.
[27] Section 327.35(6)(a), F.S.
[28] *Id*.
[29] *Id*.

- A mandatory term of imprisonment of at least 10 days and a mandatory 30-day vessel impoundment or immobilization for a second conviction that occurs within a period of five years after the date of a prior conviction.[30]

Any person who is convicted of a third BUI for an offense that occurs within 10 years after a prior conviction for a violation of this section commits a third degree felony.[31] Additionally, the court must order imprisonment of at least 30 days, and order the impoundment or immobilization of the vessel for 90 days.[32]

Any person who is convicted of a third BUI for an offense that occurs more than 10 years after the date of a prior conviction for a violation of this section shall be punished by a fine of not less than $2,000 or more than $5,000 and by imprisonment for not more than 12 months.[33]

Any person who is convicted of a fourth or subsequent BUI, regardless of when any prior conviction for a violation of this section occurred commits a third degree felony. The fine imposed for a fourth or subsequent violation may not be less than $2,000.[34]

Any person who commits BUI, who operates a vessel, and who by reason of such operation causes or contributes to causing:

- Damage to the property or person of another commits a first degree misdemeanor.[35]
- Serious bodily injury to another commits a third degree felony.[36]
- The death of any human being commits BUI manslaughter and commits a second degree felony.[37]
- If at the time of the accident the person knew, or should have known, that the accident occurred and failed to give information and render aid, such person commits a first degree felony.[38]

Any person who is convicted of a BUI and who has a blood-alcohol level or breath-alcohol level of 0.15 or higher, or any person who is convicted of a BUI and who at the time of the offense was accompanied in the vessel by a person under the age of 18 years, must be punished:[39]

- By a fine of:
  - Not less than $1,000 or more than $2,000 for a first conviction.[40]
  - Not less than $2,000 or more than $4,000 for a second conviction.[41]
  - Not less than $4,000 or a third or subsequent conviction.[42]

[30] Section 327.35(6)(b), F.S.
[31] Section 327.35(2)(b)1., F.S.
[32] Section 327.35(6)(c), F.S.
[33] Section 327.35(2)(b)2., F.S.
[34] Section 327.35(2)(b)3., F.S.
[35] Section 327.35(3)(c)1., F.S.
[36] Section 327.35(3)(c)2., F.S.
[37] Section 327.35(3)(c)3.a., F.S.
[38] Section 327.35(3)(c)b.,F.S., penalties for this subsection does not require that the person know that the accident resulted in injury or death.
[39] Section 327.35(4), F.S.
[40] Section 327.35(4)(a)1., F.S.
[41] Section 327.35(4)(a)2., F.S.
[42] Section 327.35(4)(a)3., F.S.

- By imprisonment for:
  - Not more than nine months for a first conviction.[43]
  - Not more than 12 months for a second conviction.[44]

Additionally, the court must place any person convicted of BUI to monthly reporting probation and must require attendance at a substance abuse course specified by the court. The agency conducting the course may refer the offender to an authorized service provider for a substance abuse evaluation and treatment.[45]

Mandatory Education for Boating Violations

Any person who is convicted of a criminal violation, convicted of a noncriminal infraction if the infraction resulted in a reportable boating accident, or is convicted of two noncriminal infractions within a 12 month period, must do the following: [46]

- Enroll, attend, and successfully complete a classroom or online boating safety course, at his or her own expense; [47]
- File with the commission within 90 days proof of a successful completion of the course; [48]
- Refrain from operating a vessel until he or she has filed proof of successful completion with the commission; [49]and
- Pay a fine of $500. [50]

Boarding a Vessel (Search)

The Florida Supreme Court has held that the state's interest in random stopping and brief detention of motorboats for limited purposes outweighs a person's interest in being completely free from such limited intrusion.[51] No officer shall board any vessel to make a safety or marine sanitation equipment inspection if the owner or operator is not aboard. When the owner or operator is aboard, an officer may board a vessel with consent or when the officer has probable cause or knowledge to believe that a violation of a provision of this chapter has occurred or is occurring. An officer may board a vessel when the operator refuses or is unable to display the safety or marine sanitation equipment required by law, if requested to do so by a law enforcement officer, or when the safety or marine sanitation equipment to be inspected is permanently installed and is not visible for inspection unless the officer boards the vessel.[52] However, law enforcement officers of the FWC have the authority, without warrant, to board, inspect, and search any boat, fishing appliance, storage or processing plant, fishhouse, spongehouse, oysterhouse, or other warehouse, building, or vehicle engaged in transporting or storing any fish or fishery products.[53]

[43] Section 327.35(4)(b)1., F.S.
[44] Section 327.35(4)(b)2., F.S.
[45] Section 327.35(5), F.S.
[46] Section 327.731(1), F.S.
[47] Section 327.731(1)(a), F.S.
[48] Section 327.731(1)(b), F.S.
[49] Section 327.731(1)(c), F.S.
[50] Section 327.731(1)(d), F.S.
[51] *State v. Casal*, 410 So. 2d 152 (Fla. 1982).
[52] Section 327.56 (1), F.S.
[53] Section 379.3313, F.S.

Such authority to search and inspect without a search warrant is limited to those cases in which such law enforcement officers have reason to believe that fish or any saltwater products are taken or kept for sale, barter, transportation, or other purposes in violation of laws or rules adopted under this law. Such law enforcement officers may arrest any person in the act of violating this law, the rules of the FWC, or any of the laws of this state. It is unlawful for a person to resist such arrest or in any manner interfere, either by abetting or assisting such resistance or otherwise interfering, with any such law enforcement officer while engaged in the performance of the duties imposed upon him or her by law or rule of the FWC.[54]

Livery

Section 327.54, F.S., provides safety regulations for liveries and livery vessels. A vessel that is leased, rented or chartered to another for consideration is a livery vessel.

A livery is a person who advertises and offers a livery vessel for the use by another in exchange for any type of consideration when such person does not also provide the lessee or renter with a captain, a crew, or any type of staff or personnel to operate, oversee, maintain, or manage the vessel. The following are not a livery.

- The owner of a vessel who does not advertise his or her vessel for use by another for consideration and who loans or offers his or her vessel for use to another known to him or her either for consideration or without consideration.
- A public or private school or postsecondary institution.[55]

III. Effect of Proposed Changes:

The bill amends several statutes relating to boating safety and provides that the act may be cited as "Lucy's Law."

The bill amends s. 327.30, F.S., to provide penalties for leaving the scene of a vessel accident or injury. If a person leaves the scene and the accident results in:

- Property damage only, the person commits a first degree misdemeanor.[56]
- Injury to a person other than serious bodily injury, the person commits a third degree felony.
- Serious bodily injury, the person commits a second degree felony.[57]
- The death of another person or an unborn child, the person commits a first degree felony.[58]
- A person commits a third degree felony if he or she was operating a vessel involved in an accident that results in death of another person or an unborn child and provides a false statement to an investigating law enforcement officer.[59]

[54] Section 379.3313(1), F.S.
[55] Section 327.54(1)(c), F.S.
[56] A first degree misdemeanor is punishable by a definite term of imprisonment not exceeding 1 year and a $1,000 fine, as provided in ss. 775.082 and 775.083, F.S.
[57] A second degree felony is punishable by a term of imprisonment not exceeding 15 years and a fine up to $10,000, as provided in ss. 775.082, 775.083, and 775.084, F.S.
[58] A first degree felony is punishable by a term of imprisonment not to exceed 30 years and a fine up to $10,000, as provided in ss. 775.082, 775.083, and 775.084, F.S.
[59] A felony of the third degree is punishable by a term of imprisonment of 5 years, as provided in ss. 775.082, 775.083, and 775.083, F.S.

The bill amends s. 327.33, F.S., to provide penalties for reckless operation of a vessel. Current law provides that reckless operation of a vessel is a first degree misdemeanor. Under the bill, reckless operation of a vessel that:

- Does not result in an accident, is a first degree misdemeanor.
- Results in an accident that does not cause serious bodily injury, is a third degree felony.
- Results in an accident that causes serious bodily injury, is a second degree felony.
- Results in an accident that causes the death of another person or an unborn child, is a first degree felony.

The bill creates s. 327.35105, F.S., to provide that the driver license of a person who is convicted of a violation of a violation of reckless or careless operation of a vessel[60] or BUI[61] must be suspended until all orders of the court have been satisfied.

The bill amends s. 327.731, F.S., to provide any person who is convicted of a single violation of the following noncriminal infractions must complete an approved boating safety course, file proof of course completion with the FWC, and refrain from operating a vessel until filing proof of course completion with the FWC:

- Careless operation.
- Violations relating to waterskiing, aquaplaning, parasailing, or similar activities.
- Interference with navigation.
- Boating-restricted areas and speed limits.
- Required safety equipment, lights, and shapes.
- Violations relating to navigation rules.
- Violations relating to personal watercraft.
- Violations relating to boating safety education requirements.
- Operation of overloaded or overpowered vessels.
- Violations relating to divers-down warning devices.
- Requirements for an adequate muffler on an airboat.
- Violations relating to the display of a flag on an airboat.
- Carelessly causing seagrass scarring.
- Violations relating to protection zones for springs. [62]

Any person who is convicted of two of the specified noncriminal infractions within a 12 month period must pay a fine of $500 and complete a boater safety education course that meets the requirements of s. 327.395, F.S.

[60] Section 327.33, F.S., provides that it is unlawful to operate a vessel in a reckless manner. A person who operates any vessel, or manipulates any water skis, aquaplane, or similar device, in willful or wanton disregard for the safety of persons or property at a speed or in a manner as to endanger, or likely to endanger, life or limb, or damage the property of, or injure a person is guilty of reckless operation of a vessel. Reckless operation of a vessel includes, but is not limited to, a violation of s. 327.331(6). A person who violates this subsection commits a first degree misdemeanor.

[61] Section 327.35, F.S., provides that a person is guilty of boating under the influence and is subject to punishment if the person is operating a vessel within this state and the person is under the influence of alcoholic beverages, and any chemical substance set forth in s. 877.111, or any substance controlled under chapter 893, when affected to the extent that the person's normal faculties are impaired. Such person commits a first degree misdemeanor.

[62] Section 327.73(1)(h)-(k),(m),(o),(p),(s)-(y), F.S.

The bill amends s. 327.02, F.S., to revise the definition of the term "livery vessel" to mean a vessel leased or rented.

The bill amends. s. 327.54, F.S., to revise the definition of the term "livery" to mean a person who advertises and offers a livery vessel for use by another in exchange for any type of consideration when such person does not also provide *or does not require* the lessee or renter *to provide as a condition of the rental or lease agreement a person licensed by the United States Coast Guard to serve as master of the vessel or to* captain or manage the vessel. The owner of a vessel who does not advertise his or her vessel for use by another for consideration and who loans or offers his or her vessel for use to another known to him or her either for consideration or without consideration is not a livery. A public or private school or postsecondary institution located within this state is not a livery.

The bill amends s. 782.072, F.S., to revise the definition of the term "vessel homicide" to mean the killing of a human being *including the death of an unborn child*[63] *caused by injury to the mother*, by operation of a vessel[64] by another in a reckless manner likely to cause the death of, or great bodily harm to, another.

The bill takes effect on July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

[63] Section 775.021(5)(e), F.S., defines an "unborn child" as a member of the species *Homo sapiens*, at any stage of development, who is carried in the womb.

[64] Section 327.02(34), F.S., defines "operate" to mean to be in charge of, in command of, or in actual physical control of a vessel upon the waters of this state, to exercise control over or to have responsibility for a vessel's navigation or safety while the vessel is underway upon the waters of this state, or to control or steer a vessel being towed by another vessel upon the waters of the state.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill may have a positive indeterminate impact on the Department of Corrections due to the increase in penalties which may result in an increase in beds.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 327.02, 327.30, 327.33, 327.54, 327.731, and 782.072.
This bill creates section 327.35105 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Criminal Justice on March 4, 2025:
The committee substitute:
- Removed the provision that struck the probable cause requirement for a law enforcement officer to require a person to submit to a blood test.
- Removed the provision requiring all persons to have specified documents in their possession while operating a vessel.

CS by Transportation on March 12, 2025:
The committee substitute:
- Provides the enhanced penalties contained in the bill are applicable to the reckless operation of a vessel, not the careless operation of a vessel.

- Provides that a person who is convicted of a single violation of certain noncriminal boating infractions would be required to successfully complete an approved boating safety course.
- Provides a person who is convicted of two of the specified noncriminal infractions within a 12 month period must pay a fine of $500.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

793128

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/09/2025	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Martin) recommended the following:

Senate Amendment (with title amendment)

Delete lines 160 - 182
and insert:

Section 8. Section 782.072, Florida Statutes, is amended to read:

782.072 Vessel homicide.—"Vessel homicide" is the killing of a human being, including the death of an unborn child caused by injury to the mother, by the operation of a vessel as defined in s. 327.02 by another in a reckless manner likely to cause the

793128

death of, or great bodily harm to, another. Vessel homicide is:

(1) A felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) A felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if:

(a) At the time of the accident, the person knew, or should have known, that the accident occurred; and

(b) The person failed to give information and render aid as required by s. 327.30(1).

(3) As used in this section, the term "unborn child" has the same meaning as in s. 775.021(5)(e).

This subsection does not require that the person knew that the accident resulted in injury or death.

Section 9. Subsection (2) of section 327.395, Florida Statutes, is amended to read:

327.395 Boating safety education.—

(2) While operating a vessel, a person identified under subsection (1) must have in his or her possession aboard the vessel photographic identification and a Florida boating safety identification card issued by the commission; a state-issued identification card or driver license indicating possession of the Florida boating safety identification card; or photographic identification and a temporary certificate issued or approved by the commission, an International Certificate of Competency, a boating safety card or certificate from another state or United States territory, or a Canadian Pleasure Craft Operator Card, which shows that he or she has:

(a) Completed a commission-approved boating safety

793128

education course that meets the minimum requirements established by the National Association of State Boating Law Administrators interactive course standards;

(b) Passed a temporary certificate examination developed or approved by the commission;

(c) A valid International Certificate of Competency; or

(d) Completed a boating safety education course or equivalency examination in another state, a United States territory, or Canada which meets or exceeds the minimum requirements established by the National Association of State Boating Law Administrators.

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

And the title is amended as follows:

Delete lines 17 - 18

and insert:

782.072, F.S.; revising the elements of vessel homicide; defining the term “unborn child”; amending s. 327.395, F.S.; revising the information that must be on certain identification cards and certificates that certain persons are required to have in their possession while operating a vessel;

800572

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/09/2025	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Martin) recommended the following:

Senate Substitute for Amendment (793128) (with title amendment)

Delete lines 160 - 182
and insert:

Section 8. Section 782.072, Florida Statutes, is amended to read:

782.072 Vessel homicide.—"Vessel homicide" is the killing of a human being, including the death of an unborn child caused by injury to the mother, by the operation of a vessel as defined

800572

in s. 327.02 by another in a reckless manner likely to cause the death of, or great bodily harm to, another. Vessel homicide is:

(1) A felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) A felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if:

(a) At the time of the accident, the person knew, or should have known, that the accident occurred; and

(b) The person failed to give information and render aid as required by s. 327.30(1).

This subsection does not require that the person knew that the accident resulted in injury or death.

(3) As used in this section, the term "unborn child" has the same meaning as in s. 775.021(5)(e).

Section 9. Subsection (2) of section 327.395, Florida Statutes, is amended to read:

327.395 Boating safety education.—

(2) While operating a vessel, a person identified under subsection (1) must have in his or her possession aboard the vessel photographic identification and a Florida boating safety identification card issued by the commission; a state-issued identification card or driver license indicating possession of the Florida boating safety identification card; or photographic identification and a temporary certificate issued or approved by the commission, an International Certificate of Competency, a boating safety card or certificate from another state or United States territory, or a Canadian Pleasure Craft Operator Card, which shows that he or she has:

800572

(a) Completed a commission-approved boating safety education course that meets the minimum requirements established by the National Association of State Boating Law Administrators interactive course standards;

(b) Passed a temporary certificate examination developed or approved by the commission;

(c) A valid International Certificate of Competency; or

(d) Completed a boating safety education course or equivalency examination in another state, a United States territory, or Canada which meets or exceeds the minimum requirements established by the National Association of State Boating Law Administrators.

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

And the title is amended as follows:

Delete lines 17 - 18

and insert:

782.072, F.S.; revising the elements of vessel homicide; defining the term "unborn child"; amending s. 327.395, F.S.; revising the information that must be on certain identification cards and certificates that certain persons are required to have in their possession while operating a vessel;

By the Committees on Transportation; and Criminal Justice; and Senator Martin

596-02312-25 2025628c2

A bill to be entitled

An act relating to boating safety; providing a short title; amending s. 327.02, F.S.; revising the definition of the term "livery vessel"; amending s. 327.30, F.S.; revising and providing penalties for vessel collisions, accidents, and casualties; amending s. 327.33, F.S.; revising and providing penalties for reckless or careless operation of a vessel; creating s. 327.35105, F.S.; requiring the suspension of driver licenses for boating under the influence and reckless or careless operation of a vessel; amending s. 327.54, F.S.; revising the definition of the term "livery"; amending s. 327.731, F.S.; requiring a person convicted of a certain criminal violation or certain noncriminal infractions within a specified period to complete a boater safety education course; amending s. 782.072, F.S.; defining the term "unborn child"; revising the definition of the term "vessel homicide"; providing an effective date.

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

Section 1. This act may be cited as "Lucy's Law."

Section 2. Subsection (24) of section 327.02, Florida Statutes, is amended to read:

327.02 Definitions.—As used in this chapter and in chapter 328, unless the context clearly requires a different meaning, the term:

(24) "Livery vessel" means a leased or rented vessel

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

596-02312-25 2025628c2

~~leased, rented, or chartered to another for consideration~~.

Section 3. Subsection (5) of section 327.30, Florida Statutes, is amended to read:

327.30 Collisions, accidents, and casualties.—

(5) It is unlawful for a person operating a vessel involved in an accident or injury to leave the scene of the accident or injury without giving all possible aid to all persons involved and making a reasonable effort to locate the owner or persons affected and subsequently complying with and notifying the appropriate law enforcement official as required under this section.

(a) If a ~~Any~~ person ~~who~~ violates this subsection and the ~~with respect to an~~ accident results ~~resulting~~ in:

1. Property damage only, the person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

2. Injury to a person other than serious bodily injury, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. Serious bodily injury, the person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

4. The death of another person or an unborn child, the person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) If a person operating a vessel involved in an accident that results in the death of another person or an unborn child provides a false statement to an investigating law enforcement officer, the person ~~personal injury~~ commits a felony of the

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third degree, punishable as provided in s. 775.082 or s. 775.083 ~~s. 775.082, s. 775.083, or s. 775.084. Any person who violates this subsection with respect to an accident resulting in property damage only commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083~~.

Section 4. Subsection (1) of section 327.33, Florida Statutes, is amended to read:

327.33 Reckless or careless operation of vessel.—

(1) It is unlawful to operate a vessel in a reckless manner. A person who operates any vessel, or manipulates any water skis, aquaplane, or similar device, in willful or wanton disregard for the safety of persons or property at a speed or in a manner as to endanger, or likely to endanger, life or limb, or damage the property of, or injure a person is guilty of reckless operation of a vessel. Reckless operation of a vessel includes, but is not limited to, a violation of s. 327.331(6). If a person ~~who~~ violates this subsection and the violation:

(a) Does not result in an accident, the person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Results in an accident that does not cause serious bodily injury, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) Results in an accident that causes serious bodily injury, the person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) Results in an accident that causes the death of another person or an unborn child, the person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083,

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or s. 775.084.

Section 5. Section 327.35105, Florida Statutes, is created to read:

327.35105 Additional penalty for boating under the influence or reckless or careless operation of vessel.—The driver license of a person who is convicted of a violation of s. 327.33 or s. 327.35 must be suspended until all orders of the court have been satisfied.

Section 6. Paragraph (c) of subsection (1) of section 327.54, Florida Statutes, is amended to read:

327.54 Liveries; safety regulations; penalty.—

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

(c) "Livery" means a person who advertises and offers a livery vessel for use by another in exchange for any type of consideration when such person does not also provide or does not require the lessee or renter to provide as a condition of the rental or lease agreement a person licensed by the United States Coast Guard to serve as master of the vessel or to ~~with a~~ captain~~, a crew, or any type of staff or personnel to operate, oversee, maintain,~~ or manage the vessel. The owner of a vessel who does not advertise his or her vessel for use by another for consideration and who loans or offers his or her vessel for use to another known to him or her either for consideration or without consideration is not a livery. A public or private school or postsecondary institution located within this state is not a livery. A vessel rented or leased by a livery is a livery vessel as defined in s. 327.02.

Section 7. Present subsections (2), (3), and (4) of section 327.731, Florida Statutes, are redesignated as subsections (3),

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(4), and (5), respectively, a new subsection (2) is added to that section, and subsection (1) and present subsection (3) of that section are amended, to read:

327.731 Mandatory education for violators.—

(1) A person convicted of a criminal violation under this chapter, convicted of a noncriminal infraction under this chapter if the infraction resulted in a reportable boating accident, or convicted of a ~~two~~ noncriminal ~~infractions~~ infraction as specified in s. 327.73(1)(h)-(k), (m), (o), (p), and (s)-(y)~~, the infractions occurring within a 12-month period,~~ must:

(a) Enroll in, attend, and successfully complete, at his or her own expense, a classroom or online boating safety course that is approved by and meets the minimum standards established by commission rule;

(b) File with the commission within 90 days proof of successful completion of the course; and

(c) Refrain from operating a vessel until he or she has filed proof of successful completion of the course with the commission~~; and~~

~~(d) Pay a fine of $500. The clerk of the court shall remit all fines assessed and collected under this paragraph to the Department of Revenue to be deposited into the Marine Resources Conservation Trust Fund to support law enforcement activities~~.

(2) A person convicted of a criminal violation under this chapter, convicted of a noncriminal infraction under this chapter if the infraction resulted in a reportable boating accident, or convicted of two noncriminal infractions as specified in s. 327.73(1)(h)-(k), (m), (o), (p), and (s)-(y), occurring within a 12-month period, must pay a fine of $500 and complete a boater safety education course that meets the requirements of s. 327.395. The clerk of the court shall remit all fines assessed and collected under this subsection to the Department of Revenue to be deposited into the Marine Resources Conservation Trust Fund to support law enforcement activities.

(4)~~(3)~~ The commission shall print on the reverse side of the defendant's copy of the boating citation a notice of the provisions of this section. Upon conviction, the clerk of the court shall notify the defendant that it is unlawful for him or her to operate any vessel until he or she has complied with this section, but failure of the clerk of the court to provide such a notice shall not be a defense to a charge of unlawful operation of a vessel under subsection (3) ~~(2)~~.

Section 8. Section 782.072, Florida Statutes, is amended to read:

782.072 Vessel homicide.—

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

(a) "Unborn child" has the same meaning as in s. 775.021(5)(e).

(b) "Vessel homicide" means ~~is~~ the killing of a human being, including the death of an unborn child caused by injury to the mother, by the operation of a vessel as defined in s. 327.02 by another in a reckless manner likely to cause the death of, or great bodily harm to, another.

(2) Vessel homicide is:

(a)~~(1)~~ A felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b)~~(2)~~ A felony of the first degree, punishable as provided

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

in s. 775.082, s. 775.083, or s. 775.084, if:

1.~~(a)~~ At the time of the accident, the person knew, or should have known, that the accident occurred; and

2.~~(b)~~ The person failed to give information and render aid as required by s. 327.30(1).

This subsection does not require that the person knew that the accident resulted in injury or death.

Section 9. This act shall take effect July 1, 2025.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4-8-25
Meeting Date

Fiscal Policy
Committee

SB 0628
Bill Number or Topic

Amendment Barcode (if applicable)

Name Vincent Morelli

Phone 786 525 8051

Address 1422 NW 3 Terr
Street

Email

Cape Coral FL 33993
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☑ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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4/18/25
Meeting Date

Fiscal Policy
Committee

SB 628
Bill Number or Topic

Amendment Barcode (if applicable)

Name Paul Perkins

Phone (239) 218-2260

Address 1222 N.E 19th Avenue
Street

Email Paulperk8@yahoo.com

Cape Coral FL 33909
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

CS/CS/SB 628
Bill Number or Topic

Amendment Barcode (if applicable)

Name Elissa Pasarello

Phone 203-770-6970

Address 1931 Dellwood Dr.
Street

Email Erp1119@aol.com.

Tallahassee FL. 32303
City State Zip

Speaking: ☑ For ☐ Against ☐ Information **OR** Waive Speaking: ☑ In Support ☐ Against

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/2025
Meeting Date

Senate Fiscal Policy
Committee

628 - Boating Safety
Bill Number or Topic

Amendment Barcode (if applicable)

Name Melissa Fernandez

Phone 305-335-9503

Address 123 South Adams Street
Street

Email andres.fernandez@hklaw.com

Tallahassee FL 32301
City *State* *Zip*

Speaking: ☑ For ☐ Against ☐ Information **OR** **Waive Speaking:** ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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☐ I am a registered lobbyist, representing:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/2025
Meeting Date

Senate Fiscal Policy
Committee

628 - Boating Safety
Bill Number or Topic

Amendment Barcode (if applicable)

Name Andy Fernandez

Phone 305-335-9503

Address 123 South Adams Street
Street

Email andres.fernandez@hklaw.com

Tallahassee FL 32301
City *State* *Zip*

Speaking: ☑ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

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 Fiscal Policy

BILL:	CS/CS/CS/SB 700
INTRODUCER:	Fiscal Policy Committee; Appropriations Committee on Agriculture, Environment, and General Government; Agriculture Committee; and Senator Truenow
SUBJECT:	Department of Agriculture and Consumer Services
DATE:	April 9, 2025 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Burse	Becker	AG	**Fav/CS**
2.	Wiseheart	Betta	AEG	**Fav/CS**
3.	Burse	Siples	FP	**Fav/CS**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/CS/SB 700 makes a number of changes to laws related to the Department of Agriculture and Consumer Services (department). Specifically, the bill:

- Revises the definition of "electric utility" with regard to land acquisition and ownership.
- Creates a process for an electric utility to offer for sale or transfer agricultural land to a private owner and provides the department with rulemaking authority to implement provisions related to the selling or transferring of agricultural land.
- Permits the department to adopt rules for protecting the public health, safety, and welfare and establish standards for the placement, design, installation, maintenance, and operation of electric vehicle charging stations.
- Revises the definition of "water quality additive" and related prohibited acts.
- Permits the department to provide pest control certificate examinations in person and remotely through a third-party vendor.
- Creates the Honest Service Registry.
- Revises the definition of "foreign country of concern" to have the same meaning as s. 286.101(1)(b), F.S.
- Provides it is unlawful to transport, import, sell, offer for sale, furnish, or give away spores or mycelium capable of producing mushrooms or other material which will contain a controlled substance, including psilocybin or psilocyn, during its lifecycle.

- Grants the department rulemaking authority to enforce the Food and Drug Administration's (FDA) standard of identity for meat, poultry, and poultry products, to prohibit the sale of plant-based products mislabeled as meat, poultry, or poultry products in this state.
- Creates an annual petroleum registration program for petroleum owners or operators that own and operate vehicles for transporting petroleum products and permits the department to adopt rules detailing the requirements for such registration.
- Creates the Florida Retail Fuel Transfer Switch Modernization Grant Program.
- Prohibits local governments from restricting any activities of public educational facilities and auxiliary facilities constructed by a board for agricultural education, for Future Farmers of America or 4-H activities, or the storage of any animals or equipment therein.
- Creates the Silviculture Emergency Recovery Program within the department to administer a grant program to assist timber landowners whose timber land was damaged as a result of a declared emergency.
- Changes the Viticulture Advisory Council to the Florida Wine Advisory Council and makes conforming changes related to the new name.
- Prohibits a financial institution from discriminating in the provision of financial services to an agriculture producer based, in whole or in part, upon an ESG factor.
- Permits the department to temporarily suspend a concealed carry license or application if notified by a government entity that the licensee or applicant is arrested or formally charged with a crime that would disqualify such person from having a license, until final disposition of the case.
- Revises the requirements related to the suspension or reinstatement of concealed carry licensees or applicants.
- Reduces the extended review period for a concealed carry applicant's criminal history screening from 90 to 45 days.
- Prohibits the possession of any form of a payment instrument that can be used to authorize a fuel transaction or obtain fuel with the intent to defraud the fuel retailer or the banking institution that issued the payment instrument financial account.
- Revises the definition of "mail depository" to include any other authorized receptacle.
- Revises the acts that constitute mail theft and the penalties for violations.

The bill may have an indeterminate impact on local property taxes. Food distributors may incur labeling costs. New misdemeanors and felonies may have a positive indeterminate prison bed impact.

Overall, the bill has an indeterminate, yet insignificant impact to the Department of Agriculture and Consumer Services. **See Section V. Fiscal Impact Statement**.

The bill takes effect July 1, 2025, except for Section 6 of the bill, which takes effect July 31, 2026.

II. Present Situation:

The present situation for each issue is described below in Section III, Effect of Proposed Changes.

III. Effect of Proposed Changes:

Career Service Exemptions for the Office of Agricultural Law Enforcement

Present Situation

The Florida Constitution requires the Legislature to create a civil service system for state employees.[1] The Department of Management Services (DMS) is responsible for developing uniform personnel rules, guidelines, records, and reports relating to employees and positions in the career service.[2] All state employees generally fall into one of four categories:

- Career service system;[3]
- Senior management service system;[4]
- Volunteers;[5] or
- Selected exempt service system.[6]

The Office of Agricultural Law Enforcement (OALE) enforces laws governing businesses regulated by the Florida Department of Agriculture and Consumer Services (DACS). The OALE protects consumers from unfair and deceptive trade practices, protects Florida's agriculture industry from theft and other crimes, and safeguards the wholesomeness of food and other consumer products.[7]

The OALE operates 23 agricultural inspection stations on 19 highways going into and out of Florida. Officers conduct vehicle inspections 24 hours a day, 365 days a year to ensure the safety of Florida's food supply. Officers look for unsafe or unwholesome food that could make people sick, and plant and animal pests and diseases that could harm the state's $100 billion agriculture industry.[8]

The OALE investigates crimes involving agriculture and those occurring on property owned or operated by the DACS. They help maintain domestic security by participating in all seven regional Domestic Security Task Forces statewide. The OLAE partners with federal, state and local law enforcement agencies and help coordinate the Domestic Marijuana Eradication Task Force.[9]

Effect of Proposed Changes

Section 1 amends s. 110.205, F.S., to add an exemption to the Career Service system for captains and majors employed with the OLAE within the department.

Section 82 reenacts s. 295.07, F.S., related to the positions exempt from the state Career Service System, to incorporate the amendments made to s. 110.205, F.S.

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[1] FLA. CONST. art. III, s. 14
[2] Section 110.201(1)(a), F.S.
[3] Chapter 110, Part II, F.S.
[4] Chapter 110, Part III, F.S.
[5] Chapter 110, Part IV, F.S.
[6] Chapter 110, Part V, F.S.
[7] FDACS, *OALE*, *https://www.fdacs.gov/Divisions-Offices/Agricultural-Law-Enforcement*, (last visited March 19, 2025).
[8] *Id.*
[9] *Id.*

Comprehensive Plans and Land Use Regulation

Present Situation

The Community Planning Act[10] requires every city and county to create and implement a comprehensive plan to guide future development. A local government's comprehensive plan lays out the locations for future public facilities, including roads, water and sewer facilities, neighborhoods, parks, schools, and commercial and industrial developments.

The land use element of the plan designates proposed future general distribution, location, and extent of the uses of land. Specified use designations include those for residential, commercial, industry, agriculture, recreation, conservation, education, and public facilities.[11]

The housing element of the plan sets forth guidelines and strategies for the creation and preservation of affordable housing for all current and anticipated future residents of the jurisdiction, elimination of substandard housing conditions, provision of adequate sites for future housing, and distribution of housing for a range of incomes and types.[12]

Local governments regulate aspects of land development by enacting ordinances that address local zoning, rezoning, subdivision, building construction, landscaping, tree protection, or sign regulations or any other regulations controlling the development of land.[13]

Zoning

Zoning maps and zoning districts are adopted by local governments for developments within each land use category or sub-category. While land uses are general in nature, one or more zoning districts may apply within each land use designation.[14] Common regulations on buildings within the zoning map districts include density,[15] height and bulk of buildings, setbacks, and parking requirements.[16] Zoning regulations also include acceptable uses of property for other categories of land, such as agricultural or industrial.

If a landowner believes that a proposed development may have merit but it does not meet the requirements of a zoning map in a jurisdiction, the landowner can seek a rezoning through a rezoning application which is reviewed by the local government and voted on by the governing body.[17] If a property has unique circumstances or small nonconformities but otherwise meets

[10] Part II, Ch. 163, F.S.
[11] Section 163.3177(6)(a), F.S.
[12] Section 163.3177(6)(f), F.S.
[13] *See* ss. 163.3164 and 163.3213, F.S. Pursuant to s. 163.3213, F.S., substantially affected persons have the right to maintain administrative actions which assure that land development regulations implement and are consistent with the local comprehensive plan.
[14] INDIAN RIVER CNTY., *General Zoning Questions*, https://indianriver.gov/services/community_development/faq.php#faq-questions-33 (last visited March 19, 2025).
[15] "Density" means an objective measurement of the number of people or residential units allowed per unit of land, such as residents or employees per acre. Section 163.3164(12), F.S.
[16] INDIAN RIVER CNTY., *supra* note 14.
[17] *See, e.g.*, CITY OF TALLAHASSEE, *Application For Rezoning Review*, *available at:* https://www.talgov.com/Uploads/Public/Documents/place/zoning/cityrezinfsh.pdf (last visited March 19, 2025).

zoning regulations, local governments may ease restrictions on certain regulations such as building size or setback through an application for a variance.[18] However, any action to rezone or grant a variance must be consistent with the local government's comprehensive plan.

Agricultural Lands

Agricultural land is one example of property that is assessed based on its current use rather than its highest and best use.[19] A property appraiser is required to annually classify all land as either agricultural or nonagricultural.[20] Agricultural lands are those used primarily for bona fide agricultural purposes such as horticulture, viticulture, forestry, and farming.[21]

Migrant and Seasonal Farmworkers

Migrant farmworkers are defined as people who are or have been employed in hand labor operations in planting, cultivating, or harvesting agricultural crops within the last 12 months and who have changed residence for purposes of employment in agriculture within the last 12 months.[22] Outreach, employment, and other services targeted to migrant farmworkers are regulated by federal law and administered by various state and local agencies, including the Department of Economic Opportunity's Migrant and Seasonal Farmworker Services program.[23]

Migrant farmworker housing is regulated by the Florida Department of Health (DOH) in coordination with local health departments and federal law.[24] Migrant farmworker housing may include residential property, including mobile homes or a migrant labor camp consisting of dormitories constructed and operated as living quarters for migrant farmworkers.[25] Establishment of such housing requires advance notice, inspections, and permitting based on standards of construction, sanitation, equipment, and operation, as well as compliance with inspections during use.[26]

Employment Verification

Under the Immigration Reform and Control Act of 1986 (IRCA),[27] it is illegal for any United States employer to knowingly:

- Hire, recruit, or refer for a fee an alien knowing he or she is unauthorized to work;
- Continue to employ an alien knowing he or she has become unauthorized; or

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[18] *See, e.g.*, CITY OF TALLAHASSEE, *Variance and Appeals, available at:* https://www.talgov.com/Uploads/Public/Documents/growth/forms/boaa_variance.pdf (last visited March 19, 2025) and SEMINOLE CNTY., *Variance Process & Requirements*, https://www.seminolecountyfl.gov/departments-services/development-services/planning-development/boards/board-of-adjustment/variance-process-requirements.stml (last visited March 19, 2025).
[19] FLA. CONST. art. VII, s. 4(a).
[20] Section 193.461(1), F.S.
[21] Section 193.461, F.S.
[22] Section 381.008(4), F.S.
[23] FLA. DEP'T OF ECON. OPPORTUNITY, *Migrant and Seasonal Farmworker Services*, https://floridajobs.org/office-directory/division-of-workforce-services/workforce-programs/migrant-and-seasonal-farmworker-services (last visited March 19, 2025).
[24] Sections 381.008-381.00897, F.S.
[25] Section 381.008(5) and (8), F.S.
[26] Section 381.0083, F.S.
[27] Pub. L. No. 99-603, 100 Stat. 3359.

- Hire, recruit or refer for a fee, any person (citizen or alien) without following the record keeping requirements of the IRCA.[28]

Under Florida law, public employers and their contractors, and subcontractors thereof, are required to register and use E-Verify to verify the work authorization status of all newly hired employees.[29] A private employer that transacts business in Florida, has a license issued by an agency, and employs workers in Florida is required to use the I-9 Form or E-Verify or a substantially equivalent system to verify that new hires or retained contract employees are authorized to work in the United States.[30]

H-2A Visa Program[31]

The H-2A Temporary Agricultural Workers program is a federal program which allows U.S. employers meeting specific regulatory requirements to bring foreign nationals to the United States to fill temporary agricultural jobs. The program includes work, housing, visa, and recordkeeping requirements, and is a joint program of the Federal Departments of Labor, State, and Homeland Security. Prospective nonimmigrant agricultural workers must receive a temporary labor certification from the U.S. Department of Labor.

Effect of Proposed Changes

Section 2 amends s. 163.3162, F.S., to provide a definition for "department" to mean the Department of Agriculture and Consumer Services. The bill defines "housing site" as the totality of development supporting authorized housing, including buildings, mobile homes, barracks, dormitories, parking areas, common areas, storage structures, and related structures. The bill also defines "legally verified agricultural worker" as a person who:

- Is lawfully present in the United States;
- Meets the definition of eligible worker;
- Has been verified according to the state's employment eligibility verification requirements.;
- Is seasonally or annually employed in agricultural production;
- Is authorized, and remains allowed, to work; and
- Is not an unauthorized alien.

The bill provides that a governmental entity may not adopt or enforce any legislation, regulation, or ordinance which inhibits the construction or installation of housing for agricultural employees on land zoned for agricultural use and operated as a bona fide farm, except as provided by law. The bill also provides that local governments may require that a housing site authorized under this section:

- Must meet all local and state building standards, including migrant farmworker housing standards regulated by the Department of Health (DOH) and federal standards for H-2A visa housing;

[28] 8 U.S.C. s. 1324a.
[29] Section 448.095(2), F.S.
[30] Section 448.095(3), F.S.
[31] *See generally,* Department of Homeland Security Office of U.S. Citizenship and Immigration Services, *H-2A Temporary Agricultural Workers*, available at https://www.uscis.gov/working-in-the-united-states/temporary-workers/h-2a-temporary-agricultural-workers (last visited March 19, 2025).

- Must be maintained in a neat, orderly, and safe manner;
- Must have structures placed a minimum of 10 feet apart;
- May not exceed square footage of 1.5 percent of the property's area or 35,000 square feet, whichever is less;
- Must provide 50-foot setbacks on all sides;
- May not be located less than 100 feet from a property line adjacent to property zoned for residential use;
- If within 250 feet of a property line adjacent to property zoned for residential use, must contain screening consisting of tree, wall, berm or fence coverage at least six feet in height; and
- Must cover access drives with dust-free material such as packed shell or gravel.

The bill provides that a local ordinance adopted pursuant to this section must comply with state and federal regulations for migrant farmworker housing, and that a local government may validly adopt less restrictive land use regulations.

The bill further provides that, beginning July 1, 2025, a property owner must maintain records of all permits for such housing for three years, and make the records available for inspection within 14 days after receiving a request by a governmental entity.

The bill further provides that if agricultural operations are discontinued on the property for at least 365 days, structures used as living quarters must be removed within 180 days after notice from the local government unless the property owner demonstrates that its intended use will resume within 90 days. If the property ceases to be classified as agricultural, housing established under this section is no longer eligible for residential use without further approval under the local jurisdiction's zoning and land use regulations. Additionally, if the DOH permits for agricultural housing uses are revoked, structures used as living quarters must be removed within 180 days of notice from the local government unless the permit is reinstated.

The bill provides that if a housing site is found to be occupied by any person who is not a legally verified agricultural worker, or is otherwise unlawfully present, the property owner shall be subject to a Class I fine, not to exceed $1,000, for the first violation. The bill also provides a Class II fine, not to exceed $5,000, for any subsequent violations. The bill authorizes the fines to be collected by the clerk of the court of the county in which the violation occurred.

The bill provides that a housing site constructed and in use before July 1, 2024, may continue to be used, and the property owner may not be required to make changes to meet the requirements of this section, unless the housing site will be enlarged, remodeled, renovated, or rehabilitated.

The bill requires the department to adopt rules to provide a method for government entities to submit reports of property owners who have a housing site for legally verified agriculture workers and for people to submit complaints for review and investigation to the department. The bill also requires the department to enforce the requirements of this section and submit information collected to the State Board of Immigration Enforcement.

Ten Year Site Plan Review, Agricultural Lands, Florida Public Service Commission, and Electric and Gas Utilities

Present Situation

Section 186.801, F.S., requires each electric utility to submit to the Public Service Commission (PSC) a 10-year site plan in which the utility estimates its power-generating needs and the general location of its proposed power plant sites. The 10-year plan must be submitted and reviewed not less frequently than every two years. The PSC then has nine months to make a preliminary study of the plan and classify it as "suitable" or "unsuitable" for planning purposes. The PSC may suggest alternatives to the plan.

The PSC's findings are made available to the Department of Environmental Protection (DEP) for its consideration at any subsequent electrical power plant site certification proceedings under the Florida Power Plant Siting Act.[32] However, it is expressly recognized that 10-year site plans submitted by an electric utility are tentative information for planning purposes only and may be amended at any time at the discretion of the utility upon written notification to the PSC, and, a complete application for certification of an electrical power plant site under chapter 403, when such site is not designated in the current 10-year site plan of the applicant, constitutes an amendment to the 10-year site plan.

In its "preliminary study" of each 10-year site plan, the PSC must review:
- The need, including the need as determined by the PSC, for electrical power in the area to be served.
- The effect on fuel diversity within the state.
- The anticipated environmental impact of each proposed electrical power plant site.
- Possible alternatives to the proposed plan.
- The views of appropriate local, state, and federal agencies, including the views of the appropriate water management district as to the availability of water and its recommendation as to the use by the proposed plant of salt water or fresh water for cooling purposes.
- The extent to which the plan is consistent with the state comprehensive plan.
- The plan with respect to the information of the state on energy availability and consumption.

The PSC is an arm of the legislative branch of government.[33] The role of the PSC is to ensure Florida's consumers receive utility services, including electric, natural gas, telephone, water, and wastewater, in a safe and reliable manner and at fair prices.[34] In order to do so, the PSC exercises

[32] The Florida Power Plant Siting Act (PPSA), ss. 403.501-.518, F.S., is Florida's centralized process for licensing large power plants. The PPSA involves a wide-ranging review (involving both local governments and multiple state agencies) which addresses permitting, land use and zoning, and property interests. Florida Department of Environmental Protection, *Power Plant Siting Act*, https://floridadep.gov/water/siting-coordination-office/content/power-plant-siting-act (last visited March 19, 2025). Pursuant to s. 403.506, F.S., electrical power plants that are 75-megawatts or more in gross capacity are subject to the PPSA. To date, all solar power generation facilities constructed in Florida have been below this 75-megawatt threshold. United States Geological Survey Energy Resources Program, *U.S. Large-Scale Solar Photovoltaic Database*, https://energy.usgs.gov/uspvdb/viewer/#6.16/27.708/-84.04 (last visited March 19, 2025).
[33] Section 350.001, F.S.
[34] *See* Florida Public Service Commission, *Florida Public Service Commission Homepage*, http://www.psc.state.fl.us (last visited March 19, 2025).

authority over utilities in one or more of the following areas: rate base or economic regulation; competitive market oversight; and monitoring of safety, reliability, and service issues.[35]

The PSC monitors the safety and reliability of the electric power grid[36] and may order the addition or repair of infrastructure as necessary.[37] The PSC has broad jurisdiction over the rates and service of investor-owned electric and gas utilities[38] (called "public utilities" under ch. 366, F.S.).[39] However, the PSC does not fully regulate municipal electric utilities (utilities owned or operated on behalf of a municipality) or rural electric cooperatives. The PSC does have jurisdiction over these types of utilities with regard to rate structure, territorial boundaries, and bulk power supply operations and planning.[40] Municipally owned utility rates and revenues are regulated by their respective local governments or local utility boards. Rates and revenues for a cooperative utility are regulated by its governing body elected by the cooperative's membership.

Effect of Proposed Changes

Section 4 amends s. 253.0341, F.S., to authorize the department to surplus lands acquired pursuant to s. 366.20, F.S., which are determined to be suitable for bona fide agricultural production. The department is required to consult with the DEP in the process of making such determination. Lands designated as a state forest, state park, or wildlife management area are ineligible to be surpluses through this process. For lands that the department surpluses through this process, the department is required to retain a rural-lands protection easement on such lands. The proceeds are required to be deposited into the Incidental Trust Fund within the department and used for less-than-fee simple land acquisitions.

The bill requires the department to, by January 1, 2026, and each January 1 thereafter, to provide a report of lands surplused pursuant to this subsection to the board. This provision is retroactive to January 1, 2009.

Section 6 creates 366.20, F.S., to require lands acquired by an electric utility which have been classified as agricultural lands at any time in the five years preceding the acquisition of the land by the electric utility to be offered for less-than-fee simple acquisition and fee simple acquisition by the department before the land is offered for sale or transferred to a private individual or entity. The bill revises the definition of "electric utility" with regard to land acquisition and ownership.

The bill also provides a process for an electric utility to sell or transfer agricultural land to a private owner and gives the department rulemaking authority to implement provisions related to the selling or transferring of agricultural land.

The bill provides this section takes effect July 31, 2026.

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[35] Florida Public Service Commission, *About the PSC*, https://www.psc.state.fl.us/about (last visited March 19, 2025).
[36] Section 366.04(5) and (6), F.S.
[37] Section 366.05(1) and (8), F.S.
[38] Section 366.05, F.S.
[39] Section 366.02(8), F.S.
[40] Florida Public Service Commission, *About the PSC*, *supra* note 35.

Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program

Present Situation

Following the devastation of Hurricane Idalia in 2023, the Florida legislature passed CS/HB 1-C to provide relief to those affected by the hurricane.[41] The law established the Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program within the department to make loans to agriculture and aquaculture producers who experienced damage or destruction from a declared natural disaster. Loan funds may be used to restore, repair, or replace essential physical property or remove vegetative debris from essential physical property.[42]

Under the program, the department is authorized to make low-interest or interest-free loans of up to $500,000 to eligible applicants.[43] An approved applicant may receive no more than one loan per declared disaster, two loans per year, and five loans within any three-year period. The term of each loan is 10 years.[44]

To be eligible an applicant must:
- Own or lease a bona fide farm operation damaged or destroyed as a result of a declared natural disaster located in county that experienced a declared natural disaster; and
- Maintain complete and acceptable farm records, pursuant to criteria published by the department, and present them as proof of production levels and bona fide farm operations.[45]

The loan program expires on July 1, 2043, unless reviewed and saved from repeal by the Legislature.

Effect of Proposed Changes

Section 3 amends s. 201.25, F.S., to conform provisions to changes made by the bill relating to the name of the Agriculture and Aquaculture Producers Emergency Recovery Loan Program.

Section 64 amends s. 570.822, F.S., to rename the Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program as the Agriculture and Aquaculture Producers Emergency Recovery Loan Program.

The bill changes the definition of the term "declared natural disaster" to "declared emergency" and includes a state of emergency declared pursuant to s. 570.07(21), F.S., which relates to the department's authority to declare an emergency in matters relating to agriculture. The bill expands the authorized uses of program funds to include the restocking of aquaculture. The bill also permits the department to renew loan applications after a determination from the department and an active declared emergency.

The bill permits the department to defer or waive loan payments if, at any time during the repayment period of a loan, the approved applicant experiences a significant hardship such as

[41] Chapter 2023-349, Laws of Fl.; HB 1-C (2023).
[42] *Id.*
[43] *Id.*
[44] *Id.*
[45] Section 570.822(3), F.S.

crop loss from a weather-related event or from impacts from a natural disaster or declared emergency.

Drones on Agricultural Lands[46]

Present Situation

The Unmanned Aircraft Systems Act[47] defines a drone as a powered, aerial vehicle that:
- Does not carry a human operator;
- Uses aerodynamic forces to provide vehicle lift;
- Can fly autonomously or be piloted remotely;
- Can be expendable or recoverable; and
- Can carry a lethal or nonlethal payload.[48]

Effect of Proposed Changes

Section 5 amends s. 330.41, F.S., to provide definitions for "commercial property," "private property," "property owner," residential property," and "sport shooting and training range."

The bill prohibits a person from knowingly or willfully doing any of the following on lands classified as agricultural lands, private property, state wildlife management lands, or a sport shooting and training range:
- Operating a drone.
- Allowing a drone to make contact with any person or object on the premises of or within the boundaries of such lands.
- Allowing a drone to come within close enough distance of such lands to interfere with or cause a disturbance to agricultural production.[49]

The prohibition does not apply to the following:
- The owner of the agricultural lands, private property, or sport shooting and training range or a person acting under the prior written consent of the owner of the property.
- A law enforcement agency or a person under contract with or otherwise acting under the direction of such law enforcement agency.
- A federal, state, or other governmental entity, or a person under contract with or otherwise acting under the direction of a federal, state, or other governmental entity.

Section 80 amends s. 934.50, F.S., to prohibit the operation of drones on lands classified as agricultural lands, except for the purpose of managing and eradicating plant or animal diseases.

[46] See page 5.
[47] Section 330.41, F.S.
[48] Section 934.50(2)(a), F.S.
[49] The bill provides that a person commits a second-degree misdemeanor or a first degree misdemeanor, for a second offense, for violating these prohibitions.

Electric Vehicles Charging Stations and Preemption

Present Situation

Consumers and fleets considering electric vehicles (EVs), including all-electric vehicles and plug-in hybrid electric vehicles (PHEVs), need access to charging equipment. For most drivers, this starts with charging at home or at fleet facilities. Charging stations at workplaces, public destinations, and along highways offer more flexible charging opportunities at commonly visited locations.[50]

EV charging equipment is classified based on the rate of charge:[51]

- Alternating Current (AC) Level 1 equipment provides charging through a common 120-volt AC outlet. Most, if not all, EVs come with a portable Level 1 cord, so no additional charging equipment is required. Level 1 chargers can take 40-50 hours to charge an all-electric vehicle from empty and 5-6 hours to charge a PHEV from empty.[52]
- AC Level 2 equipment offers charging through 240 volt (in residential applications) or 208-volt charging. As of 2022, 80 percent of public EV charging ports in the country were Level 2.[53] Level 2 chargers can charge an all-electric vehicle from empty in 4-10 hours and a PHEV from empty in 1-2 hours.[54]
- Direct-current (DC) fast charging equipment enables rapid charging along heavy traffic corridors at installed stations. As of 2022, more than 20 percent of public EV charging ports in the country were DC fast chargers.[55] DC fast charging equipment can charge an all-electric vehicle to 80 percent in 20 minutes to one hour.[56]

Charging times vary depending on the depletion level of the battery, how much energy the battery holds, the type of battery, temperature, and the type of supply equipment.

Currently, 44 of Florida's 67 counties[57] collectively have 3,230 EV public charging stations offering a total of 8,981 charging ports. AC Level 2 charging ports comprise 6,793 of these ports, and DC fast charging ports comprise 2,164 of these ports.[58] Florida law requires the department to adopt rules to provide definitions, methods of sale, labeling requirements, and price-posting requirements for EV charging stations to provide consistency for consumers and the industry.[59]

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[50] U.S. Dept. of Energy (DOE), Alternative Fuels Data Center, *Developing Infrastructure to Charge Electric Vehicles*, https://afdc.energy.gov/fuels/electricity_infrastructure.html (last visited March 19, 2025).
[51] U.S. Environmental Protection Agency (EPA), *Plug-in Electric Vehicle Charging*, https://www.epa.gov/greenvehicles/plug-electric-vehicle-charging-basics (last visited March 19, 2025).
[52] U.S. Dept. of Transportation (USDOT), *Electric Vehicle Charging Speeds*, https://www.transportation.gov/rural/ev/toolkit/ev-basics/charging-speeds (last visited March 19, 2025).
[53] DOE, *supra* note 1.
[54] DOT *supra* note 3.
[55] DOE, *supra* note 1.
[56] DOT, *supra* note 3.
[57] FDACS, Transportation, *Alternative Fueling Stations and Electric Vehicle Charging Stations*, https://www.fdacs.gov/Business-Services/Energy/Florida-Energy-Clearinghouse/Transportation (last visited March 19, 2025)
[58] U.S. Dept. of Energy, Alternative Fuels Data Center (AFDC), *Alternative Fueling Station Counts by State*, https://afdc.energy.gov/stations/states (last visited March 19, 2025).
[59] Section 366.94, F.S.

The State Constitution grants local county and municipal governments broad home rule authority. Specifically, non-charter county governments may exercise those powers of self-government provided by general or special law.[60] Those counties operating under a county charter have all powers of self-government not inconsistent with general or with special law approved by the vote of the electors.[61] Likewise, municipalities[62] have those governmental, corporate, and proprietary powers enabling them to conduct municipal government, perform their functions and provide services, and exercise any power for municipal purposes, except as otherwise provided by law.[63]

There are two ways that local government can be inconsistent with state law and therefore unconstitutional. First, a local government cannot legislate in a field if the subject area has been preempted to the state. Second, in a field where both the state and local government can legislate concurrently, a local government cannot enact an ordinance that directly conflicts with the state statute.[64]

State law recognizes two types of state preemption: express and implied. Express preemption requires a specific legislative statement of intent to preempt a specific area of law; it cannot be implied or inferred.[65] In contrast, implied preemption exists if the legislative scheme is so pervasive as to evidence an intent to preempt the particular area, and where strong public policy reasons exist for finding such an area to be preempted by the Legislature.[66] Courts determining the validity of local government ordinances enacted in the face of state preemption, whether express or implied, have found such ordinances to be null and void.[67]

Effect of Proposed Changes

Section 7 amends s. 366.94, F.S., to define "electric vehicle charging station" to mean the area in the immediate vicinity of EV supply equipment and includes the EV supply equipment, supporting equipment, and associated parking spaces.

The bill permits the department to adopt rules to protect the public health, safety, and welfare and establish standards for the placement, design, installation, maintenance, and operation of EV charging stations. The bill also permits local governments to issue permits for charging stations.

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[60] Art. VIII, s. 1(f), Fla. Const.
[61] Art. VIII, s. 1(g), Fla. Const.
[62] A municipality is a local government entity created to perform functions and provide services for the particular benefit of the population within the municipality, in addition to those provided by the county. The term "municipality" may be used interchangeably with the terms "town,", "city," and "village."
[63] Art. VIII, s. 2(b), Fla. Const.; *see also* section 166.021(1), F.S.
[64] *Orange County v. Singh*, 268 So. 3d 668, 673 (Fla. 2019) (citing *Phantom of Brevard, Inc. v. Brevard County*, 3 So. 3d 309, 314 (Fla. 2008)); *see also* James Wolf & Sarah Bolinder, *The Effectiveness of Home Rule: A Preemptions and Conflict Analysis*, 83 Fla. Bar J. 92 (2009), https://www.floridabar.org/the-florida-bar-journal/the-effectiveness-of-home-rule-a-preemption-and-conflict-analysis/ (last visited March 19, 2025).
[65] *City of Hollywood v. Mulligan*, 934 So. 2d 1238, 1243 (Fla. 2006); *Phantam of Brevard, Inc.*, 3 So. 3d at 1018.
[66] *Sarasota Alliance for Fair Elections, Inc. v. Browning*, 28 So. 3d 880, 886 (Fla. 2010).
[67] *See, e.g., National Rifle Association of America, Inc. v. City of South Miami*, 812 So. 2d 504 (Fla. 3d DCA 2002) (concluding that a City of South Miami local government ordinance, which purported to provide safety standards for firearms, was null and void because the Legislature expressly preempted the entire field of firearm and ammunition regulation when it enacted section 790.33, F.S.)

The bill requires charging stations to be registered with the department before being placed in service.

The bill grants the department authority to inspect EV charging stations, conduct investigations, and enforce the provisions and rules adopted under this subsection. The department may impose one or more of the following penalties against a person who violates this subsection, or any rule adopted under this subsection:

- Issuance of a warning letter.
- Imposition of an administrative fine in the Class II category pursuant to s. 570.971, F.S., for each violation.

The bill permits the department to prohibit the use of a charging station if it poses a threat to public health, safety, or welfare.

The bill permits the department to bring legal action against a violation of this subsection or rules adopted under this subsection in the circuit court of the county in which the violation occurs. The court shall immediately issue the temporary or permanent injunction sought by the department. The injunction shall be issued without bond.

Mosquito Control Districts

Present Situation

In the late 1800s, Floridians experienced major epidemics of yellow fever and malaria due to the unchecked mosquito populations. Control efforts through organizations such as the Florida Mosquito Control Association began in the early 1920s to combat mosquitoes and prevent further transmission of mosquito-borne disease. By the mid-1920s, mosquito control programs were beginning to form in the state to locally control mosquitoes and protect public health in their regions. Today, Florida has over 60 state-approved mosquito control programs.[68]

In addition to playing a key role in public health, mosquito control programs support the economy by protecting Florida's tourism and livestock industry. Today, millions of people can enjoy Florida's beaches and parks thanks to the efforts of our mosquito control programs.[69]

Mosquito control programs work to suppress populations of mosquitoes by implementing "integrated mosquito management." This process includes crucial methods for mosquito abatement, including population surveillance, source reduction, and various types of treatments for immature and adult mosquitoes. As licensed pesticide applicators, mosquito control programs are regulated by the department.[70]

[68] Florida Department of Agriculture and Consumer Services, Florida Mosquito Control, available at https://www.fdacs.gov/Business-Services/Mosquito-Control/Mosquitoes-General-Information (last visited March 19, 2025).
[69] *Id.*
[70] Florida Department of Agriculture and Consumer Services, Mosquito Control Programs, available at https://www.fdacs.gov/Business-Services/Mosquito-Control/Mosquito-Control-Programs (last visited March 19, 2025).

Effect of Proposed Changes

Section 8 amends s. 388.011, F.S., to replace mosquito control districts with mosquito control programs in the definition of "board of commissioners." The bill also adds city councils, municipalities, or other similar governing bodies to the definition.

The bill revises the definition of "district" to include mosquito control special districts.

The bill defines the term "program" to mean any governmental jurisdiction that conducts mosquito control, whether it be a special district, county, or municipality.

Section 9 amends s. 388.021, F.S., to make conforming changes relating to mosquito control districts.

Section 10 amends s. 388.181, F.S., to make a conforming change replacing "districts" with "programs."

Section 11 amends s. 388.201, F.S., to make conforming changes replacing "districts" with "programs."

The bill requires a program's tentative work plan to show the estimated unobligated or net balance which will be on hand at the beginning of the fiscal year budget and to show the estimated amount to be raised by county, municipality, or district taxes and from all other sources for meeting the program's the district's requirements.

Section 12 amends s. 388.241, F.S., to grant the local board of county commissioners, or similar governing bodies, all the rights, powers, and duties of a board of commissioners over counties or cities where there is no formation of separate or special board of commissioners.

Section 13 amends s. 388.261, F.S., to add municipalities to entities eligible to use funds for the control of mosquitoes. The bill also increases the amount of state aid a county or district can receive for any new program meant to control mosquitoes and other arthropods from $50,000 to $75,000 per year for up to three years. The new program must serve an area not previously served by the county, municipality, or district.

Section 14 amends s. 388.271, F.S., to grant the department the ability to guide, review, approve, and coordinate the activities of all county and municipal governments and special districts receiving state funds in furtherance of the goal of integrated arthropod control.

The bill makes conforming changes replacing "county" with "program." The bill also replaces the work plan with the integrated arthropod management plan.

Section 15 amends s. 388.281, F.S., to make conforming changes replacing "county or district" with "program". The bill also requires that all funds, supplies, and services released to programs be used in accordance with the integrated arthropod management and budget approved by both the board of commissioners and appropriate representatives. The bill permits the integrated

arthropod management plan and budget to be amended at any time upon approval by the department.

Section 16 amends s. 388.291, F.S., to make conforming changes replacing "county or district" with "program." The bill also permits a program to perform source reduction measures provided that the department cooperating with the municipality has approved the operating or construction plan as outlined in the integrated arthropod management plan.

Section 17 amends s. 388.301, F.S., to remove the requirement that state funds be paid quarterly and to replace "county or district" with "program."

Section 18 amends s. 388.311, F.S., to make a conforming change replacing "county or district" with "program."

Section 19 amends s. 388.321, F.S., to make a conforming change replacing "county or district" with "program."

Section 20 amends s. 388.322, F.S., to require that a record and inventory of certain property purchased with state funds for arthropod control use owned by the program district and shall be maintained in accordance with s. 274.02, F.S.

Section 21 amends s. 388.323, F.S., to require any serviceable equipment that was purchased using state funds for arthropod control use but is no longer needed to be offered to any or all other programs engaged in arthropod control at a price established by the board of commissioners owning the equipment.

The bill also makes conforming changes replacing "county or district" with "program".

The bill permits the proceeds from the sale of any real or tangible personal property owned by the program and purchased using state funds to be deposited in the program's state fund account.

Section 22 amends s. 388.341, F.S., to require each program receiving state aid to submit to the department a monthly report for the preceding month of expenditures from all funds for arthropod control within 30 days after the end of each month. The bill also requires each program participating under this chapter to provide such reports of activities and accomplishments.

Section 23 amends s. 388.351, F.S., to make conforming changes replacing "county or district" with "program".

Section 24 amends s. 388.361, F.S., to make conforming changes replacing "districts" with "programs".

Section 25 amends s. 388.3711, F.S., to permit the department to issue a written warning, impose a fine, or deny participation. The bill also permits the department to place a party in violation of department rules on probation if it finds that imposing a fine would be detrimental to the public.

Section 26 amends s. 388.381, F.S., to make conforming changes replacing "county or district" with "program." The bill also replaces "program" with "work" for the controlling of mosquitoes and other arthropods.

Section 27 amends s. 388.391, F.S., to make conforming changes replacing "districts" with "programs."

Section 28 amends s. 388.401, F.S., to make conforming changes replacing "county or district" with "program."

Section 29 amends s. 388.46, F.S., to add a representative from the Center of Medical, Agricultural, and Veterinary Entomology to the Florida Coordinating Council on Mosquito Control. The bill also increases the amount of mosquito control directors from two to four and permits members of the Florida Coordinating Council on Mosquito Control to serve until his or her successor is appointed.

Section 83 reenacts s. 189.062, F.S., related to special procedures for inactive districts.

Basin Management Action Plan (BMAP)

Present Situation

A BMAP is a framework for water quality restoration that contains a comprehensive set of solutions to achieve the pollutant reductions established by a Total Maximum Daily Load (TMDL).[71] Examples include permit limits on regulated facilities, urban and agricultural best management practices, wastewater and stormwater infrastructure, and regional projects and conservation programs designed to achieve pollutant reductions established by a TMDL. A BMAP is developed with local stakeholders and relies on local input and commitment for successful implementation. BMAPs are adopted by Secretarial Order and are legally enforceable. BMAPs use an adaptive management approach that allows for incremental load reductions through the implementation of projects and management strategies, while simultaneously monitoring and conducting studies to better understand the water quality and hydrologic dynamics. Progress is tracked by assessing project implementation and water quality analyses. The DEP continues to work with local and regional partners to identify additional projects necessary to meet reduction milestones to achieve the TMDLs and inform funding priorities.[72]

Effect of Proposed Changes

Section 30 amends s. 403.067, F.S., to authorize the department to adopt rules establishing an enrollment in best management practices by rule process that agricultural pollutant sources and agricultural producers may utilize in lieu of the best management practices already adopted and identify best management practices for landowners of parcels which meet the following requirements:

[71] Florida Department of Environmental Protection, Water Quality Restoration Program, available at https://floridadep.gov/dear/water-quality-restoration (last visited March 19, 2025).
[72] Florida Department of Agriculture and Consumer Services, Basin Management Action Plan, available at https://floridadep.gov/dear/water-quality-restoration/content/basin-management-action-plans-bmaps (last visited March 19, 2025).

- A parcel not more than 25 acres in size;
- A parcel designated as agricultural land use by the county in which it is located or the parcel is granted agricultural tax classification by the county property appraiser of the county in which it is located;
- A parcel with water use not exceeding 100,000 gallons per day on average, unless the entire use is met using recycled water from wet detention treatment ponds or reuse water;
- A parcel where the agricultural activity on the parcel is not vegetable crop, agronomic crop, a nursery, or a dairy operation;
- A parcel not abutting an impaired water body identified in the department's approved list in s. 403.067(4), F.S.; and
- A parcel not part of a larger operation that is enrolled in the department's best management practices or conducting water quality monitoring prescribed by the department or a water management district.

Under the bill, agricultural producers who enroll in the best management practices by rule process are exempt from the two-year best management practices inspection. The bill also requires the department to annually perform onsite inspections for 20 percent of the enrollments that qualify under this section to ensure that practices are being properly implemented. The bill requires these inspections to include a collection and review of the identified best management practice documents from the previous two years. The bill requires all agricultural producers enrolled in a best management practice to annually submit nutrient records, including nitrogen and phosphorus fertilizer application records for the previous calendar year, to the department.

Public Drinking Water System

Present Situation

Drinking water standards are regulations that the U.S. Environmental Protection Agency (EPA) sets to control the level of contaminants in the nation's drinking water. The regulations also require water monitoring schedules and methods to measure contaminants in water.

The standards are part of the Safe Drinking Water Act (SDWA)'s "multiple barrier" approach to drinking water protection, which includes:
- Assessing and protecting drinking water sources,
- Protecting wells and collection systems,
- Making sure water is treated by qualified operators,
- Ensuring the integrity of distribution systems (for example, minimizing leaks, maintaining adequate water pressure), and
- Making information available to the public on the quality of their drinking water.[73]

There are two categories of drinking water standards:
- National primary drinking water regulations (NPDWR or primary standard):
  - Legally enforceable standards that apply to public water systems.

[73] US Environmental Protection Agency, What are drinking water standards?, available at https://www.epa.gov/sdwa/how-epa-regulates-drinking-water-contaminants (last visited March 19, 2025).

  - Protect drinking water quality by limiting the levels of specific contaminants that can adversely affect public health and are known or anticipated to occur in water from public water systems.
  - Take the form of maximum contaminant level or treatment technique rules.
- National secondary drinking water regulations (NSDWR or secondary standard):
  - Non-enforceable guidelines for contaminants that may cause:
    - Cosmetic effects (such as skin or tooth discoloration)
    - Aesthetic effects (such as taste, odor, or color) in drinking water.

The EPA recommends secondary standards to water systems but does not require systems to comply (except for the public notice required for exceedance of the fluoride secondary standard); however, states may choose to adopt them as enforceable standards.[74]

In November 2024, the Florida Department of Health (DOH) released a Guidance for Community Water Fluoridation memo.[75] The State Surgeon General Dr. Joseph A. Ladapo recommends against community water fluoridation due to the neuropsychiatric risk associated with fluoride exposure and provided studies on the effects of fluoride on children.[76] There are currently at least 29 counties that actively fluoridate their water.[77]

Effect of Proposed Changes

Section 31 amends s. 403.852, F.S., to define "water quality additive" to mean any chemical or additive which is used in a public water system for the purpose of meeting or surpassing primary or secondary drinking water standards, removing contaminants, or improving water quality.

Section 32 amends s. 403.859, F.S., to prohibit the use of any additives in a public water system which do not meet the definition of a water quality additive as defined in s. 403.852(19), F.S.

Pest Control Examinations, Licensing, and Certification Programs

Present Situation

For structural pest control (pest control provided to homes or other structures), Florida law requires that each pest control business location must:

- Be licensed by the department,
- Carry the required insurance coverage ($250,000 per person and $500,000 per occurrence for bodily injury and $250,000 per occurrence and $500,000 in the aggregate for property damage, or a combined single limit coverage of $500,000 in the aggregate), and

[74] *Id.*
[75] FL Department of Health, Guidance for Community Water Fluoridation, available at https://www.floridahealth.gov/_documents/newsroom/press-releases/2024/11/GUIDANCECommunityWaterFluoridation.pdf?utm_medium=email&utm_source=govdelivery (last visited March 19, 2025).
[76] *Id.*
[77] FL Department of Health, Public Water Systems Actively Fluoridating, available at https://www.floridahealth.gov/programs-and-services/community-health/dental-health/Fluoridation.html?utm_medium=email&utm_source=govdelivery (last visited March 19, 2025).

- Employ full-time a Florida-certified operator in charge of the pest control operations of the business location. This operator must be certified in the categories in which the business operates:
  - General Household Pest and Rodent Control,
  - Termite and Other Wood-Destroying Organisms Control, or
  - Lawn and Ornamental Pest Control, and/or Fumigation.[78]

The business license fee is $300, and the fee for each employee identification card is $10.[79]

A certified operator is an individual who has passed an examination administered by the department in any of four certification categories:
- General Household and Rodent Control;
- Lawn and Ornamental Pest Control;
- Termite and Other Wood-Destroying Organisms Control; and
- Fumigation.[80]

A person can be certified in just one or all four categories.

A company's pest control operations are the responsibility of the certified operator in charge and the business operations are limited to the category (or categories) possessed by the certified operator (or operators) in charge at the business location.[81]

The department also administers four Limited Certification Categories:
- Commercial Landscape Maintenance applicators,
- Governmental or Private applicators,
- Commercial Urban Fertilizer applicators, and
- Commercial Wildlife Management.[82]

None of these certifications allows the operation of a commercial pest control business.

Effect of Proposed Changes

Section 33 amends s. 482.111, F.S., to require the department to provide the pest control operator's certificate examination in person and remotely through a third-party vendor. The bill also permits the third-party vendor to collect and retain a convenience fee.

Section 34 amends s. 482.141, F.S., to require the department to provide the pest control operator's certificate examination in person and remotely through a third-party vendor. The bill also permits the third-party vendor to collect and retain a convenience fee.

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[78] FDACS, Pest Control Licensing and Certification, *available at*, https://www.fdacs.gov/Business-Services/Pest-Control/Licensing-and-Certification (last visited March 19, 2025).
[79] *Id.*
[80] FDACS, Pest Control FAQ, *available at*, https://www.fdacs.gov/Business-Services/Pest-Control/Pest-Control-FAQ (last visited March 19, 2025).
[81] *Id.*
[82] FDACS, Pest Control Licensing and Certification, *available at*, https://www.fdacs.gov/Business-Services/Pest-Control/Licensing-and-Certification (last visited March 19, 2025).

Section 35 amends s. 482.155, F.S., to require the department to provide the limited certification for governmental pesticide applicators or private applicators examination in person and remotely through a third-party vendor. The bill also permits the third-party vendor to collect and retain a convenience fee.

Section 36 amends s. 482.156, F.S., to require the department to provide the certification for limited certification for commercial landscape maintenance personnel examination in person and remotely through a third-party vendor. The bill also permits the third-party vendor to collect and retain a convenience fee.

Section 37 amends s. 482.157, F.S., to require the department to provide the certification for limited certification for commercial wildlife management personnel examination in person and remotely through a third-party vendor. The bill also permits the third-party vendor to collect and retain a convenience fee.

Section 38 amends s. 482.161, F.S., to require the department to impose disciplinary actions against a licensee or certificate holder based upon the issuance of a final order imposing civil penalties under subsection 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction under subsection 14(b) of FIFRA.

Section 39 amends s. 487.044, F.S., to require the department to provide the certification for certified applicator's license examination in person and remotely through a third-party vendor. The bill also permits the third-party vendor to collect and retain a convenience fee.

Section 40 amends s. 487.175, F.S., to authorize the department to impose disciplinary actions against a license holder based upon the issuance of a final order imposing civil penalties under subsection 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction under subsection 14(b), of FIFRA.

Section 84 reenacts s. 482.072, F.S., related to pest control customer contact centers, to incorporate the changes made by the bill to s. 482.161, F.S.

Section 85 reenacts s. 482.163, F.S., related to responsibility for pest control activities of employees, to incorporate the changes made by the bill to s. 482.161, F.S.

Section 86 reenacts s. 487.156, F.S., related to governmental agencies, to incorporate the changes made by the bill to s. 487.044, F.S.

Charitable Organizations

Present Situation

Organizations intending to solicit donations in Florida are required to register with the department pursuant to the Solicitation of Contributions (ACT).[83] The Act contains basic

[83] Section 496.401, F.S.

registration, financial disclosure, and notification requirements for charitable organizations and sponsors,[84] fundraising consultants, and solicitors.

Organizations must submit an initial registration statement to the department and include a financial report, a statement of the purpose of the charity, how donations will be used, names of individuals in charge of solicitation activities, and proof of federal tax-exempt status. The charity must also identify any professional solicitors and fundraising consultants the charity will use, along with the terms of the arrangements for compensation to be paid to the consultant and solicitor. The registration must include a statement related to the charity's activity in other states, including whether the charity is authorized to operate in another state; whether the charity's registration has been denied, suspended, or revoked in another state; and whether the charity or any person associated with the charity has been subject to any adverse administrative actions or criminal convictions in any state.[85]

The following charitable organizations and sponsors are exempt from the registration requirements:

- A person who is soliciting for a named individual;
- A charitable organization or sponsor that limits solicitations of contributions to the membership of the charitable organization or sponsor;
- Any division, Department, post, or chapter of certain veterans' service organizations are exempt from the registration requirements; or
- A charitable organization that has less than $50,000 in total revenue so long as they did not employ professional solicitors or have paid employees.[86]

Before soliciting contributions, the charitable organization or sponsor claiming the exemption must provide the department with certain financial and identifying information including the name, address, and telephone number of the charitable organization or sponsor, the name under which it intends to solicit contributions, the purpose for which it is organized, and the purpose for which the contributions to be solicited will be used.[87]

A charitable organization or sponsor that is required to register or renew registration must file an annual financial statement for the immediate preceding year with the department. The statement must include:

- A balance sheet;
- A statement of support, revenue and expenses;
- Names and addresses of any charities, professional fundraising consultants, professional solicitors, and commercial co-ventures used and the amounts received from each of them; and

[84] A sponsor is a group or person who is or holds itself out to be soliciting contributions by the use of a name that implies that the group or person is in any way affiliated with or organized for the benefit of emergency service employees or law enforcement officers and the group or person is not a charitable organization. The term includes a chapter, branch, or affiliate that has its principal place of business outside the state if the chapter, branch, or affiliate solicits or holds itself out to be soliciting contributions in the state. Section 496.404(25), F.S.
[85] Section 496.405(2), F.S.
[86] Section 496.406(1), F.S.
[87] Section 496.406(2), F.S.

- A statement of functional expenses that must include program service costs, management and general costs, and fundraising costs.[88]

Upon the showing of good cause by a charitable organization or sponsor, the department may extend the time for the filing of a financial statement by up to 180 days.[89]

Charitable organizations or sponsors can solicit contributions only for the purpose expressed in the solicitation for contributions or the registration statement. The following disclosures must be included at the point of solicitation:

- The name of the organization or sponsor and principal place of business of the organization or sponsor;
- A description of the purpose for which the solicitation is being made;
- The name and address or telephone number of a person to whom inquiries may be addressed;
- The amount of the contribution which may be deducted from federal income tax; and
- The source from which a written financial statement may be obtained.[90]

Professional fundraising consultants[91] are required to annually register and pay a $300 fee to the department before operating in Florida.[92] Additionally, professional fundraising consultants who enter into agreements with charities may do so only if the charity has complied with ch. 496, F.S. and has obtained approval from the department of a registration statement.[93]

Applications for registration or renewal must be signed by an authorized official of the professional fundraising consultant and must include certain identifying information such as the names and residence addresses of all principals of the applicant, including all officers, directors, and owners; the form of the applicant's business; and the street address and telephone number of the principal place of business of the applicant and any Florida street addresses if the principal place of business is located outside of Florida.[94]

After receiving the registration statement, the department has 15 business days to either approve the registration or notify the consultant that the registration requirements are not satisfied. If, after 15 days the department has not notified the consultant, the registration is deemed approved.[95]

[88] Section 496.407(1), F.S.
[89] Section 496.407(3), F.S.
[90] Section 496.411, F.S.
[91] A professional fundraising consultant is a person retained by a charitable organization or sponsor for a fixed fee or rate under a written agreement to plan, manage, conduct, carry on, advise, consult, or prepare material for a solicitation of contributions in Florida but who does not solicit contributions or employ, procure, or engage any compensated person to solicit contributions and who does not at any time have custody or control of contributions. Section 496.404(20), F.S.
[92] Section 496.409(1),(3), F.S.
[93] *See* s. 496.409(6), F.S.
[94] Section 496.409(2), F.S.
[95] Section 496.409(6), F.S.

Anyone who willfully violates ch. 496, F.S., commits a third degree felony[96] and a second degree felony[97] for a subsequent conviction.[98] Additionally, the department may enter an order imposing a range of administrative penalties, including imposing an administrative fine up to $5,000 for each act or omission as well as a fine up to $10,000 for any violating of ch. 496, F.S., that involves fraud or deception.[99]

Effect of Proposed Changes

Section 41 amends s. 496.404, F.S., to define "foreign country of concern" to mean the same as s. 286.101(1)(b), F.S. The bill also defines "foreign source of concern" and "controlling interest."

Section 42 amends s. 496.405, F.S., to require a charitable organization or sponsor to provide an attestation statement to the department before engaging in solicitation of funds in the state. The bill requires that the attestation statement must be submitted on a form prescribed by the department and signed by an authorized official of the charitable organization who must attest that the charitable organization is registered with the Department of State (DOS) if required by law.

The bill also requires an attestation statement signed and attested by an authorized official of the charitable organization, that the organization, if prohibited by applicable federal or state law, is not engaged in activities that would require registration with the DOS as required by law.

The bill permits the department to investigate and refer a charitable organization or sponsor to the Florida Elections Commission for investigation of violations.

Section 43 amends s. 496.415, F.S., to prohibit the solicitation or accepting of contributions or anything of value from a foreign source of concern. The bill provides penalties and remedies related to soliciting or accepting contributions or anything of value from a foreign source of concern.

Section 44 amends s. 496.417, F.S., to permit the department to investigate and refer a charitable organization or sponsor to the Florida Elections Commission for investigation of violations.

Section 45 amends s. 496.419, F.S., to prohibit a charitable organization or sponsor whose registration is denied or revoked for submitting a false attestation from registering as a charitable organization or sponsor for five years for an initial violation and prohibits them from registering as a charitable organization or sponsor following any subsequent violations.
The bill also prohibits a person serving as a board member, executive leadership team member, or registering agent of a charitable organization at the time in which the charitable organization is found to have submitted a false attestation from serving in any capacity with a charitable

[96] A third degree felony is punishable by up to 5 years imprisonment and a $5,000 fine. Sections 775.082 and 775.083, F.S.
[97] A second degree felony is punishable by up to 15 years imprisonment and a $10,000 fine. Sections 775.082 and 775.083, F.S.
[98] Section 496.417, F.S.
[99] Section 496.419, F.S.

organization required to comply with the requirements of SS. 496.405, and 496.406, F.S., for five years after the date of the violation of this subsection.

Section 46 creates s. 496.431, F.S., to create the Honest Service Registry. The bill permits the department to create the Honest Services Registry to provide the residents of this state with the information necessary to make an informed choice when deciding which charitable organizations to support. In order to be included on the Honest Services Registry, a charitable organization must, at a minimum, submit to the department an attestation statement on a form prescribed by the department, verified as provided in s. 92.525, F.S., attesting to all of the following:

- The organization does not solicit or accept, directly or indirectly, contributions, funding, support, or services from a foreign source of concern; and
- The organization's messaging and content are not directly or indirectly produced or influenced by a foreign source of concern.

The bill requires the department to publish the Honest Services Registry on the department's website and adopt rules.

Section 87 reenacts s. 496.4055, F.S., related to charitable organization or sponsor board duties, to incorporate the changes made by the bill to s. 496.405, F.S.

Section 88 reenacts s. 496.406, F.S., related to charitable organization exemption from registration, to incorporate the changes made by the bill to s. 496.405, F.S.

Retail Food Establishment Permit

Present Situation

The department issues retail food permits to food establishments selling directly to customers. These food establishments may include supermarkets, grocery stores, convenience stores, coffee shops, bakeries, retail meat markets, retail seafood markets, juice and smoothie bars, ice/water vending machines, food salvage stores, businesses selling prepackaged foods (including hemp extract intended for human consumption, which includes cannabidiol (CBD) or other cannabinoids; and kratom intended for human consumption), and department-regulated mobile food units selling only prepackaged foods or non-potentially hazardous food items.[100]

Effect of Proposed Changes

Section 47 amends s. 500.03, F.S., to amend the definition of "cottage food product" to include food that is not time or temperature controlled for safety.

Section 48 amends s. 500.12, F.S., to add a requirement that food being sold by a person or business is not age restricted to the list of qualifying exemptions to the food permit requirement. The bill also amends food permit renewal timelines and permits the department to establish a single permit renewal date for multiple food establishments owned by the same entity.

[100] FDACS, Business Services, *Retail Food Establishment Permit*, available at https://www.fdacs.gov/Business-Services/Food/Food-Establishments/Retail-Food-Establishment-Permit (last visited March 19, 2025).

Section 89 reenacts s. 500.80, F.S., related to cottage food operations, to incorporate the changes made by the bill to s. 500.12, F.S.

Interstate Commerce and Terminal Market Inspections

Present Situation

The department conducts inspections of fresh and processed fruits, vegetables, nuts, and specialty products to certify the class, quality, quantity, and condition of agricultural products when shipped or received in interstate commerce.[101] The department also inspects government procurement orders and imports and exports.[102] Anyone with a financial interest in a load of product may request grading services. The inspectors perform their duties at field locations, in packing sheds, at receiving markets and distribution centers, and in processing plants.[103]

Applicants may specify the type of inspection required according to U.S. Grade Standards and contract terms— i.e., full inspection (quality and condition), condition only, weight or count only, temperature only, or a combination of these certifications. Services are mostly voluntary, except when mandated by federal marketing orders.[104]

Carriers engaged in interstate commerce and persons receiving food in interstate commerce must, upon the request by an officer or employee duly designated by the department, permit the officer or employee to have access to and to copy all records showing the movement in interstate commerce of any food, and the quantity, shipper, and consignee thereof.[105]

An agent of the department may issue and enforce a stop-sale, removal, or hold order to detain or embargo when he or she finds or has probable cause to believe that any food, food processing equipment, food processing area, mislabeled food, or food storage area is in violation of department rules, and is so found to be dangerous, unwholesome, fraudulent, or insanitary.[106]

Effect of Proposed Changes

Section 49 amends s. 500.166, F.S., to require carriers engaged in interstate commerce and persons receiving food in interstate commerce to retain all records for three years from the date of the record showing the movement in interstate commerce of any food and the quantity, shipper, and consignee thereof.

Section 50 amends s. 500.172, F.S., to permit the department to enter into a written agreement with the owner of such food, food processing equipment, food processing area, or food storage area, or otherwise facilitate the destruction of any article found or suspected by the department to

[101] FDACS, Business Services, *Terminal Market Inspections*, https://www.fdacs.gov/Agriculture-Industry/Fruit-and-Vegetables/Terminal-Market-Inspections (last visited March 19, 2025).
[102] Section 500.166, F.S.
[103] FDACS, Business Services, *Terminal Market Inspections*, https://www.fdacs.gov/Agriculture-Industry/Fruit-and-Vegetables/Terminal-Market-Inspections (last visited March 19, 2025).
[104] *Id.*
[105] Section 500.166, F.S.
[106] Section 500.172(1), F.S.

be in violation. The bill prohibits the removing, use, or disposal of any article found or suspected by the department to be in violation without written agreement from the department.

Section 90 reenacts s. 500.121, F.S., related to product manufacturer disciplinary procedures, to incorporate the changes made by the bill to s. 500.172, F.S.

Mushrooms and Mycelium Spores

Present Situation

Psilocybe mushrooms, also known as "magic mushrooms" or "shrooms," are hallucinogenic drugs that contain the drug psilocybin.[107] They became popular in the United States during the 1960s when American researchers first studied their healing properties and medical applications. Now, they are listed as a Schedule I controlled substance by the U.S. government, meaning they have no accepted medical use.[108]

Mushrooms are the reproductive structures of many species in the kingdom Fungi. They are sometimes referred to as "fruiting bodies" or sporocarps. The majority of fungi grow as microscopic filaments that are referred to as hyphae.[109] When hyphae are aggregated into a dense mat, they are often referred to as a mycelium. Mycelium is a part of a fungus that produces spores at a certain stage, making mycelium a key part in fungal reproduction.[110]

As described in s. 893.03(c)(33), F.S., any material, compound, mixture, or preparation that contains the hallucinogenic substance known as Psilocybin has high potential for abuse and is not currently accepted as medical treatment in the United States.

Effect of Proposed Changes

Section 51 creates s. 500.75, F.S., to provide that it is unlawful to transport, import, sell, offer for sale, furnish, or give away spores or mycelium capable of producing mushrooms or other material which will contain a controlled substance, including psilocybin or psilocyn, during its lifecycle. The bill provides that any person who violates this section commits a misdemeanor first degree, punishable as provided in s. 775.082, F.S., or s. 775.083, F.S.

Plant-based Products

Present Situation

Plant-based foods and beverages are often marketed and sold as alternatives to conventional animal products. Consumer demand for plant-based alternatives to animal products has

[107] *The History of Psilocybin Mushrooms*, Cooper Nicholson, https://opentextbooks.clemson.edu/hlth4000holcombtugman/chapter/the-history-of-psilocybin-mushrooms/ (last visited March 19, 2025).
[108] *Id.*
[109] IFAS, A Basic Guide to Mushrooms Commonly Encountered in Potted Plants in Florida, available at https://www.fs.usda.gov/nrs/pubs/jrnl/2024/nrs_2024_karlsen-ayala_001.pdf (last visited March 19, 2025).
[110] *Id.*

increased, and the types and varieties of plant-based alternatives have expanded.[111] Product options resembling the flavor, form or cut (such as burger or fillet), texture, and appearance of animal foods such as eggs, seafood, poultry, meat, cheese and yogurt, and milk are now available. Consumers purchase plant-based alternatives for various reasons, including dietary choices (e.g., vegan/vegetarian diets), taste preferences, religious practices, and environmental concerns. The Food and Drug Administration (FDA) has published guidance to assist producers of plant-based milk and other animal food alternatives in providing consumers with clear labeling to help them make more informed dietary choices.[112]

Section 401 of the FD&C Act (21 U.S.C. 341) gives the FDA the authority to establish definitions and standards of identity for foods.[113] The FDA provides that plant-based alternative foods tend to be sold in packaged form, and therefore, in the absence of a common or usual name, it is recommended that they should be labeled with a statement of identity that accurately describes the food.[114]

There are currently several states that have laws related to the proper labeling of meat and plant-based products.[115]

Effect of Proposed Changes

Section 52 creates s. 500.93, F.S., to provide definitions for "egg," "egg product," "FDA," "meat," "milk," and "poultry" or "poultry product" to align with the federal definitions. The bill grants the department rulemaking authority to enforce the FDA's standard of identity for milk and prohibit the sale of plant-based products mislabeled as milk in the state. The bill provides that this subsection is effective upon the enactment into law of a mandatory labeling requirement to prohibit the sale of plant-based products mislabeled as milk, consistent with this section, by any 11 of the group of 14 states identified in statute.[116]

The bill grants the department rulemaking authority to enforce the FDA's standard of identity for meat, poultry, and poultry products, as adopted in this section, to prohibit the sale of plant-based products mislabeled as meat, poultry, or poultry products in this state. The bill also provides that this subsection is effective upon the enactment into law of a mandatory labeling requirement to prohibit the sale of plant-based products mislabeled as meat, poultry, or poultry products, eggs and egg products, that is consistent with this section, by any 11 of the group of 14 states identified in statute.[117]

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[111] FDA, Plant-Based Milk and Animal Food Alternatives, available at https://www.fda.gov/food/nutrition-food-labeling-and-critical-foods/plant-based-milk-and-animal-food-alternatives, (last visited March 19, 2025).
[112] *Id.*
[113] FDA, Labeling of Plant-Based Alternatives to Animal-Derived Foods: Draft Guidance for Industry, *available at* https://www.fda.gov/media/184810/download, (last visited March 19, 2025).
[114] *Id.*
[115] Penn State Law, Scope of the Meat Labeling Law Issue Tracker, *available at*, https://aglaw.psu.edu/research-by-topic/issue-tracker/meat-labeling-law-2018-present/ (last visited March 19, 2025).
[116] The 14 states are composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.
[117] *Id.*

The bill requires the department to notify the Division of Law Revision upon by any enactment, by any 11 of the group of 14 states identified in statute, regarding mandatory labeling requirements.[118]

The bill provides that this section may not be construed to limit the department's authority to enforce its laws and regulations.

Consumer Protection

Effect of proposed changes

Section 53 repeals s. 501.135, F.S., relating to the Consumer Unit Pricing Act.

Section 54 amends s. 501.912, F.S., to amend the definition of "antifreeze" to include coolant. The bill also removes the cooling system of internal combustion engines of motor vehicles from the intended use of antifreeze. The bill adds the ability to aid in vehicle component cooling as an intended use of antifreeze.

Petroleum Inspection

Present Situation

The department regularly conducts inspections of petroleum distribution systems and analyzes samples of petroleum products to ensure that Florida consumers are getting the amount they pay for and the quality they expect. Gasoline, alternative fuels (E85, biodiesel, ethanol, etc.), kerosene, diesel, fuel oil, antifreeze products, and brake fluid products are routinely tested and must meet strict standards.[119]

The department inspects retail gas stations across Florida, ensuring that fuel dispensers are working safely and properly. They investigate fraud to protect consumers. The department also conducts annual Meter Mechanic Clinics across the state. Clinic attendance is mandatory for all technicians who repair or install petroleum fuel measuring devices, as part of the registration process

Effect of Proposed Changes

Section 55 creates s. 525.19, F.S., to create an annual petroleum registration program for petroleum owners or operators that own and operate vehicles for transporting petroleum products and permits the department to adopt rules detailing the requirements for such registration. The bill provides that the registration program must be free for all registrants.

The bill grants the department the authority to require registrants to provide updates related to the status of infrastructure, inventory, and delivery information during a state of emergency as declared by an executive order issued by the Governor.

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[118] *Id.*

[119] FDACS, Petroleum Inspection, available at https://www.fdacs.gov/Business-Services/Petroleum-Inspection (last visited March 19, 2025).

Section 56 creates s. 526.147, F.S., to create the Florida Retail Fuel Transfer Switch Modernization Grant Program, subject to appropriation, within the department. The bill provides the maximum award amounts for grants, their intended use, and the criteria for awarding grants.

The bill permits the department, in consultation with the Division of Emergency Management, to adopt rules to implement and administer this section, including establishing grant application processes for the Florida Retail Fuel Transfer Switch Modernization Grant Program. The rules must include application deadlines and establish the supporting documentation necessary to be provided to the department.

Bureau of Standards, Packages, and Weights, Measures, and Standards

Present Situation

The department's Bureau of Standards is responsible for the inspection of weights and measures devices or instruments in Florida.[120] "Weights and measures" is defined as all weights and measures of every kind, instruments, and devices for weighing and measuring, and any appliance and accessories associated with any or all such instruments and devices, excluding taximeters, transportation measurement systems, and those weights and measures used for the purpose of inspecting the accuracy of devices used in conjunction with aviation fuel.[121] The weights and measures program is funded through permit fees.[122]

Any package kept for the purpose of sale or offered or exposed for sale must bear on the outside of the package a conspicuous declaration of the identity of the commodity in the package, unless it can easily be identified through the wrapper or container; the net quantity of contents in terms of weight, measure, or count; and the name and place of business of the manufacturer, packer, or distributor, in the case of any package kept or offered or exposed for sale or sold in any place other than on the premises where packed.[123]

Additionally, any package being one of a lot containing random weights of the same commodity and bearing the total selling price of the package must bear on the outside of the package a plain and conspicuous declaration of the price per single unit of weight.[124]

When a packaged commodity is advertised in any manner with the retail price stated, there must be closely and conspicuously associated with the retail price a declaration of quantity as required by law or rule to appear on the package.[125]

Effect of Proposed Changes

Section 57 amends s. 531.48, F.S., to remove the requirement that any package in a lot of containing random weights of the same commodity must bear the total selling price of the package. The bill requires each package to bear on the outside of the package a plain and

[120] Chapter 531, F.S. "Weights and Measures Act of 1971"
[121] Section 531.37(1), F.S.
[122] Section 531.63, F.S.
[123] Section 531.47, F.S.
[124] Section 531.48, F.S.
[125] Section 531.49, F.S.

conspicuous declaration of the price per single unit of weight and the total retail price of the package, as defined by department rule.

Section 58 amends s. 531.49, F.S., to require package commodities to have a declaration of quantity as required by law or rule on the package.

Supporting the Future of Agriculture in Florida

Present Situation

The Bronson Animal Disease Diagnostic Laboratory (BADDL) provides consummate scientific expertise in the detection and investigation of animal diseases that affect human and animal health. The goal and direction are to enhance the BADDL's capabilities, as science advances, and to expand their availability to those who are served.[126]

Accredited by the American Association of Veterinary Laboratory Diagnosticians as a full-service veterinary diagnostic laboratory, the BADDL is the only accredited laboratory in Florida and is committed to providing state-of-the-art, quality diagnostic services concentrated on maximum testing accuracy, timeliness and cost-effectiveness. Attaining these goals not only provides immediate benefits to the animal owner but also ensures the success of a disease surveillance system that provides an early detection system for high-consequence animal diseases.[127]

The BADDL is a part of the National Animal Health Laboratory Network (NAHLN), a group of state and regional laboratories performing surveillance testing for high-consequence agricultural and zoonotic pathogens, organized by the U.S. Department of Agriculture's Animal and Plant Health Inspection Service. The BADDL staff receive annual training, follow nationwide standard operating procedures, and stand ready to perform surge capacity testing in the event of an animal disease outbreak. As a member of the NAHLN, the BADDL performs testing and surveillance for avian influenza, foot and mouth disease, vesicular stomatitis, contagious equine metritis, classical swine fever (hog cholera), scrapie, and chronic wasting disease in deer.[128]

4-H is the nation's largest youth development organization. Over 230,000 members in Florida help to make up the community of more than 6.5 million young people across America. 4-H is a non-formal, practical educational program for youth. Florida 4-H is the youth development program of Florida Cooperative Extension, a part of the University of Florida – Institute of Food and Agricultural Sciences (IFAS).[129]

4-H is open to all youth, ages five through 18, determined as of September 1 of the current 4-H program year and open to all counties in Florida. 4-H serves youth from all backgrounds and interests. It reaches both boys and girls through 4-H clubs, special interest groups and short-term projects, school-age childcare, individual and family learning and mentoring, camping, and

[126] FDACS, Bronson Animal Disease Diagnostic Laboratory (BADDL), available at https://www.fdacs.gov/Agriculture-Industry/Livestock/Bronson-Animal-Disease-Diagnostic-Laboratory-BADDL (last visited March 19, 2025).
[127] *Id.*
[128] *Id.*
[129] Florida 4-H, What is 4-H?, https://florida4h.ifas.ufl.edu/about-us/ (last visited March 19, 2025).

school enrichment. There are three primary program areas, or mission mandates: science, citizenship, and healthy living.[130]

Future Farmers of America (FFA) is an intracurricular student organization for those interested in agriculture and leadership. It is one of the three components of agricultural education.[131]

The FFA develops members' potential and helps them discover their talent through hands-on experiences, which give members the tools to achieve real-world success. Members are future farmers, chemists, veterinarians, government officials, entrepreneurs, bankers, international business leaders, teachers, and premier professionals in many career fields.[132]

State Contracts

Sections 287.042 and 287.057, F.S. grant agencies the ability to contract out services for the best interests of the public. The Department of Management Services (DMS) is statutorily designated as the primary state agency overseeing procurement[133] and its responsibilities include creating uniform agency procurement rules,[134] implementing the online procurement program,[135] and procuring state term contracts.[136]

The Division of Administration (DOAH) manages the administrative functions of the department and reports to the Office of the Commissioner. The DOAH's responsibilities include personnel management, finance and accounting services, professional and organizational development, information technology support and general services, including procurement, contract management and facilities management.[137]

Effect of Proposed Changes

Section 60 amends s. 570.07, F.S., to permit the department to reimburse the educational expenses of qualified veterinary pathologists who enter into an agreement with the department to retain employment for a specified period of time.

Subject to appropriation, the bill also extends state and national FFA opportunities to any public-school student enrolled in agricultural education, at little or no cost to the student or school district, and to support statewide FFA programming that helps such students develop their potential for premier leadership, personal growth, and career success.

The bill permits the department to directly use contracts procured by another agency. The bill also provides the term "agency" has the same meaning as provided in s. 287.012, F.S.

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[130] *Id.*
[131] FFA, What is FFA, available at https://www.ffa.org/about-us/what-is-ffa/ (last visited March 19, 2025).
[132] FFA, What is FFA, available at https://www.ffa.org/about/ (last visited March 19, 2025).
[133] Sections 287.032 and 287.042, F.S.
[134] Sections 287.032(2) and 287.042(3), (4), and (12), F.S.
[135] Section 287.057(24), F.S.
[136] Sections 287.042(2) and 287.056, F.S.
[137] FDACS, Division of Administration, available at https://www.fdacs.gov/Divisions-Offices/Administration (last visited March 19, 2025).

Section 61 amends s. 570.544, F.S., to permit the Division of Consumer Services director to enforce provisions outlined in statute.

Section 62 creates s. 570.546, F.S., to permit the department to:

- Create a process for the bulk renewal of licenses which will allow licensees the ability, upon request, to submit all license applications of the same type, notwithstanding any provisions of law applicable to each application process.
- Create a process that will allow licensees, upon request, to align the expiration dates of licenses within a statutory program.
- Change the expiration dates for current licensees for the purpose of reducing large numbers of license expirations that occur during the same month.

The bill permits the department to prorate any licensing fee for which the term of the license was reduced for the purposes of alignment. The bill also grants the department rulemaking authority to implement this section.

Florida Aquaculture

Present Situation

Section 597.0015, F.S. defines aquaculture as the cultivation of aquatic organisms.[138] Broadly, aquaculture involves breeding, rearing, and harvesting of aquatic organisms in controlled environments for commercial, recreational, or public purposes.[139]

Aquaculture is a rapidly growing industry in Florida, with over one thousand aqua culturists growing over 1,5000 species of aquatic crops[140] and an approximate total of $100 million[141] in annual sales. Florida's subtropical climate and extensive coastline provides optimal conditions for aquaculture farming. Aquatic crops grown by Florida aqua culturists involve both marine and freshwater species and environments including plants, catfish, molluscan shellfish, shrimp, tilapia, tropical and ornamental fish, alligators, and other aquatics and fish.[142] Overall, the Florida aquaculture industry accounts for 95 percent of tropical fish sales nationwide. [143]

Florida aquaculture benefits food production, economic growth, aquascapes for aquariums and zoos, restoration of threatened and endangered species and their habitats, diversity of food systems, and boosts wild stock populations; however, unregulated, the industry may cause water pollution from nutrient discharge and chemical use, ecosystem destruction, possible release of

[138] Section 597.0015, F.S.
[139] National Oceanic and Atmospheric Administration, *What is Aquaculture?*, (August 9, 2016), available at https://www.noaa.gov/stories/what-is-aquaculture (last visited March 19, 2025).
[140] FDACS, *Florida Aquaculture Industry Overview*, (August 2020), available at https://ccmedia.fdacs.gov/content/download/91723/file/FDACS-P-02145-2020FLAquacultureIndustryOverview.pdf (last visited March 19, 2025).
[141] Megan Winslow, *Farm but no fowl: How Florida aquaculture is growing the economy*, University of Florida News, (March 12, 2025), available at https://news.ufl.edu/2025/03/florida-aquaculture-/ (last visited March 19, 2025).
[142] University of Florida IFAS Extension, *Aquatic Crops*, available at https://sfyl.ifas.ufl.edu/agriculture/aquatic-crops/ (last visited March 19, 2025).
[143] University of Florida IFAS Extension, *Aquaculture*, available at https://sfyl.ifas.ufl.edu/agriculture/aquaculture/ (last visited March 19, 2025).

invasive or non-native species during climate events, and the spread of disease from captive to wild populations.[144]

The department hosts the Division of Aquaculture which is responsible for implementing the Florida Aquaculture Policy Act (FAPA) in ch. 597, F.S.[145] The FAPA declares aquaculture as agriculture and assigns the department responsibility of the industry.

Direct-support organizations

Direct-support organizations are defined as an organization that is a Florida corporation not for profit incorporated under ch. 617, F.S. and approved by the department to operate for the benefit of a museum or a designated program.[146] The department may authorize the establishment of direct-support organizations to provide assistance, funding, and promotional support for programs of the department.[147]

Section 63 creates s. 570.694, F.S., to establish the Florida Aquaculture Foundation (Foundation) as a direct-support organization within the department. The bill provides the purpose of the foundation is to:

- Conduct programs and activities related to the assistance, promotion, and furtherance of aquaculture and aquaculture producers in this state.
- Identify and pursue methods to provide statewide resources and materials for these programs.

The bill specifies the Foundation is governed by s. 570.691, F.S. and the department is authorized to appoint an advisory committee adjunct to the foundation.

Section 81 creates s. 1013.373, F.S., to prohibit, notwithstanding any other provision of law, a local government from adopting any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit any activities of public educational facilities and auxiliary facilities constructed by a board for agricultural education, for FFA or 4-H activities, or the storage of any animals or equipment therein.

The bill provides that lands used for agricultural education or for FFA or 4-H activities shall be considered agricultural lands pursuant to s. 193.461, F.S.

Silviculture

Present Situation

Florida's Silviculture Best Management Practices (BMPs) are forest land management guidelines designed as the minimum standards necessary for protecting and maintaining the state's water

[144] Levi Hoskins, *Tell Me About: Aquaculture*, UF Thompson Earth Systems Institute, (November 1, 2024), available at https://www.floridamuseum.ufl.edu/earth-systems/blog/tell-me-about-aquaculture/ (last visited March 19, 2025).
[145] Chapter 597, F.S
[146] Section 570.69, F.S
[147] Section 570.691, F.S.

quality and wetland ecosystems during forestry activities. As such, they represent a balance between overall natural resource protection and forest resource use.[148]

Florida's Silviculture BMPs were first established in the mid-1970s in response to the Federal Clean Water Act of 1972 and should be applied on all bona fide ongoing forestry operations, especially those adjacent to waterbodies, wetlands, and sinkholes. Silviculture BMPs may be enforced by federal, state, and local authorities through reference of regulatory statute or rule. However, Silviculture BMPs are not intended for use during tree removal or land clearing operations associated with development or other activities that have non-forestry objectives.[149]

The Florida Forest Service serves as the lead agency responsible for the development, implementation, and monitoring of Silviculture BMPs in Florida. The Forest Hydrology Section is available to provide specialized information and guidance about Florida's Silviculture BMPs.[150]

Effect of Proposed Changes

Section 65 creates s. 570.823, F.S., to create the Silviculture Emergency Recovery Program within the department to administer a grant program to assist timber landowners whose timber land was damaged as a result of a declared emergency. The bill provides definitions for "bona fide farm operation," "declared emergency," "department," and "program."

The bill provides eligibility requirements and approved uses of grant funds. The bill also requires the department to coordinate with state agencies and other entities to ensure to the greatest extent possible that timber landowners have access to the maximum financial assistance available following a specified declared emergency. The bill provides that the coordination must ensure that there is no duplication of financial assistance between these funds and other funding sources, which would render the approved applicant ineligible for other financial assistance.

The bill grants the department rulemaking authority to implement this section. The bill provides that notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for six months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

Florida Beef

Present Situation

On January 1, 2025, Florida ranked 10th in beef cattle production. All cattle and calves in Florida totaled 1.56 million head, unchanged from last year. This is the smallest inventory in Florida since 1951 and has declined by 120,000 head since the cyclical peak in 2019.[151] Nearly

[148] FDACS, Silviculture Best Management Practices, available at https://www.fdacs.gov/Forest-Wildfire/Silviculture-Best-Management-Practices (last visited March 19, 2025).
[149] *Id.*
[150] *Id.*
[151] Annual Cattle Market Report: January 2025, available at https://rcrec-ona.ifas.ufl.edu/media/rcrec-onaifasufledu/pdf/2025_01_AR.pdf (last visited March 27, 2025).

half of all Florida's agricultural land is in cattle production, with over 15,000 producers involved in all facets of the industry.

The Cattle Enhancement Board, Inc. (CEB) is a Direct Support Organization of the University of Florida. The CEB is organized to promote research, education and scientific purposes on issues relating to the Florida cattle industry, including production, disease prevention, forage development, genetic research, and technology.[152]

Effect of Proposed Changes

Section 66 creates s. 570.831, F.S., establishing the Florida beef marketing program. It directs the CEB, in coordination with the department, subject to appropriation, to establish a beef marketing program to conduct research designed to expand the uses of beef and beef products and strengthen the position of Florida's cattle industry through marketing campaigns and promotions within this state and the nation.

Florida Citrus

Present Situation

Early Spanish explorers planted the first orange trees near St. Augustine, Florida in the 1500s. Commercial production began nearly 300 years later – after the Civil War – when the development of the railroad allowed citrus growers to ship their products across the country. In 1894 and 1895, freezes destroyed much of Florida's citrus crops. Not to be defeated, many citrus growers moved south and began growing again.[153]

The industry rallied within 15 years and by 1950, more than 100 million boxes of citrus were picked. That number reached 200 million in 1970. Most citrus is now grown in the southern two-thirds of the Florida peninsula, where probability of freezing temperatures is lowest, although Polk County in Central Florida remains the top citrus producing county in the state.[154] The 2024-2025 Season, Florida All Orange Production forecast released by the United States Department of Agriculture (USDA) Agricultural Statistics Board is 12 million boxes.[155]

Effect of Proposed Changes

Section 67 amends s. 581.1843, F.S., to remove the requirement that citrus nursery may not be propagated or grown on a site that is not at least one mile away from commercial citrus groves. The bill also removes the requirement that a citrus nursery registered with the department prior

[152] Florida Cattle Enhancement Board, available at Cattle Enhancement Board - UF/IFAS Animal Sciences - University of Florida, Institute of Food and Agricultural Sciences - UF/IFAS (last visited March 27, 2025).

[153] Florida Citrus, What is the history of Citrus?, available at https://www.floridacitrus.org/about-florida-citrus/our-history/ (last visited March 19, 2025).
[154] *Id.*
[155] USDA, Citrus, available at https://www.nass.usda.gov/Statistics_by_State/Florida/Publications/Citrus/Citrus_Forecast/2024-25/cit0125.pdf (last visited March 19, 2025).

to April 1, 2006, shall not be required to comply with the one-mile setback from commercial citrus groves while continuously operating at the same location for which it was registered.

The bill removes requirements and prohibitions related to the authorized areas in which commercial citrus may be planted.

Section 68 repeals the following statutes: ss. 593.101, 593.102, 593.103, 593.104, 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111, 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116, and 593.117, F.S., relating to the Florida Boll Weevil Eradication Law; definitions; powers and duties of Department of Agriculture and Consumer Services; the entry of premises to carry out boll weevil eradication activities and inspections; reports by persons growing cotton; quarantine areas and the regulation of articles within a boll weevil eradication zone; the regulation of collection, transportation, distribution, and movement of cotton; cooperative programs for persons engaged in growing, processing, marketing, or handling cotton; the department's authority to designate eradication zones, prohibit planting of cotton, and require participation in eradication program; regulation of the pasturage of livestock, entry by persons, and location of honeybee colonies in eradication zones and other areas; eligibility for certification of cotton growers' organization; the certification of cotton growers' organization; a referendum; an assessment; the department's authority to enter agreements with the Farm Service Agency; liens; mandamus or injunction; penalty for violation; and the handling of moneys received, respectively.

Section 69 amends s. 595.404, F.S., to update judicial review statutes relating to appeal proceedings of school food and other nutrition programs.

Florida Viticulture Advisory Council

Present Situation

The Legislature declared that viticulture, the production and utilization of grapes, is an underdeveloped agricultural commodity enterprise in this state. The Legislature recognizes that Florida possesses many resources and geographic advantages that favor the expansion and growth of present-day viticulture into a broad-based, economically viable industry. The growth potential of the present industry offers good opportunities for local economic development and supply trade. The development of viticulture is compatible with the economies, lifestyles, and interests of both rural and urban Florida.[156]

Further, the Legislature finds that factors such as minimal new grape cultivar development, lack of printed information on production and processing, minimal understanding of winemaking techniques and requirements that will capitalize on the unique characteristics of available grape cultivars, minimal understanding of grape juice processing requirements, lack of fresh fruit handling and processing technology specifically for muscadine grape cultivars, lack of quality standards for wine and other processed grapes, lack of assistance and printed information for overall business planning and marketing, and lack of coordination of the many diverse interests and expertise's which could contribute to the further development of viticulture in the state are

[156] Section 599.001 F.S.

inhibitory to the development of viticulture to the potential of which it is reasonably capable, going into the 21st century.[157]

The Legislature further declares that, in order to effectively support the efficient and expeditious development and growth of viticulture into a broad-based and economically sound industry, there is a need for leadership and statewide viticultural planning.[158]

Effect of Proposed Changes

Section 59 amends s. 564.06, F.S., to make conforming changes replacing "viticulture" with "Florida Wine."

Section 70 amends s. 599.002, F.S., to change the name of the "Viticulture Advisory Council" to the "Florida Wine Advisory Council" and make conforming changes related to the new name.

Section 71 amends s. 599.003, F.S., to make conforming changes related to the new name.

Section 72 amends s. 599.004, F.S., to make conforming changes related to the new name. The bill also provides that wineries that fail to recertify annually or pay the licensing fee are subject to having its certified Florida Farm Wineries sign removed and will be responsible for all costs incurred by the Department of Transportation in connection with the removal.

Section 73 amends s. 599.012, F.S., to make conforming changes replacing "viticulture" with "Florida Wine."

County Fair Permitting

Present Situation

The department is responsible for issuing annual permits to fair associations that are organized under Chapter 616, Florida Statutes.[159]

The purpose of fair associations is to produce an annual fair and/or exposition for the benefit and development of the educational, agricultural, horticultural, livestock, charitable, historical, civic, cultural, scientific and other resources of the geographical area the fair or exposition represents and serves.[160]

Effect of Proposed Changes

Section 74 amends s. 616.12, F.S., to remove antiquated terms used in the department's fair permitting program.

[157] *Id.*
[158] *Id.*
[159] FDACS, Division of Licensing, *Number of Licensees by Type* (Nov. 30, 2023), https://www.fdacs.gov/content/download/82618/file/Number_of_Licensees_By_Type.pdf (last visited March 19, 2025).
[160] *Id.*

Right to Farm Laws, Nuisances, and the Florida Right to Farm Act

Present Situation

In the 1970s, states began to identify the potential conflicts between farmers and developers as urban sprawl crept into rural and agricultural areas. One of the initial concerns was that the relocation of city dwellers into agricultural areas would result in a rash of very expensive nuisance lawsuits once the new neighbors were confronted with the sensory nature of farm life, complete with an inescapable array of odors, loud noises, dust, and other side-effects.[161]

In an effort to protect farms and agricultural operations from the encroaching sprawl, states passed anti-nuisance laws that are referred to as "Right to Farm" laws. These laws, enacted in all 50 states, protect agricultural production against some nuisance lawsuits. The laws do not grant absolute immunity but generally provide protections for defendants based upon a "coming to the nuisance" defense theory. These laws provide a liability shield for pre-existing agricultural operations when changes are made to the use of nearby parcels, such that the plaintiffs are described as "coming to the nuisance."[162] The Florida Right to Farm Act was enacted in 1979.[163]

A nuisance is described as an activity, condition, or situation created by someone that significantly interferes with another person's use or enjoyment of their property. A private nuisance affects a person's private right that is not common to the public while a public nuisance is an interference that affects the general public, for example, a condition that is dangerous to health or community standards.[164]

The Florida Right to Farm Act protects farm operations from nuisance lawsuits if the operations comply with generally accepted agricultural and management practices.[165]

The Florida Right to Farm Act states that a farm operation cannot be classified as a public or private nuisance if the farm:

- Has been in operation for one year or more since its established date of operation;
- Was not a nuisance when it was established; and
- Conforms to generally accepted agricultural and management practices.[166]

However, the following four unsanitary conditions constitute evidence of a nuisance:

- The presence of untreated or improperly treated human waste, garbage, offal, dead animals, dangerous waste materials, or gases which are harmful to human or animal life;
- The presence of improperly built or improperly maintained septic tanks, water closets, or privies;
- The keeping of diseased animals which are dangerous to human health, unless the animals are kept in accordance with a current state or federal disease control program; or

[161] Alexia B. Borden and Thomas R. Head, III, *The "Right To Farm" In The Southeast – Does it Go Too Far?* (2007).
[162] *Id.*
[163] Chapter 79-61, ss. 1-2, Laws of Fla.
[164] BLACK'S LAW DICTIONARY (11th ed. 2019).
[165] Section 823.14, F.S.
[166] Section 823.14(4)(a), F.S.

- The presence of unsanitary places where animals are slaughtered, which may give rise to diseases which are harmful to human or animal life.[167]

Additionally, a farm operation cannot be classified as a public or private nuisance due to a change:

- In ownership;
- In the type of farm product that is produced;
- In conditions in or around the locality of the farm; or
- Made in compliance with Best Management Practices adopted by local, state, or federal agencies.[168]

The Florida Right to Farm Act, however, may not be construed to permit an existing farm operation to increase to a more excessive farm operation with regard to noise, odor, dust, or fumes where the existing operation is adjacent to an established homestead or business.[169,170]

Effect of Proposed Changes

Section 75 creates s. 687.16, F.S., to establish the Florida Farmer Financial Protection Act. The bill provides the definitions of "agritourism activity," "agriculture producer," "Commissioner," "company," "denies or restricts," "discriminate in the provision of financial services," "ESG factor," "farm," "financial institution," and "financial service."

The bill prohibits a financial institution from discriminating in the provision of financial services to an agriculture producer based, in whole or in part, upon an ESG factor. The bill also provides that if a financial institution has made any ESG commitment related to agriculture, there is an inference that the institution's denial or restriction of a financial service to an agriculture producer is discriminating against the agriculture producer based upon an ESG factor. The bill also provides that a financial institution may overcome such inference in by demonstrating that its denial or restriction of a financial service was based solely on documented risk analysis, and not on any ESG factor.

The bill authorizes the Attorney General, in consultation with the Office of Financial Regulation, to enforce these provisions. The bill provides that any violation constitutes an unfair trade practice under part II of ch. 501, F.S., and the Attorney General is authorized to investigate and seek remedies as provided in general law. The bill also permits that actions for damages may be sought by an aggrieved party.

Section 76 amends s. 741.0305, F.S., to make a conforming change related to religious institutions.

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[167] *Id.*
[168] Section 823.14(4)(b), F.S.
[169] Section 823.14(5), F.S.
[170] In an effort to eliminate duplication of regulatory authority over farm operations, local governments may not adopt an ordinance or similar policy to prohibit or limit an activity of a bona fide farm operation on land that is classified as agricultural land in accordance with statute, where the activity is regulated through implemented best management practices or certain interim measures. The full text of this prohibition is contained in s. 823.14(6), F.S.

Firearm Licensing and Expedited Concealed Carry License Processing for Military, Law Enforcement License

Present Situation

The department is statutorily authorized to issue concealed weapon and concealed firearm licenses to applicants who qualify.[171] For purposes of the concealed carry licensure law, "concealed weapons or concealed firearms" means a handgun, electronic weapon or device, tear gas gun, knife, or billie, but not a machine gun.[172]

To obtain a concealed weapon or concealed firearm license, a person must complete, under oath, an application that includes:

- The name, address, place and date of birth, race, and occupation of the applicant;
- A full-frontal view color photograph of the applicant which must be taken within the preceding 30 days;
- A statement that the applicant has been furnished with a copy of ch. 790, F.S., relating to weapon and firearms and is knowledgeable of its provisions;
- A warning that the application is executed under oath with penalties for falsifying or substituting false documents;
- A statement that the applicant desires a concealed weapon or firearm license as a means of lawful self-defense;
- A full set of fingerprints;
- Documented proof of completion of a firearm safety and training course; and
- A nonrefundable license fee.[173]

The department must issue the license to carry a concealed weapon or concealed firearm if all other requirements are met and the applicant:

- Is a resident of the United States and a citizen of the United States or a permanent resident alien of the United States, as determined by the United States Bureau of Citizenship and Immigration Services, or is a consular security official of a foreign government;[174]
- Is 21 years of age or older;[175]
- Does not suffer from a physical infirmity which prevents the safe handling of a weapon or firearm;
- Is not ineligible to possess a firearm pursuant to s. 790.23, F.S., by virtue of having been convicted of a felony;
- Has not been committed for the abuse of a controlled substance or been found guilty of a crime under the provisions of ch. 893, F.S., or similar laws of any other state relating to controlled substances within a three-year period immediately preceding the date on which the application is submitted;

[171] Section 790.06(1), F.S.
[172] *Id.*
[173] Section 790.06,(4)-(5) F.S.
[174] Such consular security official must maintain diplomatic relations and treaties of commerce, friendship, and navigation with the United States and is certified as such by the foreign government and by the appropriate embassy in this country.
[175] Pursuant to s. 790.062, F.S., the department must issue a license to carry a concealed weapon or concealed firearm to a servicemember or veteran who does not meet the 21 years of age threshold if he or she is otherwise qualified.

- Does not chronically and habitually use alcoholic beverages or other substances to the extent that his or her normal faculties are impaired;[176]
- Desires a legal means to carry a concealed weapon or concealed firearm for lawful self-defense;
- Demonstrates competence with a firearm;
- Has not been adjudicated an incapacitated person under s. 744.331, F.S., or similar laws of any other state, unless five years have elapsed since the applicant's restoration to capacity by court order;
- Has not been committed to a mental institution under ch. 394, F.S., or similar laws of any other state, unless the applicant produces a certificate from a licensed psychiatrist that he or she has not suffered from disability for at least five years prior to the date of submission of the application;
- Has not had adjudication of guilt withheld or imposition of sentence suspended on any felony or misdemeanor crime of domestic violence unless three years have elapsed since probation or any other conditions set by the court have been fulfilled, or the record has been sealed or expunged;
- Has not been issued an injunction that is currently in force and effect and that restrains the applicant from committing acts of domestic violence or acts of repeat violence; and
- Is not prohibited from purchasing or possessing a firearm by any other provision of Florida or federal law.[177]

Pursuant to s. 790.06(3), F.S., the department must deny the application if the applicant has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence constituting a misdemeanor, unless three years have elapsed since probation or any other conditions set by the court have been fulfilled or the record has been sealed or expunged.[178]

The department must:

- Revoke a license if the licensee has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence within the preceding three years.[179]
- Upon notification by a law enforcement agency, a court, or the Florida Department of Law Enforcement (FDLE) and subsequent written verification, suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime that would disqualify such person from having a license under this section, until final disposition of the case.[180]

[176] It shall be presumed that an applicant chronically and habitually uses alcoholic beverages or other substances to the extent that his or her normal faculties are impaired if the applicant has been committed under ch. 397, F.S., or under the provisions of former ch. 396, F.S., or has been convicted under s. 790.151, F.S., or has been deemed a habitual offender under s. 856.011(3), F.S., or has had two or more convictions under s. 316.193, F.S., or similar laws of any other state, within the 3-year period immediately preceding the date on which the application is submitted. Section 790.06(2), F.S.
[177] Section 790.06(2), F.S.
[178] Section 790.06(3), F.S.
[179] *Id.*
[180] *Id.*

- Suspend a license or the processing of an application for a license if the licensee or applicant is issued an injunction that restrains the licensee or applicant from committing acts of domestic violence or acts of repeat violence.[181]

A service member[182] or a veteran[183] may request expedited processing of his or her application.[184] For expedited processing of an application:

- A servicemember must submit a copy of the Common Access Card, United States Uniformed Services Identification Card, or current deployment orders.
- A veteran must submit a copy of the DD Form 214, issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs.[185]

Effect of Proposed Changes

Section 77 amends s. 790.06, F.S., to permit the department to issue a concealed carry license if the applicant demonstrates competence with a firearm training through the United States military service.

The bill permits the department to temporarily suspend a license or application if notified by a law enforcement agency, a court, clerk's office, or FDLE that the licensee or applicant is arrested or formally charged with a crime that would disqualify such person from having a license under this section, until final disposition of the case.

The bill requires that the department notify the licensee or applicant suspended under this section of his or her right to a hearing pursuant to ch. 120, F.S. The bill provides that if the criminal case results in a nondisqualifying disposition the suspension shall end. The department must issue an order confirming the end of the suspension within 90 days upon receipt of final resolution. The applicant must provide the department with a copy of the final resolution through email or certified mail. The bill provides that if the criminal case results in a disqualifying disposition, the suspension remains in effect and the department must proceed with denial or revocation proceedings pursuant to chapter 120.

The bill provides that these provisions may not be construed to limit, restrict, or inhibit the constitutional right to bear arms and carry a concealed weapon in this state. The bill also provides that Legislature finds it a matter of public policy and public safety that it is necessary to ensure that potentially disqualifying information about an applicant or licensee is investigated and processed in a timely manner. The bill also provides that the Legislature intends to clarify that suspensions pursuant to this section are temporary and the department has the duty to make an eligibility determination and issue a license in the prescribed time frame.

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[181] *Id.*

[182] "Servicemember" means any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Florida National Guard and United States Reserve Forces. s. 250.01, F.S.

[183] "Veteran" means" a person who served in the active military, naval, or air service and who was discharged or released under honorable conditions only or who later received an upgraded discharge under honorable conditions, notwithstanding any action by the United States Department of Veterans Affairs on individuals discharged or released with other than honorable discharges. s. 1.01(14), F.S.

[184] Section 790.06(4)(f), F.S

[185] Section 790.06(4)(f), F.S.

The bill permits the department to extend the 90 day time period that current law requires for action for up to an additional 45 days if a criminal history screening identifies a potential crime that may disqualify the applicant but there is no final disposition of the crime or it lacks sufficient information to make an eligibility determination. The bill also permits the department to request information where the criminal history originated but also issue a license if the department does not obtain a disposition or sufficient information to make an eligibility determination within the additional 45-day period. The bill permits the department to take appropriate action if it receives disqualifying criminal history information during the review or after issuance of a license.

The bill permits the department to temporarily suspend a license if the license was issued in error.

Section 91 reenacts s. 790.061, F.S., related to judges and justices exemption from concealed carry provisions, to conform to the changes made by the bill to s. 790.06, F.S.

Retail Fuel Theft and Retail Theft

Present Situation

The department regularly inspects petroleum distribution systems and samples of petroleum products to ensure consistency as well as retail gas stations to ensure fuel dispensers are working safely and properly.[186]

A fuel pulser is a plastic device connected to the fuel pump dispenser meter housed within the fuel pump. The pulse converts the mechanical movement of the fuel meter and then sends electrical pulses to control the dispenser's electronic display.[187]

The pulsers can be replaced by an altered pulser that interrupts the electrical signal.[188] This enables the ability to obtain large amounts of gas for a small percentage of the cost. In Hillsborough County, $60,000 worth of gasoline was stolen from two different gas stations by individuals using the pulsar manipulation devices.[189] In Lakeland, two individuals were caught while filling up a large gas tank in the back of a pickup truck after accessing the inside of the fuel pump.[190]

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[186] Florida Department of Agriculture and Consumer Services, Petroleum Inspection, available at https://www.fdacs.gov/Business-Services/Petroleum-Inspection (last visited March 19, 2025).
[187] Florida Department of Agriculture and Consumer Services, SB 1150 Analysis. On file with the Senate Commerce and Tourism Committee.
[188] *Id.*
[189] Matthew Impelli, Fuel Thieves Used 'Homemade Device' to Steal $60,000 in Gas, Police Say, Newsweek, April 4, 2022, available at https://www.newsweek.com/fuel-thieves-used-homemade-device-steal-60000-gas-police-say-1694856 (last visited March 19, 2025).
[190] Catherine Hawley, Florida men accused of tampering with gas pumps, stealing fuel in Bay area, Fox 13 News, March 17, 2022, available at https://www.fox13news.com/news/florida-men-accused-of-tampering-with-gas-pumps-stealing-fuel-in-bay-area (last visited March 19, 2025).

The use of these devices is not just an issue in Florida. It is happening in other states as well. In Arizona, the State Senate is considering a bill that would make the possession of a pulsar manipulation device a third-degree felony.[191]

Currently, law enforcement relies on s. 316.80, F.S., for fuel theft crimes; however, the statute does not address fuel pulsers and only penalizes the use of conveyances or vehicles equipped with auxiliary fuel tanks or bladders which do not comply with applicable federal regulation.[192]

Section 812.014(1), F.S., provides that a person commits "theft" if he or she knowingly obtains or uses, or endeavors to obtain or use, the property of another with intent to, either temporarily or permanently:

- Deprive the other person of a right to the property or a benefit from the property; or
- Appropriate the property to his or her own use or to the use of any person not entitled to the use of the property.

The statute punishes "grand theft" and "petit theft." Grand theft is more severe than petit theft penalties and is typically theft of property valued at $750 or more. Petit theft is generally theft of property valued at less than $750.

While theft is generally punished in s. 812.014, F.S., and thefts from retailers can be punished under that statute, s. 812.015, F.S., is specifically directed at punishing "retail theft," which the statute defines as "the taking possession of or carrying away of merchandise,[193] property, money, or negotiable documents; altering or removing a label, universal product code, or price tag; transferring merchandise from one container to another; or removing a shopping cart, with intent to deprive the merchant[194] of possession, use, benefit, or full retail value."[195]

Section 812.015(8), F.S., provides that it is a third-degree felony[196] to commit retail theft, if the property stolen is valued at $750 or more, and the person:

- Individually commits retail theft, or in concert with one or more other persons, coordinates the activities of one or more individuals in committing the offense, which may occur through multiple acts of retail theft, in which the amount of each individual theft is aggregated within a 30-day period to determine the value of the property stolen;
- Conspires with another person to commit retail theft with the intent to sell the stolen property for monetary or other gain, and subsequently takes or causes such property to be placed in the control of another person in exchange for consideration, in which the stolen property

[191] Morgan Loew, Arizona Senate committee votes to outlaw fuel theft devices, 3TV/CBS 5, Feb. 3, 2023, available at https://www.azfamily.com/2023/02/03/arizona-senate-committee-votes-outlaw-fuel-theft-devices/ (last visited March 19, 2025).
[192] Florida Department of Agriculture and Consumer Services, SB 1150 Analysis. On file with the Senate Commerce and Tourism Committee.
[193] "Merchandise" means "any personal property, capable of manual delivery, displayed, held, or offered for retail sale by a merchant." Section 812.015(1)(a), F.S.
[194] "Merchant" means "an owner or operator, or the agent, consignee, employee, lessee, or officer of an owner or operator, of any premises or apparatus used for retail purchase or sale of any merchandise." Section 812.015(1)(b), F.S.
[195] Section 812.015(1)(d), F.S.
[196] A third degree felony is generally punishable by not more than five years in state prison and a fine not exceeding $5,000. Sections 775.082 and 775.083, F.S.

taken or placed within a 30-day period is aggregated to determine the value of the stolen property;
- Individually, or in concert with one or more other persons, commits theft from more than one location within a 30-day period, in which the amount of each individual theft is aggregated to determine the value of the property stolen;
- Acts in concert with one or more other individuals within one or more establishments to distract the merchant, merchant's employee, or law enforcement officer in order to carry out the offense, or acts in other ways to coordinate efforts to carry out the offense; or
- Commits the offense through the purchase of merchandise in a package or box that contains merchandise other than, or in addition to, the merchandise purported to be contained in the package or box.

Effect of Proposed Changes

Section 78 amends s. 812.0151, F.S., to provide that a person commits a felony if they possess any form of a payment instrument that can be used, alone or in conjunction with another access device, to authorize a fuel transaction or obtain fuel, including, but not limited to, a plastic payment card, with the intent to defraud the fuel retailer, the authorized payment instrument financial account holder, or the banking institution that issued the payment instrument financial account.

The bill also provides that a person commits a felony if they tamper with any mechanical or electrical component located externally on a retail fuel dispenser.

Section 79 creates s. 812.136, F.S., to create an offense of mail theft. The bill provides definitions for "mail," "mail depository," and "postal service." The bill also provides what is considered acts that constitute mail theft and the theft of or unauthorized reproduction of a mail depository key or lock.

The bill creates the following criminal penalties for mail theft:
- First degree misdemeanor, punishable by a term of imprisonment not exceeding 1 year, for a first violation; and
- Felony of the third degree, punishable by a term of imprisonment not exceeding 5 years or a fine not to exceed $5,000, for a second or subsequent violation.

Section 92 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.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

The bill may have an indeterminate impact on local property taxes due to lands used for agricultural education now being taxed as agricultural lands.

B. Private Sector Impact:

Third parties are now permitted to collect and retain convenience fees related to remote pest control license examinations.

Food distributors may incur costs associated with the proper labeling of plant-based products currently labeled as meat, poultry, and eggs.

C. Government Sector Impact:

The bill increases the amount of state aid a county or district can receive from $50,000 to $75,000 per year for three years for any new program for the control of mosquitoes in an area not previously serviced by county.

The bill creates new misdemeanors for illegal activities relating to drones on agricultural land, mushroom spores' distribution, and mail theft. The bill also creates felonies[197] for possession of any form of payment used to defraud fuel retailers or tamper with components of retail fuel dispenser.

This may have a positive indeterminate prison bed impact (an unquantifiable increase in prison beds) on the Department of Corrections. The Legislature's Office of Economic and Demographic Research (EDR) and the Criminal Justice Impact Conference (CJIC), which provides the final, official estimate of the prison bed impact, if any, of legislation, has not yet reviewed the bill.

[197] A third degree felony is punishable by up to five years imprisonment and a $5,000 fine. Sections 775.082 and 775.083, F.S. A second-degree felony is punishable by up to 15 years imprisonment and a $10,000 fine. Sections 775.082 and 775.083, F.S.

Overall, the bill has an indeterminate, yet insignificant impact to the Department of Agriculture and Consumer Services (department). It is unknown how many administrative and enforcement actions the department will realize due to the changes in the bill. Any additional responsibilities required by the bill will be absorbed within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 110.205, 163.3162, , 201.25, 253.0341, 330.41, 366.94, 388.011, 388.021, 388.181, 388.201, 388.241, 388.261, 388.271, 388.281, 388.291, 388.301, 388.311, 388.321, 388.322, 388.323, 388.341, 388.351, 388.361, 388.3711, 388.381, 388.391, 388.401, 388.46, 403.067, 403.852, 403.859, 482.111, 482.141, 482.155, 482.156, 482.157, 482.161, 487.044, 487.175, 496.404, 496.405, 496.415, 496.417, 496.419, 500.03, 500.12, 500.166, 500.172, 501.912, 531.48, 531.49, 564.06, 570.07, 570.544, 570.822, 581.1843, 595.404, 599.002, 599.003, 599.004, 599.012, 616.12, 741.0305, 790.06, 812.0151, and 943.50.

This bill creates the following sections of the Florida Statutes: 366.20, 496.431, 500.75, 500.93, 525.19, 526.147, 570.694, 570.546, 570.546, 570.823, 570.831, 687.16, 812.136, and 1013.373.

This bill repeals the following sections of the Florida Statutes: 501.135, 593.101, 593.102, 593.103, 593.104, 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111, 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116, and 593.117.

This bill re-enacts the following sections of the Florida Statutes: 189.062, 295.07, , 388.261, 482.072, 482.163, 487.156, 496.4055, 496.406, 500.80, 500.121, 790.061.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS/CS by Fiscal Policy on April 8, 2025:
The committee substitute makes the following changes:

- Prohibits the operation of drones on lands classified as agricultural lands, except for the purpose of managing and eradicating plant or animal diseases.
- Revises the definition of "electric utility" with regard to land acquisition and ownership.

- Creates a process for an electric utility to offer for sale or transfer agricultural land to a private owner and provides the department with rulemaking authority to implement provisions related to the selling or transferring of agricultural land.
- Revises the definition of "water quality additive" and related prohibited acts.
- Revises the definition of "foreign country of concern" to have the same meaning as s. 286.101(1)(b), F.S.
- Provides penalties and remedies related to soliciting or accepting contributions or anything of value from a foreign source of concern.
- Renames the Viticulture Trust Fund to the Florida Wine Trust Fund.
- Revises the requirements related to the suspension or reinstatement of concealed carry licensees or applicants.
- Reduces the extended review period for a concealed carry applicant's criminal history screening from 90 to 45 days.
- Revises the definition of "mail depository" to include any other authorized receptacle.
- Revises the acts that constitute mail theft and the penalties for violations.
- Makes technical changes.

CS/CS by Appropriation Committee on Agriculture, Environment and General Government on March 26, 2025:

The committee substitute makes the following changes:

- Technical changes to remove reenactments that are no longer necessary.
- Establishes the Florida beef marketing program and outlines the purpose.

CS by Agriculture on March 11, 2025:

The CS makes the following changes:

- Provides definitions and permits the construction of housing for "legally verified agricultural workers."
- Provides penalties for agricultural property owners who violate the provisions related to verified agricultural worker housing.
- Provides that the department will monitor complaints, provide enforcement, and provide information to the State Board of Immigration Enforcement about verified agricultural worker housing.
- Removes requirements related to 10-year site plans from electric utilities.
- Permits the department to consult with the DEP to create a process to acquire land purchased by utility companies, which were formerly agricultural land. The bill also permits the department to retain a rural-lands protection easement on surplused land suitable for bona fide agricultural production.
- Requires the department to provide a report of lands surplused to the board.
- Provides that any lands designated as a state forest, state park, or wildlife management area are ineligible to be surplused. The bill also provides that this subsection is retroactive to January 1, 2009.
- Provides drone usage exemptions to be in compliance with provisions of s. 934.50, F.S. Eliminates governmental entity exemptions to drone usage.
- Eliminates penalties for charitable organizations that provide false statements to the department and replaces them with penalties pursuant to s. 496.405(2)(d) F.S.

- Provides definition for “egg” and “egg product,” to have the same meanings as in 21 1464 U.S.C. s. 1033 and the Egg Products Inspection Act.
- Permits the department to adopt rules to enforce the FDA’s standard of identity for eggs and egg products to prohibit the sale of plant-based products mislabeled as egg or egg products in this state.
- Permits the department to directly use contracts procured by another agency. The bill also provides the term “agency” has the same meaning as provided in s. 287.012, F.S.
- Establishes the Florida Aquaculture Foundation as a direct-support organization within the department. The bill provides the purpose of the foundation and governance of foundation.
- Removes civil fines and any attorney fees assessed upon a finding that an entity received notice of the local regulations infringing the field of regulation of firearms and ammunition at least 30 days before a suit and that the entity failed to take action.
- Eliminates the exemption provided to those using drones, under a business or professional license to perform reasonable tasks within the scope of practice or activities permitted under their license.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.

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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/09/2025	.	
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The Committee on Fiscal Policy (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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director, and bureau chief positions in any department, and those positions determined by the department to have managerial responsibilities comparable to such positions, which include, but are not limited to:

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

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

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

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

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

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

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

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Enforcement.

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

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

163.3162 Agricultural Lands and Practices.—

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

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

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

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

1. Is lawfully present in the United States;

2. Meets the definition of eligible worker pursuant to 29 C.F.R. s. 502.10;

3. Has been verified through the process provided in s. 448.095(2) and is authorized to work at the time of employment;

4. Is seasonally or annually employed in bona fide

agricultural production;

5. Remains lawfully present and authorized to work throughout the duration of that employment; and

6. Is not an unauthorized alien as defined in s. 448.095(1).

(5) HOUSING FOR LEGALLY VERIFIED AGRICULTURAL WORKERS.—

(a) A governmental entity may not adopt or enforce any legislation, regulation, or ordinance to inhibit the construction or installation of housing for legally verified agricultural workers on land classified as agricultural land pursuant to s. 193.461 which is operated as a bona fide farm except as provided in this subsection.

(b) Construction or installation of housing units for legally verified agricultural workers on parcels of land classified as agricultural land under s. 193.461 must satisfy all of the following criteria:

1. The dwelling units must meet federal, state, and local building standards, including standards of the Department of Health adopted pursuant to ss. 381.008-381.00897 and federal standards for H-2A visa housing. If a written notice of intent is required to be submitted to the Department of Health pursuant to s. 381.0083, the appropriate governmental entity with jurisdiction over the agricultural lands may also require submittal of a copy of the written notice.

2. The housing site must be maintained in a neat, orderly, and safe manner.

3. All structures containing dwelling units must be located a minimum of 10 feet apart.

4. The square footage of the housing site's climate-

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

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

6. A housing site may not be located less than 100 feet from a property line adjacent to property zoned for residential use. If the housing site is located less than 250 feet from any property line, screening must be provided between the housing site and any residentially developed adjacent parcels that are under different ownership. The screening may be designed in any of the following ways:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(6) DATA COLLECTION.—The department shall adopt rules providing for:

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

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

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

(7) ENFORCEMENT.—

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

(b) The department shall submit the information collected

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

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

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

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

Section 4. Subsection (19) is added to section 253.0341, Florida Statutes, to read:

253.0341 Surplus of state-owned lands.—

(19) Notwithstanding any other law or rule, the Department of Agriculture and Consumer Services may surplus lands acquired pursuant to s. 366.20 which are determined to be suitable for bona fide agricultural production, as defined in s. 193.461. The Department of Agriculture and Consumer Services shall consult with the Department of Environmental Protection in the process of making such determination. In the event that lands acquired pursuant to s. 366.20, which are determined to be suitable for bona fide agricultural production are surplused, the Department of Agriculture and Consumer Services must retain a rural-lands-protection easements pursuant to s. 570.71(3), and all proceeds must be deposited into the Incidental Trust Fund within the Department of Agriculture and Consumer Services for less than fee simple land acquisition pursuant to ss. 570.71 and 570.715. By January 1, 2026, and each January 1 thereafter, the

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Department of Agriculture and Consumer Services shall provide a report of lands surplused pursuant to this subsection to the board.

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

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

Section 5. Present paragraphs (a) through (d) and (e) of subsection (2) and subsection (6) of section 330.41, Florida Statutes, are redesignated as paragraphs (b) through (e) and (j) of subsection (2) and subsection (8), respectively, a new paragraph (a) and paragraphs (f), (g), (h), and (i) are added to subsection (2) and new subsection (6) and subsection (7) are added to that section, and paragraph (d) of subsection (4) of that section is amended, to read:

330.41 Unmanned Aircraft Systems Act.—

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

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

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

(g) "Property owner" means the owner or owners of record of real property. The term includes real property held in trust for the benefit of one or more individuals, in which case the individual or individuals may be considered as the property owner or owners, provided that the trustee provides written

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consent. The term does not include persons renting, using, living, or otherwise occupying real property.

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

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

(4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

(6) PROTECTION OF AGRICULTURAL LANDS.—

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

1. Operate a drone.

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

3. Allow a drone to come within a distance close enough to such lands to interfere with or cause a disturbance to agricultural production.

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

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

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1. The owner of the agricultural lands.

2. A person acting under the prior written consent of the owner of the agricultural lands.

3. A person or entity acting in compliance with the provisions of s. 934.50.

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

(a) A person may not knowingly or willfully allow a drone to make contact with private property, state wildlife management lands, or a sport shooting and training range or any person or object on the premises of or within such property with the intent to harass.

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

(c) A person who violates paragraph (a) and records video of the private property, state wildlife management lands, or sport shooting and training range, including any person or object on the premises of or within the private property, state wildlife management lands, or sport shooting and training range, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. A person who commits a second or subsequent violation commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

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

Section 6. Effective July, 31 2026, section 366.20, Florida Statutes, is created to read:

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

(1) Lands acquired by an electric utility, as defined in s. 366.02(4), on or after January 1, 2009, which have been classified as agricultural lands pursuant to s. 193.461 at any time in the 5 years preceding the acquisition of the land by the electric utility must be offered for fee simple acquisition by the Department of Agriculture and Consumer Services through the process outlined in subsection (3) before offering for sale or transferring the land to a private individual or entity.

(2) Lands owned by an electric utility, as defined in s. 366.02(4), on or after January 1, 2009, which were classified as agricultural lands pursuant to s. 193.461 at any time in the 5 years preceding the date of acquisition of the land by the electric utility must be offered for fee simple acquisition by the department through the process outlined in subsection (3) before offering for sale or transferring the land to a private individual or entity.

(3)(a) Within 30 days before offering for sale or transferring lands identified pursuant to subsection (1) or subsection (2) to a private individual or entity, an electric utility must issue a written intent to sell sent through

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certified mail to the Commissioner of Agriculture.

(b) Within 30 days after the date of receipt by certified mail of the written intent by an electric utility to sell or transfer such land, the commissioner may issue a written intent to purchase via certified mail to the electric utility that issued the intent to sell. If the commissioner declines, or does not issue an intent to purchase within the 30 day timeframe, the electric utility is released from the requirements of this section.

(4) Offers accepted by the department pursuant to paragraph (3)(b) which are received no later than 6 months before the start of the regular legislative session must be executed no later than July 31 following that regular legislative session.

(5) The department shall adopt rules to implement this section.

Section 7. Present subsections (3) and (4) of section 366.94, Florida Statutes, are redesignated as subsections (4) and (5), respectively, a new subsection (3) is added to that section, and subsection (2) of that section is amended, to read:

366.94 Electric vehicle charging.—

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

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

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

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

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

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

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

1. Issuance of a warning letter.

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

(f) If the department determines that an electric vehicle charging station or any associated equipment presents a threat to the public health, safety, or welfare, the department may

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issue an immediate final order prohibiting the use of the electric vehicle charging station or any portion thereof.

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

Section 8. Present subsections (10) and (11) of section 388.011, Florida Statutes, are redesignated as subsections (11) and (12), respectively, a new subsection (10) is added to that section, and subsections (2) and (5) of that section are amended, to read:

388.011 Definitions.—As used in this chapter:

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

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

(10) "Program" means any governmental jurisdiction that conducts mosquito control, whether it be a special district, county, or municipality.

Section 9. Section 388.021, Florida Statutes, is amended to

read:

388.021 Creation of mosquito control special districts.—

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

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

Section 10. Section 388.181, Florida Statutes, is amended to read:

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

Section 11. Subsections (1), (2), (4), and (5) of section 388.201, Florida Statutes, are amended to read:

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

(1) The fiscal year of programs ~~districts~~ operating under ~~the provisions of~~ this chapter shall be the 12-month period extending from October 1 of one year through September 30 of the following year. The governing board of the programs ~~district~~ shall before July 15 of each year complete the preparation of a tentative detailed work plan budget covering its proposed operations and requirements for arthropod control measures during the ensuing fiscal year and, for the purpose of determining eligibility for state aid, shall submit copies as may be required to the department for review and approval. The tentative detailed work plan budget must ~~shall~~ set forth, classified by account number, title and program items, and by fund from which to be paid, the proposed expenditures of the program ~~district~~ for construction, for acquisition of land, and other purposes, for the operation and maintenance of the program's ~~district's~~ works, the conduct of the program ~~district~~ generally, to which may be added an amount to be held as a reserve.

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

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(4) The governing board shall:

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

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

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

Section 12. Section 388.241, Florida Statutes, is amended to read:

388.241 Board of county commissioners vested with powers and duties of board of commissioners in certain counties.—In those counties or municipalities where there has been no formation of a separate or special board of commissioners, all the rights, powers, and duties of a board of commissioners as conferred in this chapter shall be vested in the board of county commissioners or similar governing body of said county or municipality.

Section 13. Section 388.261, Florida Statutes, is amended to read:

388.261 State aid to counties, municipalities, and districts for arthropod control; distribution priorities and

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limitations.—

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

(2) Every county, municipality, or district budgeting local funds to be used exclusively for the control of mosquitoes and other arthropods, under a plan submitted by the county, municipality, or district and approved by the department, is eligible to receive state funds and supplies, services, and equipment on a dollar-for-dollar matching basis to the amount of local funds budgeted. If state funds appropriated by the Legislature are insufficient to grant each county, municipality, or district state funds on a dollar-for-dollar matching basis to the amount budgeted in local funds, the department must ~~shall~~ distribute the funds as prescribed by rule. Such rules must ~~shall~~ provide for up to 80 percent of the funds to be distributed to programs with local funds for mosquito control budgets of less than $1 million, if the county, municipality, or district meets the eligibility requirements. The funds must ~~shall~~ be distributed as equally as possible within the category of counties pursuant to this section. The remaining funds must ~~shall~~ be distributed as prescribed by rule among the remaining counties to support mosquito control and to support research, education, and outreach.

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

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

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

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

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

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

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Section 14. Subsections (1) and (2) of section 388.271, Florida Statutes, are amended to read:

388.271 Prerequisites to participation.—

(1) When state funds are involved, it is the duty of the department to guide, review, approve, and coordinate the activities of all county and municipal governments and special districts receiving state funds in furtherance of the goal of integrated arthropod control. Each program ~~county~~ eligible to participate may, and each district must, begin participation on October 1 of any year by filing with the department not later than July 15 a tentative integrated arthropod management plan ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for the control of arthropods. Following approval of the plan and budget by the department, a copy ~~two copies~~ of the program's ~~county's or district's~~ certified budget based on the approved integrated arthropod management ~~work~~ plan and detailed ~~work plan~~ budget must ~~shall~~ be submitted to the department by September 30 ~~following~~. State funds, supplies, and services must ~~shall~~ be made available to such program ~~county or district~~ by and through the department ~~immediately~~ upon release of funds by the Executive Office of the Governor.

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

Section 15. Subsections (1) and (3) of section 388.281, Florida Statutes, are amended to read:

388.281 Use of state matching funds.—

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

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

Section 16. Subsections (1) and (2) of section 388.291, Florida Statutes, are amended to read:

388.291 Source reduction measures; supervision by department.—

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

(2) The program ~~county or district~~ shall manage the

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

Section 17. Section 388.301, Florida Statutes, is amended to read:

388.301 Payment of state funds; supplies and services.—State funds shall be payable ~~quarterly~~, in accordance with the rules of the department, upon requisition by the department to the Chief Financial Officer. The department is authorized to furnish insecticides, chemicals, materials, equipment, vehicles, and personnel in lieu of state funds where mass purchasing may save funds for the state, or where it would be more practical and economical to use equipment, supplies, and services between two or more programs ~~counties or districts~~.

Section 18. Section 388.311, Florida Statutes, is amended to read:

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

Section 19. Section 388.321, Florida Statutes, is amended to read:

388.321 Equipment to become property of a program ~~the~~

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

Section 20. Section 388.322, Florida Statutes, is amended to read:

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

Section 21. Section 388.323, Florida Statutes, is amended to read:

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

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

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

(3) All proceeds from the sale of any real or tangible personal property owned by the program and purchased using state funds ~~county or district~~ shall be deposited in the program's

~~county's or district's~~ state fund account unless otherwise specifically designated by the department.

Section 22. Section 388.341, Florida Statutes, is amended to read:

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

Section 23. Section 388.351, Florida Statutes, is amended to read:

388.351 Transfer of equipment, personnel, and supplies during an emergency.—The department, upon notifying a program ~~county or district~~ and obtaining its approval, is authorized to transfer equipment, materials, and personnel from one program ~~district~~ to another in the event of an emergency brought about by an arthropod-borne epidemic or other disaster requiring emergency control.

Section 24. Subsection (7) of section 388.361, Florida Statutes, is amended to read:

388.361 Department authority and rules; administration.—

(7) The department shall have the authority to collect, detect, suppress, and control mosquitoes and other arthropods that are determined by the State Health Officer to pose a threat to public health, or determined by the Commissioner of Agriculture to pose a threat to animal health, wherever they may

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occur on public or private land in this state, and to do all things necessary in the exercise of such authority. Prior to the start of treatments for the control of mosquitoes or other arthropods, the department shall consult with the mosquito control programs ~~districts~~ in the proposed treatment areas, the Department of Health, the Department of Environmental Protection, and the Fish and Wildlife Conservation Commission regarding the proposed locations, dates, and methods to be used.

Section 25. Subsections (2) and (3) of section 388.3711, Florida Statutes, are amended to read:

388.3711 Enforcement.—

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

(a) Violation of any rule of the department or provision of this chapter.

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

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

(3) The department may, if it finds a violation is of such nature or circumstances that imposition of a fine, or denial, revocation, or suspension of a certification or license or disbursal of state aid would be detrimental to the public or be

unnecessarily harsh under the circumstances, in its discretion, place the offending party on probation for a period of not more than 2 years. If the department determines that the terms of such probation have been violated, it may reinstitute license or certification or state aid denial, suspension, or revocation proceedings.

Section 26. Section 388.381, Florida Statutes, is amended to read:

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

Section 27. Section 388.391, Florida Statutes, is amended to read:

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

Section 28. Section 388.401, Florida Statutes, is amended to read:

388.401 Penalty for damage to property or operations.—Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of any program ~~county or district~~ created under this or other

chapters, or any works constructed, maintained, or controlled by such program ~~county or district~~, or who obstructs ~~shall obstruct~~ or causes ~~cause~~ to be obstructed any of the operations of such program ~~county or district~~, or who ~~shall~~ knowingly or willfully violates ~~violate~~ any provisions of this chapter or any rule or regulation promulgated by any board of commissioners of any program, commits ~~county or district shall be guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 29. Paragraph (a) of subsection (2) of section 388.46, Florida Statutes, is amended to read:

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

(2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

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

1. The Secretary of Environmental Protection.

2. The State Surgeon General.

3. The executive director of the Fish and Wildlife Conservation Commission.

4. The state epidemiologist.

5. The Commissioner of Agriculture.

6. The Board of Trustees of the Internal Improvement Trust Fund.

7. Representatives from:

a. The University of Florida, Institute of Food and Agricultural Sciences, Florida Medical Entomological Research Laboratory.

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b. The United States Environmental Protection Agency.

c. The United States Department of Agriculture, Center of Medical, Agricultural, and Veterinary Entomology ~~Insects Affecting Man Laboratory~~.

d. The United States Fish and Wildlife Service.

8. Four ~~Two~~ mosquito control directors to be nominated by the Florida Mosquito Control Association, two representatives of Florida environmental groups, and two private citizens who are property owners whose lands are regularly subject to mosquito control operations, to be appointed to 4-year terms by the Commissioner of Agriculture and serve until his or her successor is appointed.

Section 30. Paragraph (d) of subsection (7) of section 403.067, Florida Statutes, is amended to read:

403.067 Establishment and implementation of total maximum daily loads.—

(7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

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

1. Basin management action plans are enforceable pursuant to this section and ss. 403.121, 403.141, and 403.161. Management strategies, including best management practices and water quality monitoring, are enforceable under this chapter.

2. No later than January 1, 2017:

a. The department, in consultation with the water management districts and the Department of Agriculture and Consumer Services, shall initiate rulemaking to adopt procedures to verify implementation of water quality monitoring required in

lieu of implementation of best management practices or other measures pursuant to sub-subparagraph (b)2.g.;

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

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

The rules required under this subparagraph shall include enforcement procedures applicable to the landowner, discharger, or other responsible person required to implement applicable management strategies, including best management practices or water quality monitoring as a result of noncompliance.

3. At least every 2 years, the Department of Agriculture and Consumer Services shall perform onsite inspections of each agricultural producer that enrolls in a best management practice, except those enrolled by rule in subparagraph 4., to ensure that such practice is being properly implemented. Such verification must include a collection and review of the best management practice documentation from the previous 2 years required by rules adopted pursuant to subparagraph (c)2., including, but not limited to, nitrogen and phosphorus

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~~fertilizer~~ application records, which must be collected and retained pursuant to subparagraphs (c)3., 4., and 6. The Department of Agriculture and Consumer Services shall initially prioritize the inspection of agricultural producers located in the basin management action plans for Lake Okeechobee, the Indian River Lagoon, the Caloosahatchee River and Estuary, and Silver Springs.

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

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

b. A parcel designated as agricultural land use by the county in which it is located or the parcel is granted agricultural tax classification by the county property appraiser of the county in which it is located;

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

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

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

f. A parcel not part of a larger operation that is enrolled in the Department of Agriculture and Consumer Services best

management practices or conducting water quality monitoring prescribed by the department or a water management district.

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

5. The Department of Agriculture and Consumer Services shall annually perform onsite inspections of 20 percent for all enrollments that meet the qualifications pursuant to subparagraph 4. by rule within basin management action plan areas, to ensure that practices are being properly implemented. Such inspections must include a collection and review of the identified best management practice documentation from the previous 2 years required by rules adopted pursuant to subparagraph (c)2. All agricultural producers enrolled by rule in a best management practice must annually submit nutrient records, including nitrogen and phosphorus application records for the previous calendar year, to the Department of Agriculture and Consumer Services as required by rules adopted pursuant to subparagraph (c)2. The Department of Agriculture and Consumer Services shall collect and retain these nutrient records pursuant to subparagraphs (c)3., 4., and 6.

Section 31. Subsection (19) is added to section 403.852, Florida Statutes, to read:

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

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(19) "Water quality additive" means any chemical, additive, or substance that is used in a public water system for the purpose of:

(a) Meeting or surpassing primary or secondary drinking water standards;

(b) Preventing, reducing, or removing contaminants; or

(c) Improving water quality.

Section 32. Subsection (8) is added to section 403.859, Florida Statutes, to read:

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

(8) The use of any additive in a public water system which does not meet the definition of a water quality additive as defined in s. 403.852(19).

Section 33. Subsection (10) of section 482.111, Florida Statutes, is amended to read:

482.111 Pest control operator's certificate.—

(10) In order to renew a certificate, the certificateholder must complete 2 hours of approved continuing education on legislation, safety, pesticide labeling, and integrated pest management and 2 hours of approved continuing education in each category of her or his certificate or must pass an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee ~~given by the department~~. The department may not renew a certificate if the continuing education or examination requirement is not met.

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

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

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

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

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

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

6. Integrated pest management.

(b) The certificateholder must submit with her or his application for renewal a statement certifying that she or he has completed the required number of hours of continuing education. The statement must be on a form prescribed by the department and must identify at least the date, location, provider, and subject of the training and must provide such other information as required by the department.

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

Section 34. Subsection (1) of section 482.141, Florida Statutes, is amended to read:

482.141 Examinations.—

(1) Each individual seeking certification must satisfactorily pass an examination which must be written but

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~~which~~ may include practical demonstration. The department shall provide in-person and remote testing through a third-party vendor. A third-party vendor may collect and retain a convenience fee ~~hold at least two examinations each year~~. An applicant may seek certification in one or more categories.

Section 35. Paragraph (b) of subsection (1) of section 482.155, Florida Statutes, is amended to read:

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

(1)

(b) A person seeking limited certification under this subsection must pass an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee ~~given or approved by the department~~. Each application for examination must be accompanied by an examination fee set by the department, in an amount of not more than $150 or less than $50; and a recertification fee of $25 every 4 years. Until rules setting these fees are adopted by the department, the examination fee is $50. Application for recertification must be accompanied by proof of having completed 4 classroom hours of acceptable continuing education. The limited certificate expires 4 years after the date of issuance. If the certificateholder fails to renew his or her certificate and provide proof of completion of the required continuing education units within 60 days after the expiration date, the certificateholder may be recertified only after reexamination. The department shall make available ~~provide~~ the appropriate reference material ~~and make the examination readily accessible and available to all~~

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~~applicants at least quarterly or as necessary in each county~~.

Section 36. Subsection (2) of section 482.156, Florida Statutes, is amended to read:

482.156 Limited certification for commercial landscape maintenance personnel.—

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

(b) The department shall make available ~~provide~~ the appropriate reference materials for the examination and provide in-person and remote testing through a third-party vendor. A third-party vendor may collect and retain a convenience fee ~~make the examination readily accessible and available to applicants at least quarterly or as necessary in each county~~.

Section 37. Subsection (2) of section 482.157, Florida Statutes, is amended to read:

482.157 Limited certification for commercial wildlife management personnel.—

(2) The department shall issue a limited certificate to an

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applicant who:

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

(b) Passes an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee ~~administered by the department~~. The department shall make available ~~provide~~ the appropriate study materials for the examination ~~and make the examination readily available to applicants in each county as necessary, but not less frequently than quarterly~~; and

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

Section 38. Paragraph (m) is added to subsection (1) of section 482.161, Florida Statutes, to read:

482.161 Disciplinary grounds and actions; reinstatement.—

(1) The department may issue a written warning to or impose a fine against, or deny the application for licensure or licensure renewal of, a licensee, certified operator, limited certificateholder, identification cardholder, or special identification cardholder or any other person, or may suspend, revoke, or deny the issuance or renewal of any license, certificate, limited certificate, identification card, or special identification card that is within the scope of this chapter, in accordance with chapter 120, upon any of the following grounds:

(m) Upon the issuance of a final order imposing civil

penalties under subsection 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction under subsection 14(b) of FIFRA.

Section 39. Subsection (2) of section 487.044, Florida Statutes, is amended to read:

487.044 Certification; examination.—

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

(a) The proper use of the equipment.

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

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

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

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

(f) General precautions to be followed in the disposal of

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containers, as well as the cleaning and decontamination of the equipment which the applicant proposes to use.

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

(h) General safety precautions.

Section 40. Subsection (6) is added to section 487.175, Florida Statutes, to read:

487.175 Penalties; administrative fine; injunction.—

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

Section 41. Present subsections (13) through (28) of section 496.404, Florida Statutes, are redesignated as subsections (15) through (30), respectively, and new subsections (13) and (14) are added to that section, to read:

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

(13) "Foreign country of concern" has the same meaning as in s. 286.101(1)(b).

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

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

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

(c) A partnership, an association, a corporation, an

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organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity;

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

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

(f) An entity in which a person, entity, or collection of persons or entities described in paragraphs (a)-(e) has a controlling interest. As used in this paragraph, the term "controlling interest" means the possession of the power to direct or cause the direction of the management or policies of an entity, whether through ownership of securities, by contract, or otherwise. A person or an entity that directly or indirectly has the right to vote 25 percent or more of the voting interest of the company or is entitled to 25 percent or more of its profits is presumed to possess a controlling interest.

Section 42. Present paragraphs (d) through (g) of subsection (2) of section 496.405, Florida Statutes, are redesignated as paragraphs (f) through (i), respectively, new paragraphs (d) and (e) are added to that subsection, subsection (11) is added to that section, and subsection (1) and paragraph (b) of subsection (7) of that section are amended, to read:

496.405 Registration statements by charitable organizations and sponsors.—

(1) A charitable organization or sponsor, unless exempted pursuant to s. 496.406, which intends to solicit contributions

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in or from this state by any means or have funds solicited on its behalf by any other person, charitable organization, sponsor, commercial co-venturer, or professional solicitor, or that participates in a charitable sales promotion or sponsor sales promotion, must, before engaging in any of these activities, file an initial registration statement, which includes an attestation statement, and a renewal statement annually thereafter, with the department.

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

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

(c) A charitable organization or sponsor that is required to file an initial registration statement or annual renewal statement may not, before approval of its statement by the department in accordance with subsection (7), solicit contributions or have contributions solicited on its behalf by any other person, charitable organization, sponsor, commercial

co-venturer, or professional solicitor or participate in a charitable sales promotion or sponsor sales promotion.

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

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

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

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

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

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

(7)

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

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

Section 43. Subsection (20) is added to section 496.415, Florida Statutes, to read:

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

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

(a) For a first violation of this subsection, this prohibited act is considered involuntary, and shall result in no punitive action from the department if a charitable organization satisfies all of the following requirements:

1. Provides the department with a solicitation or contribution form containing an attestation from such foreign source or country of concern in which the person, country, or

entity falsely certifies that they are not a foreign country of concern as defined in s. 496.404(13) or a foreign source of concern as defined in s. 496.404(14);

2. Provides the department with a copy of a refund to the foreign source or country of concern within 30 days after notification by the department of the prohibited act; and

3. Provides the department with a plan of action to prevent the acceptance of contributions from a foreign country or source of concern in future solicitation activities by the charitable organization.

(b) A second or subsequent violation of this subsection is considered voluntary, and the charitable organization or sponsor is subject to the penalties specified in s. 496.419(5) at the discretion of the department.

Section 44. Section 496.417, Florida Statutes, is amended to read:

496.417 Criminal penalties.—Except as otherwise provided in ss. 496.401-496.424, and in addition to any administrative or civil penalties, any person who willfully and knowingly violates ss. 496.401-496.424 commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. For a second or subsequent conviction, such violation constitutes a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. The department may also investigate and refer a charitable organization or sponsor to the Florida Elections Commission for investigation of violations pursuant to chapters 104 and 106.

Section 45. Subsection (11) is added to section 496.419, Florida Statutes, to read:

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496.419 Powers of the department.—

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

Section 46. Section 496.431, Florida Statutes, is created to read:

496.431 Honest Services Registry.—

(1) The department shall create the Honest Services Registry to provide the residents of this state with the information necessary to make an informed choice when deciding which charitable organizations to support.

(2) To be included on the Honest Services Registry, a charitable organization must, at a minimum, submit to the department an attestation statement on a form prescribed by the department, verified as provided in s. 92.525, attesting to all of the following:

(a) That the organization does not solicit or accept, directly or indirectly, contributions, funding, support, or services from a foreign source of concern.

(b) That the organization’s messaging and content are not directly or indirectly produced or influenced by a foreign source of concern.

(3) The department shall publish the Honest Services Registry on the department’s website.

(4) The department shall adopt rules to implement this section.

Section 47. Paragraph (j) of subsection (1) of section

500.03, Florida Statutes, is amended to read:

500.03 Definitions; construction; applicability.—

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

(j) "Cottage food product" means food that is not time or temperature controlled for safety or a potentially hazardous food as defined by department rule which is sold by a cottage food operation in accordance with s. 500.80.

Section 48. Paragraphs (a) and (b) of subsection (1) of section 500.12, Florida Statutes, are amended to read:

500.12 Food permits; building permits.—

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

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

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

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

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

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Department of Agriculture and Consumer Services."

(b) Each food establishment regulated under this chapter must apply for and receive a food permit before operation begins. An application for a food permit from the department must be accompanied by a fee in an amount determined by department rule. The department shall adopt by rule a schedule of fees to be paid by each food establishment as a condition of issuance or renewal of a food permit. Such fees may not exceed $650 and must be used solely for the recovery of costs for the services provided, except that the fee accompanying an application for a food permit for operating a bottled water plant may not exceed $1,000 and the fee accompanying an application for a food permit for operating a packaged ice plant may not exceed $250. The fee for operating a bottled water plant or a packaged ice plant must be set by rule of the department. Food permits are not transferable from one person or physical location to another. Food permits must be renewed in accordance with subparagraphs 1.-3. If an application for renewal of a food permit is not received by the department on or before its due date, a late fee not exceeding $100 must be paid in addition to the food permit fee before the department may issue the food permit. The moneys collected must be deposited in the General Inspection Trust Fund.

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

2. ~~Effective January 1, 2024,~~ A food permit issued before September 1, 2023, expires on the month and day the initial

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permit was issued to the food establishment and must be renewed annually on or before that date thereafter. The department may charge a prorated permit fee for purposes of this subparagraph.

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

Section 49. Section 500.166, Florida Statutes, is amended to read:

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

Section 50. Subsection (1) of section 500.172, Florida Statutes, is amended to read:

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

(1) When the department, or its duly authorized agent who has received appropriate education and training regarding the legal requirements of this chapter, finds or has probable cause to believe that any food, food processing equipment, food processing area, or food storage area is in violation of this

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chapter or any rule adopted under this chapter so as to be dangerous, unwholesome, mislabeled, fraudulent, or insanitary within the meaning of this chapter, an agent of the department may issue and enforce a stop-sale, stop-use, removal, or hold order, which order gives notice that such article, processing equipment, processing area, or storage area is or is suspected of being in violation and has been detained or embargoed and which order warns all persons not to remove, use, or dispose of such article, processing equipment, processing area, or storage area by sale or otherwise until permission for removal, use, or disposal is given by the department or the court. The department is authorized to enter into a written agreement with the owner of such food, food processing equipment, food processing area, or food storage area, or otherwise facilitate the destruction of any article found or suspected by the department to be in violation of this section. A person may not remove, use, or dispose of such detained or embargoed article, processing equipment, processing area, or storage area by sale or otherwise without such permission from or in accordance with a written agreement with the department.

Section 51. Section 500.75, Florida Statutes, is created to read:

500.75 Mushroom spores and mycelium; offenses.—It is unlawful to transport or offer to transport, import into this state, sell or offer for sale, furnish, or give away spores or mycelium capable of producing mushrooms or other material which will contain a controlled substance, including psilocybin or psilocyn, during its lifecycle. A person who violates this section commits a misdemeanor of the first degree, punishable as

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provided in s. 775.082 or s. 775.083.

Section 52. Section 500.93, Florida Statutes, is created to read:

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

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

(a) "Egg" and "egg product" have the same meanings as in 21 U.S.C. s. 1033 and the Egg Products Inspection Act.

(b) "FDA" means the United States Food and Drug Administration.

(c) "Meat" has the same meaning as in 9 C.F.R. s. 301.2 and the Federal Meat Inspection Act.

(d) "Milk" has the same meaning as in 21 C.F.R. s. 131.110 and the Grade "A" pasteurized milk ordinance.

(e) "Poultry" and "poultry product" have the same meanings as in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

(2)(a) In accordance with the established standard of identity for milk defined in 21 C.F.R. s. 131.110 and the Grade "A" pasteurized milk ordinance, the department shall adopt rules to enforce the FDA's standard of identity for milk, as adopted in state law, to prohibit the sale of plant-based products mislabeled as milk in this state.

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

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(3)(a) In accordance with the established standard of identity for meat defined in 9 C.F.R. s. 301.2 and the Federal Meat Inspection Act, and both poultry and poultry products defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act, the department shall adopt rules to enforce the FDA's standard of identity for meat, poultry, and poultry products as adopted in this section, to prohibit the sale of plant-based products mislabeled as meat, poultry, or poultry products in this state.

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

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

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

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Tennessee, Texas, Virginia, and West Virginia.

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

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

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

Section 53. Section 501.135, Florida Statutes, is repealed.

Section 54. Subsection (1) of section 501.912, Florida Statutes, is amended to read:

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

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

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

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

Section 55. Section 525.19, Florida Statutes, is created to

read:

525.19 Petroleum registration.—

(1) The department shall create an annual petroleum registration program for petroleum owners or operators and shall adopt rules detailing the requirements for such registration that include, at minimum:

(a) Name of the petroleum owner or operator;

(b) Address of the petroleum owner or operator;

(c) Phone number of the petroleum owner or operator;

(d) E-mail address of the petroleum owner or operator;

(e) Requirements for the transfer switch;

(f) Fuel and petroleum infrastructure; and

(g) Fuel and petroleum inventory and delivery information.

(2) The registration program must be free for all registrants.

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

Section 56. Section 526.147, Florida Statutes, is created to read:

526.147 Florida Retail Fuel Transfer Switch Modernization Grant Program.—

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

(b) The grant program shall provide grant funds, not to exceed $10,000 per retail fuel facility, to be used for installation and equipment costs related to installing or

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modernizing transfer switch infrastructure at retail fuel facilities to allow for the continuity of fueling operations under generated power.

(c) The department shall award funds based upon the following criteria:

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

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

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

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

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

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

(2) The department, in consultation with the Division of Emergency Management, shall adopt rules to implement and administer this section, including establishing grant application processes for the Florida Retail Fuel Transfer Switch Modernization Grant Program. The rules must include

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application deadlines and establish the supporting documentation necessary to be provided to the department.

Section 57. Section 531.48, Florida Statutes, is amended to read:

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

Section 58. Section 531.49, Florida Statutes, is amended to read:

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

Section 59. Subsection (10) of section 564.06, Florida Statutes, is amended to read:

564.06 Excise taxes on wines and beverages.—

(10) Fifty percent of all revenues collected from the excise taxes imposed by this section on wine produced by manufacturers in this state from products grown in the state must be deposited into the Florida Wine ~~Viticulture~~ Trust Fund established pursuant to s. 599.012.

Section 60. Present subsections (44), (45), and (46) of section 570.07, Florida Statutes, are redesignated as

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subsections (47), (48), and (49), respectively, and new subsections (44), (45), and (46) are 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:

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

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

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

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

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

Section 61. 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

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the activities of the division and shall, under the direction of the department, enforce the provisions of ss. 366.94 and ~~ss.~~ 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526, 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

Section 62. Section 570.546, Florida Statutes, is created to read:

570.546 Licensing.—

(1) The department is authorized to:

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

(b) Create a process that will allow licensees, upon request, to align the expiration dates of licenses within a statutory program.

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

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

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

Section 63. Section 570.694, Florida Statutes, is created to read:

570.694 Florida Aquaculture Foundation.—

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

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

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

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

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

Section 64. Section 570.822, Florida Statutes, is amended to read:

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

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

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

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

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

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

(e) "Program" means the Agriculture and Aquaculture

Producers Emergency ~~Natural Disaster~~ Recovery Loan Program.

(2) USE OF LOAN FUNDS; LOAN TERMS.—

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

(b) The department may make a low-interest or interest-free loan to an eligible applicant. The maximum amount that an applicant may receive during the application period for a loan is $500,000. An applicant may not receive more than one loan per application period and no more than two loans per year or no more than five loans in any 3-year period. A loan term is 10 years.

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

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

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

(4) LOAN APPLICATION AND AGREEMENT.—

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

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

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

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

(5) LOAN SECURITY REQUIREMENTS.—All loans must be secured by a lien, subordinate only to any mortgage held by a financial institution as defined in s. 655.005, on property or other collateral as set forth in the loan agreement. The specific type of collateral required may vary depending upon the loan purpose, repayment ability, and the particular circumstances of the applicant. The department shall record the lien in public records in the county where the property is located and, in the case of personal property, perfect the security interest by

filing appropriate Uniform Commercial Code forms with the Florida Secured Transaction Registry as required pursuant to chapter 679.

(6) LOAN REPAYMENT.—

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

(b) The department shall defer payments for the first 3 years of the loan. After 3 years, the department shall reduce the principal balance annually through the end of the loan term such that the original principal balance is reduced by 30 percent. If the principal balance is repaid before the end of the 10th year, the applicant may not be required to pay more than 70 percent of the original principal balance. The approved applicant must continue to be actively engaged in production in order to receive the original principal balance reductions and must continue to meet the loan agreement terms to the satisfaction of the department.

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

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

(e) The department may periodically review an approved applicant to determine whether he or she continues to be in compliance with the terms of the loan agreement. If the department finds that an applicant is no longer in production or

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has otherwise violated the loan agreement, the department may seek repayment of the full original principal balance outstanding, including any interest or costs, as applicable, and excluding any applied or anticipated original principal balance reductions.

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

(7) ADMINISTRATION.—

(a) The department shall create and maintain a separate account in the General Inspection Trust Fund as a fund for the program. All repayments must be returned to the loan fund and made available as provided in this section. Notwithstanding s. 216.301, funds appropriated for the loan program are not subject to reversion. The department shall manage the fund, establishing loan practices that must include, but are not limited to, procedures for establishing loan interest rates, uses of funding, application procedures, and application review procedures. The department is authorized to contract with a third-party administrator to administer the program and manage the loan fund. A contract for a third-party administrator that includes management of the loan fund must, at a minimum, require maintenance of the loan fund to ensure that the program may operate in a revolving manner.

(b) The department shall coordinate with other state agencies and other entities to ensure to the greatest extent possible that agriculture and aquaculture producers in this

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state have access to the maximum financial assistance available following a declared emergency ~~natural disaster~~. The coordination must endeavor to ensure that there is no duplication of financial assistance between the loan program and other funding sources, such as any federal or other state programs, including public assistance requests to the Federal Emergency Management Agency or financial assistance from the United States Department of Agriculture, which could render the approved applicant ineligible for other financial assistance.

(8) PUBLIC RECORDS EXEMPTION.—

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

1. Tax returns.

2. Credit history information, credit reports, and credit scores.

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

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

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

(10) REPORTS.—By December 1, 2024, and each December 1 thereafter, the department shall provide a report on program activities during the previous fiscal year to the President of

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the Senate and the Speaker of the House of Representatives. The report must include information on noticed application periods, the number and value of loans awarded under the program for each application period, the number and value of loans outstanding, the number and value of any loan repayments received, and an anticipated repayment schedule for all loans.

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

Section 65. Section 570.823, Florida Statutes, is created to read:

570.823 Silviculture emergency recovery program.—

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

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

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

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

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

(2) USE OF GRANT FUNDS; GRANT TERMS.—

(a) The silviculture emergency recovery program is established within the department to administer a grant program to assist timber landowners whose timber land was damaged as a

result of a declared emergency. Grants provided to eligible timber landowners must be used for:

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

2. Site preparation, and tree replanting; or

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

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

(c) The department shall coordinate with state agencies and other entities to ensure to the greatest extent possible that timber landowners have access to the maximum financial assistance available following a specified declared emergency. The coordination must endeavor to ensure that there is no duplication of financial assistance between these funds and other funding sources, such as any federal or other state programs, including public assistance requests to the Federal Emergency Management Agency or financial assistance from the United States Department of Agriculture, which would render the approved applicant ineligible for other financial assistance.

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

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Section 66. Section 570.831, Florida Statutes, is created to read:

570.831 Florida beef marketing program.—The Cattle Enhancement Board, Inc., in coordination with the department, shall, subject to appropriation, establish a Florida beef marketing program to conduct research designed to expand the uses of beef and beef products and strengthen the market position of Florida's cattle industry through marketing campaigns and promotions within this state and the nation.

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

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

(2) Effective January 1, 2007, it is unlawful for any person to propagate for sale or movement any citrus nursery stock that was not propagated or grown on a site and within a protective structure approved by the department ~~and that is not at least 1 mile away from commercial citrus groves. A citrus nursery registered with the department prior to April 1, 2006, shall not be required to comply with the 1-mile setback from commercial citrus groves while continuously operating at the same location for which it was registered~~. However, the nursery shall be required to propagate citrus within a protective structure approved by the department. Effective January 1, 2008, it is ~~shall be~~ unlawful to distribute any citrus nursery stock that was not produced in a protective structure approved by the department.

~~(5) The department shall establish regulated areas around~~

~~the perimeter of commercial citrus nurseries that were established on sites after April 1, 2006, not to exceed a radius of 1 mile. The planting of citrus in an established regulated area is prohibited. The planting of citrus within a 1-mile radius of commercial citrus nurseries that were established on sites prior to April 1, 2006, must be approved by the department. Citrus plants planted within a regulated area prior to the establishment of the regulated area may remain in the regulated area unless the department determines the citrus plants to be infected or infested with citrus canker or citrus greening. The department shall require the removal of infected or infested citrus, nonapproved planted citrus, and citrus that has sprouted by natural means in regulated areas. The property owner shall be responsible for the removal of citrus planted without proper approval. Notice of the removal of citrus trees, by immediate final order of the department, shall be provided to the owner of the property on which the trees are located. An immediate final order issued by the department under this section shall notify the property owner that the citrus trees, which are the subject of the immediate final order, must be removed and destroyed unless the property owner, no later than 10 days after delivery of the immediate final order, requests and obtains a stay of the immediate final order from the district court of appeal with jurisdiction to review such requests. The property owner shall not be required to seek a stay from the department of the immediate final order prior to seeking a stay from the district court of appeal.~~

Section 68. Sections 593.101, 593.102, 593.103, 593.104, 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111,

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593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116, and 593.117, Florida Statutes, are repealed.

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

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

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

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

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

(1) There is created within the Department of Agriculture and Consumer Services the Florida Wine ~~Viticulture~~ Advisory Council, to be composed ~~consist~~ of eight members as follows: the president of the Florida Wine and Grape Growers Association ~~Florida Grape Growers' Association~~ or a designee thereof; a representative from the Institute of Food and Agricultural Sciences; a representative from the viticultural science program at Florida Agricultural and Mechanical University; and five additional commercial members, to be appointed for a 2-year term each by the Commissioner of Agriculture, including a wine producer, a fresh fruit producer, a nonwine product (juice, jelly, pie fillings, etc.) producer, and a viticultural nursery operator.

(2) The meetings, powers and duties, procedures, and

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recordkeeping of the Florida Wine ~~Viticulture~~ Advisory Council shall be pursuant to s. 570.232.

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

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

599.003 State Wine ~~Viticulture~~ Plan.—

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

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

(b) Additional proposed legislation that may be required.

(c) Plans and goals to improve research and service capabilities at Florida Agricultural and Mechanical University and the University of Florida in their efforts to address current and future needs of the industry.

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

(e) Evaluation of wine policy alternatives, including, but not limited to, continued improvement in wine quality, blending

considerations, promotion and advertising, labeling and vineyard designations, and development of production and marketing strategies.

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

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

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

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

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

(2) A revision and update of the State Wine ~~Viticulture~~ Plan must ~~shall~~ be submitted biennially to the President of the Senate, the Speaker of the House of Representatives, and the chairs of appropriate committees of the Senate and House of Representatives, and a progress report and budget request must ~~shall~~ be submitted annually.

Section 72. Paragraph (a) of subsection (2) and subsection (3) of section 599.004, Florida Statutes, are amended, and

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paragraph (d) is added to subsection (2) of that section, to read:

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

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

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

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

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

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

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

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

(b) Promote viticulture products manufactured from products

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grown in the state.

(c) Provide grants for viticultural research.

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

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

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

(1) Each person who operates any traveling show, exhibition, amusement enterprise, carnival, vaudeville, exhibit, ~~minstrel,~~ rodeo, theatrical, game or test of skill, riding device, dramatic repertoire, other show or amusement, or concession, including a concession operating in a tent, enclosure, or other temporary structure, within the grounds of, and in connection with, any annual public fair held by a fair association shall pay the license taxes provided by law. However, if the association satisfies the requirements of this chapter, including securing the required fair permit from the department, the license taxes and local business tax authorized in chapter 205 are waived and the department shall issue a tax exemption certificate. The department shall adopt the proper forms and rules to administer this section, including the necessary tax exemption certificate, showing that the fair association has met all requirements and that the traveling show, exhibition, amusement enterprise, carnival, vaudeville, exhibit, ~~minstrel,~~ rodeo, theatrical, game or test of skill,

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riding device, dramatic repertoire, other show or amusement, or concession is exempt.

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

687.16 Florida Farmer Financial Protection Act.—

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

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

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

(b) "Agritourism activity" has the same meaning as provided in s. 570.86.

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

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

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

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

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

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

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

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

(3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

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

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

(c) A financial institution may overcome the inference in paragraph (b) by demonstrating that its denial or restriction of

a financial service was based solely on documented risk analysis, and not on any ESG factor.

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

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

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

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

1. A psychologist licensed under chapter 490.

2. A clinical social worker licensed under chapter 491.

3. A marriage and family therapist licensed under chapter 491.

4. A mental health counselor licensed under chapter 491.

5. An official representative of a religious institution which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the representative has relevant training.

6. Any other provider designated by a judicial circuit, including, but not limited to, school counselors who are certified to offer such courses. Each judicial circuit may establish a roster of area course providers, including those who

offer the course on a sliding fee scale or for free.

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

790.06 License to carry concealed weapon or concealed firearm.—

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

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

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

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

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

4. Completion of any law enforcement firearms safety or training course or class offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement agency or security enforcement;

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

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

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

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

(3)(a) The Department of Agriculture and Consumer Services shall deny a license if the applicant has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence constituting a misdemeanor, unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled or the record has been sealed or expunged. The

Department of Agriculture and Consumer Services shall revoke a license if the licensee has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence within the preceding 3 years. The department shall, upon notification by a law enforcement agency, a court, clerk's office, or the Florida Department of Law Enforcement ~~and subsequent written verification~~, temporarily suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime that would disqualify such person from having a license under this section, until final disposition of the case. The department shall suspend a license or the processing of an application for a license if the licensee or applicant is issued an injunction that restrains the licensee or applicant from committing acts of domestic violence or acts of repeat violence. The department shall notify the licensee or applicant suspended under this section of his or her right to a hearing pursuant to chapter 120. If the criminal case or injunction results in a nondisqualifying disposition and the applicant or licensee is otherwise eligible, the suspension shall end. The department must issue an order confirming the end of the suspension within 90 days after the applicant or licensee's submission to the department of a copy of the final resolution of the criminal case or injunction. The copy provided to the department must be sent through electronic or certified mail to a location that shall be specified on the notice of suspension received by the licensee or applicant. If the criminal case or injunction results in a disqualifying disposition, the suspension must remain in effect and the

department must proceed with denial or revocation proceedings pursuant to chapter 120.

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

(6)

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

1. Issue the license; or

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

3. In the event the result of the criminal history screening identifies ~~department receives~~ criminal history information related to a crime that may disqualify the applicant but does not contain ~~with no~~ final disposition of the crime or

lacks sufficient information to make an eligibility determination ~~on a crime which may disqualify the applicant~~, the time limitation prescribed by this paragraph may be extended for up to an additional 45 days after the receipt of the information ~~suspended until receipt of the final disposition or proof of restoration of civil and firearm rights~~. The department may make a request for information to the jurisdiction where the criminal history information originated but must issue a license if it does not obtain a disposition or sufficient information to make an eligibility determination within the additional 45 days if the applicant is otherwise eligible. The department may take any action authorized in this section if it receives disqualifying criminal history information during the additional 45-day review period or after issuance of a license.

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

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

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

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

(d) Is found guilty of a crime under chapter 893, or similar laws of any other state, relating to controlled substances;

(e) Is committed as a substance abuser under chapter 397, or is deemed a habitual offender under s. 856.011(3), or similar

laws of any other state;

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

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

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

Notwithstanding s. 120.60(5), service of a notice of the suspension or revocation of a concealed weapon or concealed firearm license must be given by either certified mail, return receipt requested, to the licensee at his or her last known mailing address furnished to the Department of Agriculture and Consumer Services, or by personal service. If a notice given by certified mail is returned as undeliverable, a second attempt must be made to provide notice to the licensee at that address, by either first-class mail in an envelope, postage prepaid, addressed to the licensee at his or her last known mailing address furnished to the department, or, if the licensee has provided an e-mail address to the department, by e-mail. Such mailing by the department constitutes notice, and any failure by the licensee to receive such notice does not stay the effective date or term of the suspension or revocation. A request for hearing must be filed with the department within 21 days after notice is received by personal delivery, or within 26 days after the date the department deposits the notice in the United States

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mail (21 days plus 5 days for mailing). The department shall document its attempts to provide notice, and such documentation is admissible in the courts of this state and constitutes sufficient proof that notice was given.

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

812.0151 Retail fuel theft.—

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

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

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

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

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

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

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

1. Obtains fuel as a result of violating paragraph (a) or

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paragraph (b); ~~or~~

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

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

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

812.136 Mail theft.—

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

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

(b) "Mail depository" means a mail box, letter box, mail route, or mail receptacle of a postal service, an office of a postal service, or mail carrier of a postal service, or a vehicle of a postal service or any other authorized receptacle.

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

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

(a) Knowingly removing mail from a mail depository or taking mail from a mail carrier of a postal service with an intent to either temporarily or permanently:

1. Deprive the intended recipient of such mail of their right to the mail.

2. Appropriate the mail to his or her own use or the use of any person not entitled to the use of such mail.

(b) Knowingly obtaining custody of mail by fraud or deception with an intent to either temporarily or permanently:

1. Deprive the intended recipient of such mail of their right to the mail.

2. Appropriate the mail to his or her own use or the use of any person not entitled to the use of the mail.

(c) Selling, receiving, possessing, transferring, buying, or concealing mail in violation of paragraph (a) or paragraph (b) of this subsection, while knowing or having reason to know the mail was obtained illegally.

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

(a) Knowingly obtaining or using, or endeavoring to obtain or use, any key or lock used by a postal service for a mail depository with the intent to either temporarily or permanently:

1. Deprive the owner of such key or lock of their right to such key or lock.

2. Appropriate the key or lock to his or her own use or the use of any person not entitled to the use of such key or lock.

(b) Knowingly and unlawfully making, forging, or counterfeiting any such key or possessing any such key or lock

adopted by a postal service with the intent to unlawfully or improperly use, sell, or otherwise dispose of the key or lock, or to cause the key or lock to be unlawfully or improperly used, sold, or otherwise disposed.

(c) Selling, receiving, possessing, transferring, buying, or concealing a key or lock obtained in violation of paragraph (a) or paragraph (b) while knowing or having reason to know such key or lock was obtained illegally.

(4)(a) Except as provided in paragraph (b), a violation of this section is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) A second or subsequent violation of this section is a felony of the third degree, punishable as provided in s. 775.082 or s. 775.084.

Section 80. Paragraph (i) of subsection (4) of section 934.50, Florida Statutes, is amended, and a new paragraph (q) is added to that subsection, to read:

934.50 Searches and seizure using a drone.—

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

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

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~~character of any society, person, or group of persons.~~

(q) By a local governmental entity, or a person under contract with or acting under the direction of such entity, for the purpose of managing and eradicating plant or animal diseases or activities consistent with chapters 369, 388, and 487.

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

1013.373 Educational facilities used for agricultural education.—

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

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

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

295.07 Preference in appointment and retention.—

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

(a) Those positions that are exempt from the state Career Service System under s. 110.205(2); however, all positions under the University Support Personnel System of the State University System as well as all Career Service System positions under the

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Florida College System and the School for the Deaf and the Blind, or the equivalent of such positions at state universities, Florida College System institutions, or the School for the Deaf and the Blind, are not exempt.

Section 83. For the purpose of incorporating the amendment made by this act to section 388.271, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 189.062, Florida Statutes, is reenacted to read:

189.062 Special procedures for inactive districts.—

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

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

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

2. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government notifies the department in writing that the district has not had a governing body or a sufficient number of governing body members to constitute a quorum for 2 or more years;

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

4. The department determines, pursuant to s. 189.067, that

the district has failed to file any of the reports listed in s. 189.066;

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

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

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

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

Section 84. For the purpose of incorporating the amendment made by this act to section 482.161, Florida Statutes, in a reference thereto, paragraph (b) of subsection (3) of section 482.072, Florida Statutes, is reenacted to read:

482.072 Pest control customer contact centers.—

(3)

(b) Notwithstanding any other provision of this section:

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

2. A pest control business licensee may be subject to disciplinary action under s. 482.161 for a violation of this section or a rule adopted under this section committed by a person who solicits pest control services or provides customer service in a customer contact center operated by a licensee if the licensee participates in the violation.

Section 85. For the purpose of incorporating the amendment made by this act to section 482.161, Florida Statutes, in a reference thereto, section 482.163, Florida Statutes, is reenacted to read:

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

Section 86. For the purpose of incorporating the amendment made by this act to section 487.044, Florida Statutes, in a

reference thereto, section 487.156, Florida Statutes, is reenacted to read:

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

Section 87. For the purpose of incorporating the amendment made by this act to section 496.405, Florida Statutes, in a reference thereto, subsection (2) of section 496.4055, Florida Statutes, is reenacted to read:

496.4055 Charitable organization or sponsor board duties.—

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

Section 88. For the purpose of incorporating the amendment made by this act to section 496.405, Florida Statutes, in references thereto, subsections (2) and (4) of section 496.406, Florida Statutes, are reenacted to read:

496.406 Exemption from registration.—

(2) Before soliciting contributions, a charitable organization or sponsor claiming to be exempt from the registration requirements of s. 496.405 under paragraph (1)(d)

must submit annually to the department, on forms prescribed by the department:

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

(b) The tax exempt status of the organization.

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

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

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

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

Section 89. For the purpose of incorporating the amendment made by this act to section 500.12, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 500.80, Florida Statutes, is reenacted to read:

500.80 Cottage food operations.—

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

Section 90. For the purpose of incorporating the amendment made by this act to section 500.172, Florida Statutes, in a reference thereto, subsection (6) of section 500.121, Florida Statutes, is reenacted to read:

500.121 Disciplinary procedures.—

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

Section 91. For the purpose of incorporating the amendment made by this act to section 790.06, Florida Statutes, in a reference thereto, section 790.061, Florida Statutes, is reenacted to read:

790.061 Judges and justices; exceptions from licensure

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provisions.—A county court judge, circuit court judge, district court of appeal judge, justice of the supreme court, federal district court judge, or federal court of appeals judge serving in this state is not required to comply with the provisions of s. 790.06 in order to receive a license to carry a concealed weapon or firearm, except that any such justice or judge must comply with the provisions of s. 790.06(2)(h). The Department of Agriculture and Consumer Services shall issue a license to carry a concealed weapon or firearm to any such justice or judge upon demonstration of competence of the justice or judge pursuant to s. 790.06(2)(h).

Section 92. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2025.

================ 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

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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 met; requiring the department to adopt certain rules; providing for enforcement; requiring the department to submit certain information to the State Board of Immigration Enforcement on a certain schedule; amending s. 201.25, F.S.; conforming a provision to changes made by the act; amending s. 253.0341, F.S.; authorizing the department to surplus certain lands determined to be suitable for bona fide agricultural production; requiring the department to consult with the Department of Environmental Protection before making such determination; requiring the Department of Agriculture and Consumer Services to retain a rural-lands-protection easement for all surplused lands and deposit all proceeds into a specified trust fund; requiring the department to provide a report of lands surplused to the board of trustees; providing that

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certain lands are ineligible to be surplused; providing for retroactive applicability; amending s. 330.41, F.S.; defining terms; prohibiting a person from knowingly or willfully performing certain actions on lands classified as agricultural; providing criminal penalties; providing applicability; prohibiting a person from knowingly or willfully performing certain actions on private property, state wildlife management lands, or a sport shooting and training range; providing criminal penalties; providing applicability; creating s. 366.20, F.S.; requiring that certain lands acquired or owned by an electric utility by a certain date be offered for fee simple acquisition by the department before the land may be offered for sale or transfer to a private individual or entity; requiring an electric utility to issue a written intent to sell through certified mail to the Commissioner of Agriculture within a specified timeframe before offering to sell or transferring certain lands; authorizing the commissioner to issue a written intent to purchase via certified mail within a specified timeframe after receipt of such written intent to sell; requiring the electric utility to be released from certain provisions under certain circumstances; requiring that certain offers accepted and received by the department within a specified timeframe be executed no later than a certain date; requiring the department to adopt rules; amending s. 366.94, F.S.; defining the term “electric vehicle

charging station”; authorizing the department to adopt rules; requiring local governmental entities to issue permits for electric vehicle charging stations based on specified standards and provisions of law; requiring that an electric vehicle charger be registered with the department before being placed into service for use by the public; providing the department with certain authority relating to electric vehicle charging stations; providing a penalty; authorizing the department to issue an immediate final order to an electric vehicle charging station under certain circumstances; providing that the department may bring an action to enjoin a violation of specified provisions or rules; requiring the court to issue a temporary or permanent injunction under certain circumstances; amending s. 388.011, F.S.; revising the definition of the terms “board of commissioners” and “district”; defining the term “program”; amending s. 388.021, F.S.; making a technical change; amending s. 388.181, F.S.; authorizing programs to perform specified actions; amending s. 388.201, F.S.; conforming provisions to changes made by the act; requiring that the tentative work plan budget covering the proposed operations and requirements for arthropod control measures show the estimated amount to be raised by county, municipality, or district taxes; requiring that county commissioners’ or a similar governing body’s mosquito control budget be made and adopted pursuant to specified provisions and requiring

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that summary figures be incorporated into the county budgets as prescribed by the department; amending s. 388.241, F.S.; providing that certain rights, powers, and duties be vested in the board of county commissioners or similar governing body of a county, city, or town; amending s. 388.261, F.S.; increasing the amount of state funds, supplies, services, or equipment for a certain number of years for any new program for the control of mosquitos and other arthropods which serves an area not previously served by a county, municipality, or district; conforming a provision to changes made by the act; amending s. 388.271, F.S.; requiring each program participating in arthropod control activities to file a tentative integrated arthropod management plan with the department by a specified date; conforming provisions to changes made by the act; amending s. 388.281, F.S.; requiring that all funds, supplies, and services released to programs be used in accordance with the integrated arthropod management plan and certified budget; requiring that such integrated arthropod management plan and certified budget be approved by both the department and the board of county commissioners and an appropriate representative; conforming provisions to changes made by the act; amending s. 388.291, F.S.; providing that a program may perform certain source reduction measures in any area providing that the department has approved the operating or construction plan as outlined in the

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integrated arthropod management plan; conforming provisions to changes made by the act; amending s. 388.301, F.S.; revising the schedule by which state funds for the control of mosquitos and other arthropods may be paid; conforming provisions to changes made by the act; amending s. 388.311, F.S.; conforming provisions to changes made by the act; amending s. 388.321, F.S.; conforming provisions to changes made by the act; amending s. 388.322, F.S.; requiring the department to maintain a record and inventory of certain property purchased with state funds for arthropod control use; conforming provisions to changes made by the act; amending s. 388.323, F.S.; providing that certain equipment no longer needed by a program be first offered for sale to other programs engaged in arthropod control at a specified price; requiring that all proceeds from the sale of certain property owned by a program and purchased using state funds be deposited in the program's state fund account; conforming provisions to changes made by the act; amending s. 388.341, F.S.; requiring a program receiving state aid to submit a monthly report of all expenditures from all funds for arthropod control by a specified timeframe as may be required by the department; conforming provisions to changes made by the act; amending s. 388.351, F.S.; conforming provisions to changes made by the act; amending s. 388.361, F.S.; conforming provisions to changes made by the act; amending s. 388.3711, F.S.; revising the

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department's enforcement powers; amending s. 388.381, F.S.; conforming provisions to changes made by the act; amending s. 388.391, F.S.; conforming provisions to changes made by the act; amending s. 388.401, F.S.; conforming provisions to changes made by the act; amending s. 388.46, F.S.; revising the composition of the Florida Coordinating Council on Mosquito Control; amending s. 403.067, F.S.; providing an exception for inspection requirements for certain agricultural producers; authorizing the department to adopt rules establishing an enrollment in best management practices by rule process; authorizing the department to identify best management practices for specified landowners; requiring the department to perform onsite inspections annually of a certain percentage of all enrollments that meet specified qualifications within a specified area; providing requirements for such inspections; requiring agricultural producers enrolled by rule in a best management practice to submit nutrient records annually to the department; requiring the department to collect and retain such records; amending s. 403.852, F.S.; defining the term "water quality additive"; amending s. 403.859, F.S.; prohibiting the use of certain additives in a water system which do not meet specified requirements; amending s. 482.111, F.S.; revising requirements for the renewal of a pest control operator's certificate; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 482.141, F.S.;

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requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking pest control operator certification; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 482.155, F.S.; requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking limited certification for a governmental pesticide applicator or a private applicator; authorizing a third-party vendor to collect and retain a convenience fee; deleting provisions requiring the department to make such examination readily accessible and available to all applicants on a specified schedule; amending s. 482.156, F.S.; requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking a limited certification for commercial landscape maintenance; authorizing a third-party vendor to collect and retain a convenience fee; deleting provisions requiring the department to make such examination readily accessible and available to all applicants on a specified schedule; amending s. 482.157, F.S.; revising requirements for issuance of a limited certification for commercial wildlife management personnel; authorizing a third-party vendor to collect and retain a convenience fee; deleting provisions requiring the department to make an

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examination readily accessible and available to all applicants on a specified schedule; amending s. 482.161, F.S.; authorizing the department to take specified disciplinary action upon the issuance of a final order imposing civil penalties or a criminal conviction pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act; amending s. 487.044, F.S.; requiring the department to provide in-person and remote testing through a third-party vendor for the examination of an individual seeking a limited certification for pesticide application; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 487.175, F.S.; providing that the department may suspend, revoke, or deny licensure of a pesticide applicator upon issuance of a final order to a licensee which imposes civil penalties or a criminal conviction under the Federal Insecticide, Fungicide, and Rodenticide Act; amending s. 496.404, F.S.; defining the terms "foreign country of concern" and "foreign source of concern"; amending s. 496.405, F.S.; revising which documents a charitable organization or sponsor must file before engaging in specified activities; requiring that any changes to such documents be reported to the department on a specified form in a specified timeframe; revising the requirements of the charitable organization's initial registration statement; authorizing the department to investigate or refer to the Florida Elections Commission certain violations of the charitable

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organization or sponsor; amending s. 496.415, F.S.; prohibiting specified persons from soliciting or accepting anything of value from a foreign source of concern; providing penalties; amending s. 496.417, F.S.; authorizing the department to investigate or refer to the Florida Elections Commission certain violations of a charitable organization or sponsor; amending s. 496.419, F.S.; providing penalties for a charitable organization or sponsor whose registration is denied or revoked for submitting a false attestation; creating s. 496.431, F.S.; requiring the department to create the Honest Services Registry to provide residents with information relating to charitable organizations; requiring a charitable organization included in the Honest Services Registry to submit an attestation statement to the department; requiring the department to publish the Honest Services Registry on the department's website; requiring the department to adopt rules; amending s. 500.03, F.S.; revising the definition of the term "cottage food product"; amending s. 500.12, F.S.; providing that the department requires a food permit from any person or business that operates a food establishment; revising exceptions; revising the schedule for renewing certain food permits; authorizing the department to establish a single permit renewal date for certain food establishments; amending s. 500.166, F.S.; requiring certain persons engaged in interstate commerce to retain all records

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that show certain information for a specified timeframe; amending s. 500.172, F.S.; authorizing the department to facilitate the destruction of certain articles that violate specified provisions; prohibiting certain persons from certain actions without permission from, or in accord with a written agreement with, the department; creating s. 500.75, F.S.; providing that it is unlawful to transport or offer to transport, import into this state, sell or offer for sale, furnish, or give away certain spores or mycelium; providing a penalty; creating s. 500.93, F.S.; defining terms; requiring the department to adopt rules to enforce the Food and Drug Administration's standard of identity for milk, meat, poultry, and poultry products, and eggs and egg products to prohibit the sale of plant-based products mislabeled as milk, meat, poultry, or poultry products, or egg or egg products; providing contingent effective dates; requiring the department to adopt rules; providing construction; repealing s. 501.135, F.S., relating to consumer unit pricing; amending s. 501.912, F.S.; revising the definition of the term "antifreeze"; creating s. 525.19, F.S.; requiring the department to create an annual petroleum registration program for petroleum owners or operators; requiring the department to adopt rules for such registration which include specified information; requiring that the registration program be free for all registrants; authorizing the department to require registrants to

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provide certain information during a state of emergency; creating s. 526.147, F.S.; creating the Florida Retail Fuel Transfer Switch Modernization Grant Program within the department; requiring the grant program to provide funds up to a certain amount to be used for installation and equipment costs related to installing or modernizing transfer switch infrastructure at retail fuel facilities; requiring the department to award funds based on specified criteria; requiring retail fuel facilities awarded grant funds to comply with specified provisions; requiring such facilities to install a transfer switch with specified capabilities; requiring retail fuel facilities to provide specified documentation before being awarded funding; prohibiting certain facilities from being awarded funding; requiring the department, in consultation with the Division of Emergency Management, to adopt rules; requiring that such rules include specified information; amending s. 531.48, F.S.; requiring that certain packages bear specified information on the outside of the package; amending s. 531.49, F.S.; revising requirements for the advertising of a packaged commodity; amending s. 564.06, F.S.; requiring that a certain percentage of revenues collected from certain excise taxes be deposited into the Florida Wine Trust Fund; amending s. 570.07, F.S.; requiring the department to foster and encourage the employment and retention of qualified veterinary pathologists; providing that the

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department may reimburse the educational expenses of certain veterinary pathologists who enter into a certain agreement with the department; requiring the department to adopt certain rules; requiring the department to extend certain opportunities to public school students enrolled in agricultural education to support Future Farmers of America programming; requiring the department to use contracts procured by agencies; defining the term "agency"; amending s. 570.544, F.S.; revising which provisions the director of the Division of Consumer Services must enforce; creating s. 570.546, F.S.; authorizing the department to create a process for the bulk renewal of licenses; authorizing the department to create a process that will allow licensees to align the expiration dates of licenses within a specified program; authorizing the department to change the expiration date for current licenses for a certain purpose; requiring the department to prorate the licensing fee for certain licenses; requiring the department to adopt rules; creating s. 570.694, F.S.; creating the Florida Aquaculture Foundation as a direct support organization within the department; providing the purpose of the foundation; providing governance for the foundation; authorizing the department to appoint an advisory committee adjunct to the foundation; amending s. 570.822, F.S.; revising the definition of the terms "declared natural disaster" and "program"; providing that loan funds from the department may be

used to restock aquaculture; authorizing the department to renew a loan application under certain circumstances; authorizing the department to defer or waive loan payments under certain circumstances; conforming provisions to changes made by the act; creating s. 570.823, F.S.; defining terms; establishing the silviculture emergency recovery program within the department to administer a grant program to assist certain timber landowners; requiring that such grants be used for certain purposes; requiring that only timber lands located on agricultural property are eligible for the program; requiring the department to coordinate with state agencies to provide financial assistance to timber landowners after a specified declared emergency; providing construction; authorizing the department to adopt rules to implement this section; providing construction; creating s. 570.831, F.S.; requiring the Cattle Enhancement Board, Inc., in coordination with the department, to establish a Florida beef marketing program, subject to appropriation; providing a purpose for such program; amending s. 581.1843, F.S.; deleting provisions that exclude certain citrus nurseries from certain requirements; deleting provisions relating to regulated areas around the perimeter of commercial citrus nurseries; repealing ss. 593.101, 593.102, 593.103, 593.104, 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111, 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116, and 593.117,

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F.S., relating to the Florida Boll Weevil Eradication Law; definitions; powers and duties of Department of Agriculture and Consumer Services; the entry of premises to carry out boll weevil eradication activities and inspections; reports by persons growing cotton; quarantine areas and the regulation of articles within a boll weevil eradication zone; the regulation of collection, transportation, distribution, and movement of cotton; cooperative programs for persons engaged in growing, processing, marketing, or handling cotton; the department's authority to designate eradication zones, prohibit planting of cotton, and require participation in eradication program; regulation of the pasturage of livestock, entry by persons, and location of honeybee colonies in eradication zones and other areas; eligibility for certification of cotton growers' organization; the certification of cotton growers' organization; a referendum; an assessment; the department's authority to enter agreements with the Farm Service Agency; liens; mandamus or injunction; penalty for violation; and the handling of moneys received, respectively; amending s. 595.404, F.S.; revising the department's powers and duties regarding school nutrition programs; amending s. 599.002, F.S.; renaming the Viticulture Advisory Council as the Florida Wine Advisory Council; revising the membership of the Florida Wine Advisory Council; conforming provisions to changes made by the act; amending s.

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599.003, F.S.; renaming the State Viticulture Plan as the State Wine Plan; conforming provisions to changes made by the act; amending s. 599.004, F.S.; making technical changes; providing that wineries that fail to recertify annually or pay a specified licensing fee are subject to certain actions and costs; conforming provisions to changes made by the act; amending s. 599.012, F.S.; conforming provisions to changes made by the act; amending s. 616.12, F.S.; deleting provisions requiring a person who operates a minstrel show in connection with any certain public fairs to pay specified license taxes; deleting a provision that exempts such person from paying specified taxes; creating s. 687.16, F.S.; providing a short title; defining terms; prohibiting a financial institution from discriminating in the provision of financial services to an agricultural producer based on an ESG factor; providing an inference with regard to a certain violation; providing that the financial institution may overcome the inference by making certain demonstrations regarding its denial or restriction of financial services to an agricultural producer; authorizing the Attorney General to enforce specified provisions; providing that a violation of specified provisions constitutes an unfair and deceptive trade practice; authorizing the Attorney General to investigate and seek remedies for such unfair trade practices; authorizing an aggrieved party to seek an action for damages; amending s. 741.0305,

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F.S.; conforming a cross-reference; amending s. 790.06, F.S.; revising the circumstances under which the department may temporarily suspend a person's license to carry a concealed weapon or concealed firearm or the processing of an application for such license; requiring the department to notify certain licensees or applicants of their right to a hearing; requiring the department to issue an order confirming the end of a suspension within a specified timeframe after an applicant or licensee submits a copy of a specified document to the department; requiring that such document be sent through electronic or certified mail to a specified location; requiring that the suspension remain in effect upon a certain disposition of a criminal case or injunction; providing construction; providing legislative findings; revising the duties of the department after the date of receipt of a completed application for a license to carry a concealed weapon or concealed firearm; requiring that a license issued under this section be temporarily suspended or revoked if the license was issued in error or if the licensee commits certain actions; amending s. 812.0151, F.S.; revising the elements of third degree and second degree felony retail fuel theft; creating s. 812.136, F.S.; defining terms; providing elements for the crime of mail theft; providing elements of theft of or unauthorized reproduction of a mail depository key or lock; providing criminal penalties; amending s. 934.50,

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F.S.; deleting certain exceptions from the prohibited uses of drones; providing that a drone may be used for certain purposes by a local governmental entity or person under contract with or acting under the direction of such entity; creating s. 1013.373, F.S.; prohibiting a local government from adopting any measure to limit the activities of public educational facilities or auxiliary facilities constructed by certain organizations; requiring that lands used for agricultural education or for the Future Farmers of America or 4-H activities be considered agricultural lands; reenacting s. 295.07(5)(a), F.S., relating to preference in appointment and retention, to incorporate the amendment made to s. 110.205, F.S., in a reference thereto; reenacting s. 189.062(1)(a), F.S., relating to special procedures for inactive districts and state aid to counties, to incorporate the amendment made to s. 388.271, F.S., in references thereto; reenacting ss. 482.072(3)(b) and 482.163, F.S., relating to pest control customer contact centers and responsibility for pest control activities of employee, respectively, to incorporate the amendment made to s. 482.161, F.S., in references thereto; reenacting s. 487.156, F.S., relating to governmental agencies, to incorporate the amendment made to s. 487.044, F.S., in a reference thereto; reenacting ss. 496.4055(2) and 496.406(2) and (4), F.S., relating to charitable organization or sponsor board duties and exemption from registration,

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respectively, to incorporate the amendment made to s. 496.405, F.S., in references thereto; reenacting s. 500.80(1)(a), F.S., relating to cottage food operations, to incorporate the amendment made to s. 500.12, F.S., in a reference thereto; reenacting s. 500.121(6), F.S., relating to disciplinary procedures, to incorporate the amendment made to s. 500.172, F.S., in a reference thereto; reenacting s. 790.061, F.S., relating to judges and justices, to incorporate the amendment made to s. 790.06, F.S., in a reference thereto; providing effective dates.

By the Appropriations Committee on Agriculture, Environment, and General Government; the Committee on Agriculture; and Senator Truenow

601-02921-25 2025700c2

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 met; requiring the department to adopt certain rules; providing for enforcement; requiring the department to submit certain information to the State Board of Immigration Enforcement on a certain schedule; amending s. 201.25, F.S.; conforming a provision to

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changes made by the act; amending s. 253.0341, F.S.; authorizing the department to surplus certain lands determined to be suitable for bona fide agricultural production; requiring the department to consult with the Department of Environmental Protection before making such determination; requiring the Department of Agriculture and Consumer Services to retain a rural-lands-protection easement for all surplused lands and deposit all proceeds into a specified trust fund; requiring the department to provide a report of lands surplused to the board of trustees; providing that certain lands are ineligible to be surplused; providing for retroactive applicability; amending s. 330.41, F.S.; defining terms; prohibiting a person from knowingly or willfully performing certain actions on lands classified as agricultural; providing criminal penalties; providing applicability; prohibiting a person from knowingly or willfully performing certain actions on private property, state wildlife management lands, or a sport shooting and training range; providing criminal penalties; providing applicability; creating s. 366.20, F.S.; requiring that certain lands acquired or owned by an electric utility be offered for fee simple acquisition by the department before the land may be offered for sale or transfer to a private individual or entity; providing retroactive applicability; amending s. 366.94, F.S.; defining the term "electric vehicle charging station"; authorizing the department to adopt

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rules; requiring local governmental entities to issue permits for electric vehicle charging stations based on specified standards and provisions of law; requiring that an electric vehicle charger be registered with the department before being placed into service for use by the public; providing the department with certain authority relating to electric vehicle charging stations; providing a penalty; authorizing the department to issue an immediate final order to an electric vehicle charging station under certain circumstances; providing that the department may bring an action to enjoin a violation of specified provisions or rules; requiring the court to issue a temporary or permanent injunction under certain circumstances; amending s. 388.011, F.S.; revising the definition of the terms "board of commissioners" and "district"; defining the term "program"; amending s. 388.021, F.S.; making a technical change; amending s. 388.181, F.S.; authorizing programs to perform specified actions; amending s. 388.201, F.S.; conforming provisions to changes made by the act; requiring that the tentative work plan budget covering the proposed operations and requirements for arthropod control measures show the estimated amount to be raised by county, municipality, or district taxes; requiring that county commissioners' or a similar governing body's mosquito control budget be made and adopted pursuant to specified provisions and requiring that summary figures be incorporated into the county

budgets as prescribed by the department; amending s. 388.241, F.S.; providing that certain rights, powers, and duties be vested in the board of county commissioners or similar governing body of a county, city, or town; amending s. 388.261, F.S.; increasing the amount of state funds, supplies, services, or equipment for a certain number of years for any new program for the control of mosquitos and other arthropods which serves an area not previously served by a county, municipality, or district; conforming a provision to changes made by the act; amending s. 388.271, F.S.; requiring each program participating in arthropod control activities to file a tentative integrated arthropod management plan with the department by a specified date; conforming provisions to changes made by the act; amending s. 388.281, F.S.; requiring that all funds, supplies, and services released to programs be used in accordance with the integrated arthropod management plan and certified budget; requiring that such integrated arthropod management plan and certified budget be approved by both the department and the board of county commissioners and an appropriate representative; conforming provisions to changes made by the act; amending s. 388.291, F.S.; providing that a program may perform certain source reduction measures in any area providing that the department has approved the operating or construction plan as outlined in the integrated arthropod management plan; conforming

provisions to changes made by the act; amending s. 388.301, F.S.; revising the schedule by which state funds for the control of mosquitos and other arthropods may be paid; conforming provisions to changes made by the act; amending s. 388.311, F.S.; conforming provisions to changes made by the act; amending s. 388.321, F.S.; conforming provisions to changes made by the act; amending s. 388.322, F.S.; requiring the department to maintain a record and inventory of certain property purchased with state funds for arthropod control use; conforming provisions to changes made by the act; amending s. 388.323, F.S.; providing that certain equipment no longer needed by a program be first offered for sale to other programs engaged in arthropod control at a specified price; requiring that all proceeds from the sale of certain property owned by a program and purchased using state funds be deposited in the program's state fund account; conforming provisions to changes made by the act; amending s. 388.341, F.S.; requiring a program receiving state aid to submit a monthly report of all expenditures from all funds for arthropod control by a specified timeframe as may be required by the department; conforming provisions to changes made by the act; amending s. 388.351, F.S.; conforming provisions to changes made by the act; amending s. 388.361, F.S.; conforming provisions to changes made by the act; amending s. 388.3711, F.S.; revising the department's enforcement powers; amending s. 388.381,

F.S.; conforming provisions to changes made by the act; amending s. 388.391, F.S.; conforming provisions to changes made by the act; amending s. 388.401, F.S.; conforming provisions to changes made by the act; amending s. 388.46, F.S.; revising the composition of the Florida Coordinating Council on Mosquito Control; amending s. 403.067, F.S.; providing an exception for inspection requirements for certain agricultural producers; authorizing the department to adopt rules establishing an enrollment in best management practices by rule process; authorizing the department to identify best management practices for specified landowners; requiring the department to perform onsite inspections annually of a certain percentage of all enrollments that meet specified qualifications within a specified area; providing requirements for such inspections; requiring agricultural producers enrolled by rule in a best management practice to submit nutrient records annually to the department; requiring the department to collect and retain such records; amending s. 403.852, F.S.; defining the term "water quality additive"; amending s. 403.859, F.S.; providing that the use of certain additives in a water system which do not meet the definition of water quality additive or certain other additives is prohibited and violates specified provisions; amending s. 482.111, F.S.; revising requirements for the renewal of a pest control operator's certificate; authorizing a third-party vendor to collect and retain

a convenience fee; amending s. 482.141, F.S.; requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking pest control operator certification; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 482.155, F.S.; requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking limited certification for a governmental pesticide applicator or a private applicator; authorizing a third-party vendor to collect and retain a convenience fee; deleting provisions requiring the department to make such examination readily accessible and available to all applicants on a specified schedule; amending s. 482.156, F.S.; requiring the department to provide in-person and remote testing for the examination through a third-party vendor for an individual seeking a limited certification for commercial landscape maintenance; authorizing a third-party vendor to collect and retain a convenience fee; deleting provisions requiring the department to make such examination readily accessible and available to all applicants on a specified schedule; amending s. 482.157, F.S.; revising requirements for issuance of a limited certification for commercial wildlife management personnel; authorizing a third-party vendor to collect and retain a convenience fee; deleting

provisions requiring the department to make an examination readily accessible and available to all applicants on a specified schedule; amending s. 482.161, F.S.; authorizing the department to take specified disciplinary action upon the issuance of a final order imposing civil penalties or a criminal conviction pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act; amending s. 487.044, F.S.; requiring the department to provide in-person and remote testing through a third-party vendor for the examination of an individual seeking a limited certification for pesticide application; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 487.175, F.S.; providing that the department may suspend, revoke, or deny licensure of a pesticide applicator upon issuance of a final order to a licensee which imposes civil penalties or a criminal conviction under the Federal Insecticide, Fungicide, and Rodenticide Act; amending s. 496.404, F.S.; defining the terms "foreign country of concern" and "foreign source of concern"; amending s. 496.405, F.S.; revising which documents a charitable organization or sponsor must file before engaging in specified activities; requiring that any changes to such documents be reported to the department on a specified form in a specified timeframe; revising the requirements of the charitable organization's initial registration statement; authorizing the department to investigate or refer to the Florida Elections

Commission certain violations of the charitable organization or sponsor; amending s. 496.415, F.S.; prohibiting specified persons from soliciting or accepting anything of value from a foreign source of concern; amending s. 496.417, F.S.; authorizing the department to investigate or refer to the Florida Elections Commission certain violations of a charitable organization or sponsor; amending s. 496.419, F.S.; providing penalties for a charitable organization or sponsor whose registration is denied or revoked for submitting a false attestation; creating s. 496.431, F.S.; requiring the department to create the Honest Services Registry to provide residents with information relating to charitable organizations; requiring a charitable organization included in the Honest Services Registry to submit an attestation statement to the department; requiring the department to publish the Honest Services Registry on the department's website; requiring the department to adopt rules; amending s. 500.03, F.S.; revising the definition of the term "cottage food product"; amending s. 500.12, F.S.; providing that the department requires a food permit from any person or business that operates a food establishment; revising exceptions; revising the schedule for renewing certain food permits; authorizing the department to establish a single permit renewal date for certain food establishments; amending s. 500.166, F.S.; requiring certain persons engaged in interstate commerce to

retain all records that show certain information for a specified timeframe; amending s. 500.172, F.S.; authorizing the department to facilitate the destruction of certain articles that violate specified provisions; prohibiting certain persons from certain actions without permission from, or in accord with a written agreement with, the department; creating s. 500.75, F.S.; providing that it is unlawful to import, sell, offer for sale, furnish, or give away certain spores or mycelium; providing a penalty for violations; creating s. 500.93, F.S.; defining terms; requiring the department to adopt rules to enforce the Food and Drug Administration's standard of identity for milk, meat, poultry, and poultry products, and eggs and egg products to prohibit the sale of plant-based products mislabeled as milk, meat, poultry, or poultry products, or egg or egg products; providing contingent effective dates; requiring the department to adopt rules; providing construction; repealing s. 501.135, F.S., relating to consumer unit pricing; amending s. 501.912, F.S.; revising the definition of the term "antifreeze"; creating s. 525.19, F.S.; requiring the department to create an annual petroleum registration program for petroleum owners or operators; requiring the department to adopt rules for such registration which include specified information; requiring that the registration program be free for all registrants; authorizing the department to require registrants to provide certain information during a

state of emergency; creating s. 526.147, F.S.; creating the Florida Retail Fuel Transfer Switch Modernization Grant Program within the department; requiring the grant program to provide funds up to a certain amount to be used for installation and equipment costs related to installing or modernizing transfer switch infrastructure at retail fuel facilities; requiring the department to award funds based on specified criteria; requiring retail fuel facilities awarded grant funds to comply with specified provisions; requiring such facilities to install a transfer switch with specified capabilities; requiring retail fuel facilities to provide specified documentation before being awarded funding; prohibiting certain facilities from being awarded funding; requiring the department, in consultation with the Division of Emergency Management, to adopt rules; requiring that such rules include specified information; amending s. 531.48, F.S.; requiring that certain packages bear specified information on the outside of the package; amending s. 531.49, F.S.; revising requirements for the advertising of a packaged commodity; amending s. 570.07, F.S.; requiring the department to foster and encourage the employment and retention of qualified veterinary pathologists; providing that the department may reimburse the educational expenses of certain veterinary pathologists who enter into a certain agreement with the department; requiring the

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premises to carry out boll weevil eradication activities and inspections; reports by persons growing cotton; quarantine areas and the regulation of articles within a boll weevil eradication zone; the regulation of collection, transportation, distribution, and movement of cotton; cooperative programs for persons engaged in growing, processing, marketing, or handling cotton; the department's authority to designate eradication zones, prohibit planting of cotton, and require participation in eradication program; regulation of the pasturage of livestock, entry by persons, and location of honeybee colonies in eradication zones and other areas; eligibility for certification of cotton growers' organization; the certification of cotton growers' organization; a referendum; an assessment; the department's authority to enter agreements with the Farm Service Agency; liens; mandamus or injunction; penalty for violation; and the handling of moneys received, respectively; amending s. 595.404, F.S.; revising the department's powers and duties regarding school nutrition programs; amending s. 599.002, F.S.; renaming the Viticulture Advisory Council as the Florida Wine Advisory Council; revising the membership of the Florida Wine Advisory Council; conforming provisions to changes made by the act; amending s. 599.003, F.S.; renaming the State Viticulture Plan as the State Wine Plan; conforming provisions to changes made by the act; amending s. 599.004, F.S.; making

technical changes; providing that wineries that fail to recertify annually or pay a specified licensing fee are subject to certain actions and costs; conforming provisions to changes made by the act; amending s. 599.012, F.S.; conforming provisions to changes made by the act; amending s. 616.12, F.S.; deleting provisions requiring a person who operates a minstrel show in connection with any certain public fairs to pay specified license taxes; deleting a provision that exempts such person from paying specified taxes; creating s. 687.16, F.S.; providing a short title; defining terms; prohibiting a financial institution from discriminating in the provision of financial services to an agricultural producer based on an ESG factor; providing an inference with regard to a certain violation; providing that the financial institution may overcome the inference by making certain demonstrations regarding its denial or restriction of financial services to an agricultural producer; authorizing the Attorney General to enforce specified provisions; providing that a violation of specified provisions constitutes an unfair and deceptive trade practice; authorizing the Attorney General to investigate and seek remedies for such unfair trade practices; authorizing an aggrieved party to seek an action for damages; amending s. 741.0305, F.S.; conforming a cross-reference; amending s. 790.06, F.S.; revising the circumstances under which the department may temporarily suspend a person's

license to carry a concealed weapon or concealed firearm or the processing of an application for such license; requiring the department to notify certain licensees or applicants of his or her right to a hearing; requiring that the hearing regarding such suspension of license be for a limited purpose; requiring the department to issue an order lifting the suspension of an applicant's license upon a certain disposition of the criminal case; requiring that the suspension remain in effect upon a certain disposition of the criminal case; providing construction; providing legislative findings; revising the duties of the department after the date of receipt of a completed application for a license to carry a concealed weapon or concealed firearm; requiring that a license issued under this section be temporarily suspended or revoked if the license was issued in error or if the licensee commits certain actions; amending s. 812.0151, F.S.; revising the elements of third degree and second degree felony retail fuel theft; creating s. 812.136, F.S.; defining terms; providing elements for the crime of mail theft; providing elements of theft of or unauthorized reproduction of a mail depository key or lock; providing criminal penalties; amending s. 934.50, F.S.; deleting certain exceptions from the prohibited uses of drones; creating s. 1013.373, F.S.; prohibiting a local government from adopting any measure to limit the activities of public educational

facilities or auxiliary facilities constructed by certain organizations; requiring that lands used for agricultural education or for the Future Farmers of America or 4-H activities be considered agricultural lands; reenacting s. 295.07(5)(a), F.S., relating to preference in appointment and retention, to incorporate the amendment made to s. 110.205, F.S., in a reference thereto; reenacting ss. 189.062(1)(a) and 388.261(7), F.S., relating to special procedures for inactive districts and state aid to counties and districts for arthropod control, respectively, to incorporate the amendment made to s. 388.271, F.S., in references thereto; reenacting ss. 482.072(3)(b) and 482.163, F.S., relating to pest control customer contact centers and responsibility for pest control activities of employee, respectively, to incorporate the amendment made to s. 482.161, F.S., in references thereto; reenacting s. 487.156, F.S., relating to governmental agencies, to incorporate the amendment made to s. 487.044, F.S., in a reference thereto; reenacting ss. 496.4055(2) and 496.406(2) and (4), F.S., relating to charitable organization or sponsor board duties and exemption from registration, respectively, to incorporate the amendment made to s. 496.405, F.S., in references thereto; reenacting s. 500.80(1)(a), F.S., relating to cottage food operations, to incorporate the amendment made to s. 500.12, F.S., in a reference thereto; reenacting s. 500.121(6), F.S., relating to disciplinary procedures,

to incorporate the amendment made to s. 500.172, F.S., in a reference thereto; reenacting s. 790.061, F.S., relating to judges and justices, to incorporate the amendment made to s. 790.06, F.S., in a reference thereto; providing an effective date.

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

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

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

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

3. Positions in The Department of Transportation which are assigned primary duties of serving as regional toll managers and

managers of offices, as specified in s. 20.23(3)(b) and (4)(c).

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

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

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

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

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

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

163.3162 Agricultural Lands and Practices.—

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

(a) "Department" means the Department of Agriculture and

Consumer Services.

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

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

1. Is lawfully present in the United States;

2. Meets the definition of eligible worker pursuant to 29 C.F.R. s. 502.10;

3. Has been verified through the process provided in s. 448.095(2) and is authorized to work at the time of employment;

4. Is seasonally or annually employed in bona fide agricultural production;

5. Remains lawfully present and authorized to work throughout the duration of that employment; and

6. Is not an unauthorized alien as defined in s. 448.095(1).

(5) HOUSING FOR LEGALLY VERIFIED AGRICULTURAL WORKERS.—

(a) A governmental entity may not adopt or enforce any legislation, regulation, or ordinance to inhibit the construction or installation of housing for legally verified agricultural workers on land classified as agricultural land pursuant to s. 193.461 which is operated as a bona fide farm except as provided in this subsection.

(b) Construction or installation of housing units for legally verified agricultural workers on parcels of land classified as agricultural land under s. 193.461 must satisfy

all of the following criteria:

1. The dwelling units must meet federal, state, and local building standards, including standards of the Department of Health adopted pursuant to ss. 381.008-381.00897 and federal standards for H-2A visa housing. If written notice of intent is required to be submitted to the Department of Health pursuant to s. 381.0083, the appropriate governmental entity with jurisdiction over the agricultural lands may also require submittal of a copy of the written notice.

2. The housing site must be maintained in a neat, orderly, and safe manner.

3. All structures containing dwelling units must be located a minimum of 10 feet apart.

4. The square footage of the housing site's climate-controlled facilities may not exceed 1.5 percent of the property's area or 35,000 square feet, whichever is less.

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

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

a. Evergreen plants that, at the time of planting, are at

least 6 feet in height and provide an overall screening opacity of 75 percent;

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

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

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

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

7. All access driveways that serve the housing site must be made of packed shell, gravel, or a similar material that will provide a relatively dust-free surface.

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

verified agricultural worker.

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

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

1. If, for any reason, a housing site is not being used for legally verified agricultural workers for longer than 365 days, any structure used as living quarters must be removed from the housing site within 180 days after receipt of written notification from the county unless the property owner can demonstrate that use of the site for housing legally verified agricultural workers will occur within 90 days after the written notification.

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

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

4. If a housing site is found to be occupied by any person who does not meet the definition of a legally verified agricultural worker, or is otherwise unlawfully present in the

United States. A property owner who violates this subparagraph is subject to a Class I fine pursuant to s. 570.971, not to exceed $1,000, for the first violation, and a Class II fine, not to exceed $5,000, for any subsequent violations. The fines shall be collected by the clerk of the court of the county in which the violation occurred.

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

(g) A housing site that was constructed and in use before July 1, 2024, may continue to be used, and the property owner may not be required by a governmental entity to make changes to meet the requirements of this subsection, unless the housing site will be enlarged, remodeled, renovated, or rehabilitated. The property owner of a housing site authorized under this paragraph must provide regular maintenance and repair, including compliance with health and safety regulations and maintenance standards, for such housing site to ensure the health, safety, and habitability of the housing site.

(6) DATA COLLECTION.—The department shall adopt rules providing for:

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

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

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

(7) ENFORCEMENT.—

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

(b) The department shall submit the information collected to the State Board of Immigration Enforcement on a quarterly basis, except that the first quarter shall begin 60 days after the first quarterly data report under subsection (6) by a government entity is received and reviewed by the department.

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

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

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

Section 4. Subsection (19) is added to section 253.0341, Florida Statutes, to read:

253.0341 Surplus of state-owned lands.—

(19) Notwithstanding any other law or rule, the Department

of Agriculture and Consumer Services may surplus lands acquired pursuant to s. 366.20 which are determined to be suitable for bona fide agricultural production, as defined in s. 193.461. The Department of Agriculture and Consumer Services shall consult with the Department of Environmental Protection in the process of making such determination. In the event that lands acquired pursuant to s. 366.20, which are determined to be suitable for bona fide agricultural production are surplused, the Department of Agriculture and Consumer Services must retain a rural-lands-protection easements pursuant to s. 570.71(3), and all proceeds must be deposited into the Incidental Trust Fund within the Department of Agriculture and Consumer Services for less than fee simple land acquisition pursuant to ss. 570.71 and 570.715. By January 1, 2026, and each January 1 thereafter, the Department of Agriculture and Consumer Services shall provide a report of lands surplused pursuant to this subsection to the board.

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

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

Section 5. Present paragraphs (a) through (d) and (e) of subsection (2) and subsection (6) of section 330.41, Florida Statutes, are redesignated as paragraphs (b) through (e) and (j) of subsection (2) and subsection (8), respectively, new paragraphs (a) and (f) and paragraphs (g), (h), and (i) are added to subsection (2) and new subsection (6) and subsection (7) are added to that section, and paragraph (d) of subsection (4) of that section is amended, to read:

330.41 Unmanned Aircraft Systems Act.—

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

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

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

(g) "Property owner" means the owner or owners of record of real property. The term includes real property held in trust for the benefit of one or more individuals, in which case the individual or individuals may be considered as the property owner or owners, provided that the trustee provides written consent. The term does not include persons renting, using, living, or otherwise occupying real property.

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

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

(4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

(6) PROTECTION OF AGRICULTURAL LANDS.—

(a) A person may not knowingly or willfully do any of the following on lands classified as agricultural lands pursuant to

s. 193.461:

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

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

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

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

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

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

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

(a) A person may not knowingly or willfully allow a drone to make contact with private property, state wildlife management lands, or a sport shooting and training range or any person or object on the premises of or within such property with the intent to harass.

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

punishable as provided in s. 775.082 or s. 775.083.

(c) A person who violates paragraph (a) and records video of the private property, state wildlife management lands, or sport shooting and training range, including any person or object on the premises of or within the private property, state wildlife management lands, or sport shooting and training range, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. A person who commits a second or subsequent violation commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

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

Section 6. Section 366.20, Florida Statutes, is created to read:

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

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

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

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

Section 7. Present subsections (3) and (4) of section 366.94, Florida Statutes, are redesignated as subsections (4) and (5), respectively, a new subsection (3) is added to that section, and subsection (2) of that section is amended, to read:

366.94 Electric vehicle charging.—

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

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

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

(b) The department may adopt rules to protect the public health, safety, and welfare and establish standards for the placement, design, installation, maintenance, and operation of

electric vehicle charging stations.

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

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

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

1. Issuance of a warning letter.

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

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

(g) In addition to the remedies provided in this subsection, and notwithstanding the existence of any adequate remedy at law, the department may bring an action to enjoin a violation of this subsection or rules adopted under this subsection in the circuit court of the county in which the

violation occurs or is about to occur. Upon demonstration of competent and substantial evidence by the department to the court of the violation or threatened violation, the court shall immediately issue the temporary or permanent injunction sought by the department. The injunction must be issued without bond.

Section 8. Present subsections (10) and (11) of section 388.011, Florida Statutes, are redesignated as subsections (11) and (12), respectively, a new subsection (10) is added to that section, and subsections (2) and (5) of that section are amended, to read:

388.011 Definitions.—As used in this chapter:

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

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

(10) "Program" means any governmental jurisdiction that conducts mosquito control, whether it be a special district, county, or municipality.

Section 9. Section 388.021, Florida Statutes, is amended to read:

388.021 Creation of mosquito control special districts.—

(1) The abatement or suppression of arthropods, whether disease-bearing or merely pestiferous, within any or all counties of this state is advisable and necessary for the maintenance and betterment of the comfort, health, and welfare of the people thereof and is found and declared to be for public

purposes. Areas where arthropods incubate, hatch, or occur in significant numbers so as to constitute a public health, welfare, or nuisance problem may be controlled or abated as provided in this chapter or the rules promulgated hereunder. Therefore, any municipality ~~city~~, town, or county, or any portion or portions thereof, whether such portion or portions include incorporated territory or portions of two or more counties in the state, may be created into a special taxing district for the control of arthropods under the provisions of this chapter.

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

Section 10. Section 388.181, Florida Statutes, is amended to read:

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

Section 11. Subsections (1), (2), (4), and (5) of section 388.201, Florida Statutes, are amended to read:

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

(1) The fiscal year of programs ~~districts~~ operating under ~~the provisions of~~ this chapter shall be the 12-month period extending from October 1 of one year through September 30 of the following year. The governing board of the programs ~~district~~

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shall before July 15 of each year complete the preparation of a tentative detailed work plan budget covering its proposed operations and requirements for arthropod control measures during the ensuing fiscal year and, for the purpose of determining eligibility for state aid, shall submit copies as may be required to the department for review and approval. The tentative detailed work plan budget must ~~shall~~ set forth, classified by account number, title and program items, and by fund from which to be paid, the proposed expenditures of the program ~~district~~ for construction, for acquisition of land, and other purposes, for the operation and maintenance of the program's ~~district's~~ works, the conduct of the program ~~district~~ generally, to which may be added an amount to be held as a reserve.

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

(4) The governing board shall:

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

(b) ~~Shall~~ By September 30, adopt and execute on a form furnished by the department a certified budget for the programs ~~district~~ which shall be the operating and fiscal guide for the

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program ~~district~~. Certified copies of this budget must ~~shall~~ be submitted by September 30 to the department for approval.

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

Section 12. Section 388.241, Florida Statutes, is amended to read:

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

Section 13. Section 388.261, Florida Statutes, is amended to read:

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

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

measures approved by the department.

(2) Every county, municipality, or district budgeting local funds to be used exclusively for the control of mosquitoes and other arthropods, under a plan submitted by the county, municipality, or district and approved by the department, is eligible to receive state funds and supplies, services, and equipment on a dollar-for-dollar matching basis to the amount of local funds budgeted. If state funds appropriated by the Legislature are insufficient to grant each county, municipality, or district state funds on a dollar-for-dollar matching basis to the amount budgeted in local funds, the department must ~~shall~~ distribute the funds as prescribed by rule. Such rules must ~~shall~~ provide for up to 80 percent of the funds to be distributed to programs with local funds for mosquito control budgets of less than $1 million, if the county, municipality, or district meets the eligibility requirements. The funds must ~~shall~~ be distributed as equally as possible within the category of counties pursuant to this section. The remaining funds must ~~shall~~ be distributed as prescribed by rule among the remaining counties to support mosquito control and to support research, education, and outreach.

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

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

(5) If more than one program ~~local mosquito control agency~~

exists in a county or municipality, the funds must ~~shall~~ be prorated between the programs ~~agencies~~ based on the population served by each program ~~agency~~.

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

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

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

Section 14. Subsections (1) and (2) of section 388.271, Florida Statutes, are amended to read:

388.271 Prerequisites to participation.—

(1) When state funds are involved, it is the duty of the department to guide, review, approve, and coordinate the activities of all county and municipal governments and special districts receiving state funds in furtherance of the goal of integrated arthropod control. Each program ~~county~~ eligible to

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participate may, and each district must, begin participation on October 1 of any year by filing with the department not later than July 15 a tentative integrated arthropod management plan ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for the control of arthropods. Following approval of the plan and budget by the department, a copy ~~two copies~~ of the program's ~~county's or district's~~ certified budget based on the approved integrated arthropod management ~~work~~ plan and detailed ~~work plan~~ budget must ~~shall~~ be submitted to the department by September 30 following. State funds, supplies, and services must ~~shall~~ be made available to such program ~~county or district~~ by and through the department ~~immediately~~ upon release of funds by the Executive Office of the Governor.

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

Section 15. Subsections (1) and (3) of section 388.281, Florida Statutes, are amended to read:

388.281 Use of state matching funds.—

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

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approval of the department.

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

Section 16. Subsections (1) and (2) of section 388.291, Florida Statutes, are amended to read:

388.291 Source reduction measures; supervision by department.—

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

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

Section 17. Section 388.301, Florida Statutes, is amended to read:

388.301 Payment of state funds; supplies and services.—State funds shall be payable ~~quarterly~~, in accordance with the rules of the department, upon requisition by the department to the Chief Financial Officer. The department is authorized to furnish insecticides, chemicals, materials, equipment, vehicles, and personnel in lieu of state funds where mass purchasing may save funds for the state, or where it would be more practical and economical to use equipment, supplies, and services between two or more programs ~~counties or districts~~.

Section 18. Section 388.311, Florida Statutes, is amended to read:

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

Section 19. Section 388.321, Florida Statutes, is amended to read:

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

Section 20. Section 388.322, Florida Statutes, is amended to read:

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

Section 21. Section 388.323, Florida Statutes, is amended to read:

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

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

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

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

Section 22. Section 388.341, Florida Statutes, is amended to read:

388.341 Reports of expenditures and accomplishments.—Each program receiving state aid ~~county and district participating~~ under ~~the provisions of~~ this chapter shall within 30 days after the end of each month submit to the department a monthly report

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for the preceding month of expenditures from all funds for arthropod control, and each program participating under this chapter shall provide such reports of activities and accomplishments as may be required by the department.

Section 23. Section 388.351, Florida Statutes, is amended to read:

388.351 Transfer of equipment, personnel, and supplies during an emergency.—The department, upon notifying a program ~~county or district~~ and obtaining its approval, is authorized to transfer equipment, materials, and personnel from one program ~~district~~ to another in the event of an emergency brought about by an arthropod-borne epidemic or other disaster requiring emergency control.

Section 24. Subsection (7) of section 388.361, Florida Statutes, is amended to read:

388.361 Department authority and rules; administration.—

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

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Section 25. Subsections (2) and (3) of section 388.3711, Florida Statutes, are amended to read:

388.3711 Enforcement.—

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

(a) Violation of any rule of the department or provision of this chapter.

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

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

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

Section 26. Section 388.381, Florida Statutes, is amended to read:

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

Section 27. Section 388.391, Florida Statutes, is amended to read:

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

Section 28. Section 388.401, Florida Statutes, is amended to read:

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

775.082 or s. 775.083.

Section 29. Paragraph (a) of subsection (2) of section 388.46, Florida Statutes, is amended to read:

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

(2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

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

1. The Secretary of Environmental Protection.

2. The State Surgeon General.

3. The executive director of the Fish and Wildlife Conservation Commission.

4. The state epidemiologist.

5. The Commissioner of Agriculture.

6. The Board of Trustees of the Internal Improvement Trust Fund.

7. Representatives from:

a. The University of Florida, Institute of Food and Agricultural Sciences, Florida Medical Entomological Research Laboratory.

b. The United States Environmental Protection Agency.

c. The United States Department of Agriculture, Center of Medical, Agricultural, and Veterinary Entomology ~~Insects Affecting Man Laboratory~~.

d. The United States Fish and Wildlife Service.

8. Four ~~Two~~ mosquito control directors to be nominated by the Florida Mosquito Control Association, two representatives of Florida environmental groups, and two private citizens who are

property owners whose lands are regularly subject to mosquito control operations, to be appointed to 4-year terms by the Commissioner of Agriculture and serve until his or her successor is appointed.

Section 30. Paragraph (d) of subsection (7) of section 403.067, Florida Statutes, is amended to read:

403.067 Establishment and implementation of total maximum daily loads.—

(7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

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

1. Basin management action plans are enforceable pursuant to this section and ss. 403.121, 403.141, and 403.161. Management strategies, including best management practices and water quality monitoring, are enforceable under this chapter.

2. No later than January 1, 2017:

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

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

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

The rules required under this subparagraph shall include enforcement procedures applicable to the landowner, discharger, or other responsible person required to implement applicable management strategies, including best management practices or water quality monitoring as a result of noncompliance.

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

4. The Department of Agriculture and Consumer Services is

authorized to adopt rules establishing an enrollment in best management practices by rule process that agricultural pollutant sources and agricultural producers may use in lieu of the best management practices adopted in paragraph (c) and identify best management practices for landowners of parcels which meet the following requirements:

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

b. A parcel designated as agricultural land use by the county in which it is located or the parcel is granted agricultural tax classification by the county property appraiser of the county in which it is located;

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

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

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

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

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

and to revoke enrollment by rule.

5. The Department of Agriculture and Consumer Services shall annually perform onsite inspections of 20 percent for all enrollments that meet the qualifications pursuant to subparagraph 4. by rule within basin management action plan areas, to ensure that practices are being properly implemented. Such inspections must include a collection and review of the identified best management practice documentation from the previous 2 years required by rules adopted pursuant to subparagraph (c)2. All agricultural producers enrolled by rule in a best management practice must annually submit nutrient records, including nitrogen and phosphorus application records for the previous calendar year, to the Department of Agriculture and Consumer Services as required by rules adopted pursuant to subparagraph (c)2. The Department of Agriculture and Consumer Services shall collect and retain these nutrient records pursuant to subparagraphs (c)3., 4., and 6.

Section 31. Subsection (19) is added to section 403.852, Florida Statutes, to read:

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

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

Section 32. Subsection (8) is added to section 403.859, Florida Statutes, to read:

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

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

Section 33. Subsection (10) of section 482.111, Florida Statutes, is amended to read:

482.111 Pest control operator's certificate.—

(10) In order to renew a certificate, the certificateholder must complete 2 hours of approved continuing education on legislation, safety, pesticide labeling, and integrated pest management and 2 hours of approved continuing education in each category of her or his certificate or must pass an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee ~~given by the department~~. The department may not renew a certificate if the continuing education or examination requirement is not met.

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

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

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

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

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

control.

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

6. Integrated pest management.

(b) The certificateholder must submit with her or his application for renewal a statement certifying that she or he has completed the required number of hours of continuing education. The statement must be on a form prescribed by the department and must identify at least the date, location, provider, and subject of the training and must provide such other information as required by the department.

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

Section 34. Subsection (1) of section 482.141, Florida Statutes, is amended to read:

482.141 Examinations.—

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

Section 35. Paragraph (b) of subsection (1) of section 482.155, Florida Statutes, is amended to read:

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

(1)

(b) A person seeking limited certification under this subsection must pass an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee ~~given or approved by the department~~. Each application for examination must be accompanied by an examination fee set by the department, in an amount of not more than $150 or less than $50; and a recertification fee of $25 every 4 years. Until rules setting these fees are adopted by the department, the examination fee is $50. Application for recertification must be accompanied by proof of having completed 4 classroom hours of acceptable continuing education. The limited certificate expires 4 years after the date of issuance. If the certificateholder fails to renew his or her certificate and provide proof of completion of the required continuing education units within 60 days after the expiration date, the certificateholder may be recertified only after reexamination. The department shall make available ~~provide~~ the appropriate reference material ~~and make the examination readily accessible and available to all applicants at least quarterly or as necessary in each county~~.

Section 36. Subsection (2) of section 482.156, Florida Statutes, is amended to read:

482.156 Limited certification for commercial landscape maintenance personnel.—

(2)(a) A person seeking limited certification under this section must pass an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee ~~given by the department~~. Each application for examination must

be accompanied by an examination fee set by rule of the department, in an amount of not more than $150 or less than $50. Before the department issues a limited certification under this section, each person applying for the certification must furnish proof of having a certificate of insurance which states that the employer meets the requirements for minimum financial responsibility for bodily injury and property damage required by s. 482.071(4).

(b) The department shall make available ~~provide~~ the appropriate reference materials for the examination and provide in-person and remote testing through a third-party vendor. A third-party vendor may collect and retain a convenience fee ~~make the examination readily accessible and available to applicants at least quarterly or as necessary in each county~~.

Section 37. Subsection (2) of section 482.157, Florida Statutes, is amended to read:

482.157 Limited certification for commercial wildlife management personnel.—

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

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

(b) Passes an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee ~~administered by the department~~. The department shall make available ~~provide~~ the appropriate study materials for the examination ~~and make the examination readily available to~~

~~applicants in each county as necessary, but not less frequently than quarterly~~; and

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

Section 38. Paragraph (m) is added to subsection (1) of section 482.161, Florida Statutes, to read:

482.161 Disciplinary grounds and actions; reinstatement.—

(1) The department may issue a written warning to or impose a fine against, or deny the application for licensure or licensure renewal of, a licensee, certified operator, limited certificateholder, identification cardholder, or special identification cardholder or any other person, or may suspend, revoke, or deny the issuance or renewal of any license, certificate, limited certificate, identification card, or special identification card that is within the scope of this chapter, in accordance with chapter 120, upon any of the following grounds:

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

Section 39. Subsection (2) of section 487.044, Florida Statutes, is amended to read:

487.044 Certification; examination.—

(2) The department shall require each applicant for a certified applicator's license to demonstrate competence by a written or oral examination in which the applicant must demonstrate adequate knowledge concerning the proper use and

application of restricted-use pesticides in each classification for which application for license is made. The department shall provide in-person and remote testing through a third-party vendor. A third-party vendor may collect and retain a convenience fee. The examination may be prepared, administered, and evaluated by the department. Each applicant for a certified applicator's license must ~~shall~~ demonstrate minimum competence as to:

(a) The proper use of the equipment.

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

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

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

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

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

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

(h) General safety precautions.

Section 40. Subsection (6) is added to section 487.175, Florida Statutes, to read:

487.175 Penalties; administrative fine; injunction.—

(6) Licensure may be suspended, revoked, or denied by the department, upon the issuance of a final order to a licensee

imposing civil penalties under subsection 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction under subsection 14(b) of FIFRA.

Section 41. Present subsections (13) through (28) of section 496.404, Florida Statutes, are redesignated as subsections (15) through (30), respectively, and new subsections (13) and (14) are added to that section, to read:

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

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

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

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

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

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

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

(e) An agent, including a subsidiary or an affiliate of a

foreign legal entity, acting on behalf of a foreign source of concern; or

(f) An entity in which a person, entity, or collection of persons or entities described in paragraphs (a)-(e) has a controlling interest. As used in this paragraph, the term "controlling interest" means the possession of the power to direct or cause the direction of the management or policies of an entity, whether through ownership of securities, by contract, or otherwise. A person or an entity that directly or indirectly has the right to vote 25 percent or more of the voting interest of the company or is entitled to 25 percent or more of its profits is presumed to possess a controlling interest.

Section 42. Present paragraphs (d) through (g) of subsection (2) of section 496.405, Florida Statutes, are redesignated as paragraphs (f) through (i), respectively, new paragraphs (d) and (e) are added to that subsection, subsection (11) is added to that section, and subsection (1) and paragraph (b) of subsection (7) of that section are amended, to read:

496.405 Registration statements by charitable organizations and sponsors.—

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

annually thereafter, with the department.

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

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

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

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

1. After the date the charitable organization or sponsor

should have filed, but failed to file, its renewal statement in accordance with this section.

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

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

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

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

(7)

(b) If a charitable organization or sponsor discloses information specified in subparagraphs (2)(f)2.-7. ~~(2)(d)2.-7.~~ in the initial registration statement or annual renewal statement, the time limits set forth in paragraph (a) are waived, and the department shall process such initial registration statement or annual renewal statement in accordance

with the time limits set forth in chapter 120. The registration of a charitable organization or sponsor shall be automatically suspended for failure to disclose any information specified in subparagraphs (2)(f)2.-7. ~~(2)(d)2.-7.~~ until such time as the required information is submitted to the department.

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

Section 43. Subsection (20) is added to section 496.415, Florida Statutes, to read:

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

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

Section 44. Section 496.417, Florida Statutes, is amended to read:

496.417 Criminal penalties.—Except as otherwise provided in ss. 496.401-496.424, and in addition to any administrative or civil penalties, any person who willfully and knowingly violates ss. 496.401-496.424 commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. For a second or subsequent conviction, such violation constitutes a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. The department may also investigate and refer a charitable organization or sponsor to the Florida Elections Commission for investigation of violations pursuant to chapters 104 and 106.

Section 45. Subsection (11) is added to section 496.419,

Florida Statutes, to read:

496.419 Powers of the department.—

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

Section 46. Section 496.431, Florida Statutes, is created to read:

496.431 Honest Services Registry.—

(1) The department shall create the Honest Services Registry to provide the residents of this state with the information necessary to make an informed choice when deciding which charitable organizations to support.

(2) To be included on the Honest Services Registry, a charitable organization must, at a minimum, submit to the department an attestation statement on a form prescribed by the department, verified as provided in s. 92.525, attesting to all of the following:

(a) That the organization does not solicit or accept, directly or indirectly, contributions, funding, support, or services from a foreign source of concern.

(b) That the organization's messaging and content are not directly or indirectly produced or influenced by a foreign source of concern.

(3) The department shall publish the Honest Services Registry on the department's website.

(4) The department shall adopt rules to implement this section.

Section 47. Paragraph (j) of subsection (1) of section 500.03, Florida Statutes, is amended to read:

500.03 Definitions; construction; applicability.—

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

(j) "Cottage food product" means food that is not time or temperature controlled for safety or a potentially hazardous food as defined by department rule which is sold by a cottage food operation in accordance with s. 500.80.

Section 48. Paragraphs (a) and (b) of subsection (1) of section 500.12, Florida Statutes, are amended to read:

500.12 Food permits; building permits.—

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

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

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

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

4. Persons selling sugar cane or sorghum syrup that has been boiled and bottled on a premise located within this state. Such bottles must contain a label listing the producer's name and street address, all added ingredients, the net weight or volume of the product, and a statement that reads, "This product

has not been produced in a facility permitted by the Florida Department of Agriculture and Consumer Services."

(b) Each food establishment regulated under this chapter must apply for and receive a food permit before operation begins. An application for a food permit from the department must be accompanied by a fee in an amount determined by department rule. The department shall adopt by rule a schedule of fees to be paid by each food establishment as a condition of issuance or renewal of a food permit. Such fees may not exceed $650 and must be used solely for the recovery of costs for the services provided, except that the fee accompanying an application for a food permit for operating a bottled water plant may not exceed $1,000 and the fee accompanying an application for a food permit for operating a packaged ice plant may not exceed $250. The fee for operating a bottled water plant or a packaged ice plant must be set by rule of the department. Food permits are not transferable from one person or physical location to another. Food permits must be renewed in accordance with subparagraphs 1.-3. If an application for renewal of a food permit is not received by the department on or before its due date, a late fee not exceeding $100 must be paid in addition to the food permit fee before the department may issue the food permit. The moneys collected must be deposited in the General Inspection Trust Fund.

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

2. ~~Effective January 1, 2024,~~ A food permit issued before

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September 1, 2023, expires on the month and day the initial permit was issued to the food establishment and must be renewed annually on or before that date thereafter. The department may charge a prorated permit fee for purposes of this subparagraph.

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

Section 49. Section 500.166, Florida Statutes, is amended to read:

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

Section 50. Subsection (1) of section 500.172, Florida Statutes, is amended to read:

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

(1) When the department, or its duly authorized agent who has received appropriate education and training regarding the legal requirements of this chapter, finds or has probable cause to believe that any food, food processing equipment, food

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processing area, or food storage area is in violation of this chapter or any rule adopted under this chapter so as to be dangerous, unwholesome, mislabeled, fraudulent, or insanitary within the meaning of this chapter, an agent of the department may issue and enforce a stop-sale, stop-use, removal, or hold order, which order gives notice that such article, processing equipment, processing area, or storage area is or is suspected of being in violation and has been detained or embargoed and which order warns all persons not to remove, use, or dispose of such article, processing equipment, processing area, or storage area by sale or otherwise until permission for removal, use, or disposal is given by the department or the court. The department is authorized to enter into a written agreement with the owner of such food, food processing equipment, food processing area, or food storage area, or otherwise facilitate the destruction of any article found or suspected by the department to be in violation of this section. A person may not remove, use, or dispose of such detained or embargoed article, processing equipment, processing area, or storage area by sale or otherwise without such permission from or in accordance with a written agreement with the department.

Section 51. Section 500.75, Florida Statutes, is created to read:

500.75 Mushrooms spores and mycelium; offenses.—It is unlawful to transport, import, sell, offer for sale, furnish, or give away spores or mycelium capable of producing mushrooms or other material which will contain a controlled substance, including psilocybin or psilocyn, during its lifecycle. A person who transports, imports into this state, sells, offers for sale,

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furnishes, gives away, or offers to transport, import into this state, sell, furnish, or give away any spores or mycelium capable of producing mushrooms or other material which will contain a controlled substance commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 52. Section 500.93, Florida Statutes, is created to read:

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

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

(a) "Egg" and "egg product" have the same meanings as in 21 U.S.C. s. 1033 and the Egg Products Inspection Act.

(b) "FDA" means the United States Food and Drug Administration.

(c) "Meat" has the same meaning as in 9 C.F.R. s. 301.2 and the Federal Meat Inspection Act.

(d) "Milk" has the same meaning as in 21 C.F.R. s. 131.110 and the Grade "A" pasteurized milk ordinance.

(e) "Poultry" and "poultry product" have the same meanings as in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

(2)(a) In accordance with the established standard of identity for milk defined in 21 C.F.R. s. 131.110 and the Grade "A" pasteurized milk ordinance, the department shall adopt rules to enforce the FDA's standard of identity for milk, as adopted in state law, to prohibit the sale of plant-based products mislabeled as milk in this state.

(b) This subsection is effective upon the enactment into law of a mandatory labeling requirement to prohibit the sale of

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plant-based products mislabeled as milk that is consistent with this section by any 11 of the group of 14 states composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

(3)(a) In accordance with the established standard of identity for meat defined in 9 C.F.R. s. 301.2 and the Federal Meat Inspection Act, and both poultry and poultry products defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act, the department shall adopt rules to enforce the FDA's standard of identity for meat, poultry, and poultry products as adopted in this section, to prohibit the sale of plant-based products mislabeled as meat, poultry, or poultry products in this state.

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

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

(b) This subsection is effective upon the enactment into

law of a mandatory labeling requirement to prohibit the sale of plant-based products mislabeled as egg or egg products that is consistent with this section by any 11 of the group of 14 states composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

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

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

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

Section 53. Section 501.135, Florida Statutes, is repealed.

Section 54. Subsection (1) of section 501.912, Florida Statutes, is amended to read:

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

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

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

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

Section 55. Section 525.19, Florida Statutes, is created to read:

525.19 Petroleum registration.—

(1) The department shall create an annual petroleum registration program for petroleum owners or operators and shall adopt rules detailing the requirements for such registration that include, at minimum:

(a) Name of the petroleum owner or operator;

(b) Address of the petroleum owner or operator;

(c) Phone number of the petroleum owner or operator;

(d) E-mail address of the petroleum owner or operator;

(e) Requirements for the transfer switch;

(f) Fuel and petroleum infrastructure; and

(g) Fuel and petroleum inventory and delivery information.

(2) The registration program must be free for all registrants.

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

Section 56. Section 526.147, Florida Statutes, is created to read:

526.147 Florida Retail Fuel Transfer Switch Modernization Grant Program.—

(1)(a) There is created, subject to appropriation, the

Florida Retail Fuel Transfer Switch Modernization Grant Program within the Department of Agriculture and Consumer Services.

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

(c) The department shall award funds based upon the following criteria:

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

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

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

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

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

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

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

Section 57. Section 531.48, Florida Statutes, is amended to read:

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

Section 58. Section 531.49, Florida Statutes, is amended to read:

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

Section 59. Present subsections (44), (45), and (46) of section 570.07, Florida Statutes, are redesignated as subsections (47), (48), and (49), respectively, and new subsections (44), (45), and (46) are 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:

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

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

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

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

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

Section 60. 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. 366.94 and ~~ss.~~ 604.15-604.34 and chapters 177, 472, 496, 501, 507, 525, 526,

527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

Section 61. Section 570.546, Florida Statutes, is created to read:

570.546 Licensing.—

(1) The department is authorized to:

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

(b) Create a process that will allow licensees, upon request, to align the expiration dates of licenses within a statutory program.

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

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

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

Section 62. Section 570.694, Florida Statutes, is created to read:

570.694 Florida Aquaculture Foundation.—

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

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

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

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

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

Section 63. Section 570.822, Florida Statutes, is amended to read:

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

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

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

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

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

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

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

(2) USE OF LOAN FUNDS; LOAN TERMS.—

(a) The program is established within the department to

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

(b) The department may make a low-interest or interest-free loan to an eligible applicant. The maximum amount that an applicant may receive during the application period for a loan is $500,000. An applicant may not receive more than one loan per application period and no more than two loans per year or no more than five loans in any 3-year period. A loan term is 10 years.

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

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

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

(4) LOAN APPLICATION AND AGREEMENT.—

(a) Requests for loans must be made by application to the department. Upon a determination that funding for loans is available, the department shall publicly notice an application

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period for the declared emergency ~~natural disaster~~, beginning within 60 days after the date of the declared emergency ~~natural disaster~~ and running up to 1 year after the date of the declared emergency ~~natural disaster~~ or until all available loan funds are exhausted, whichever occurs first. The application may be renewed upon a determination from the department and pursuant to an active declared emergency.

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

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

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

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

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(6) LOAN REPAYMENT.—

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

(b) The department shall defer payments for the first 3 years of the loan. After 3 years, the department shall reduce the principal balance annually through the end of the loan term such that the original principal balance is reduced by 30 percent. If the principal balance is repaid before the end of the 10th year, the applicant may not be required to pay more than 70 percent of the original principal balance. The approved applicant must continue to be actively engaged in production in order to receive the original principal balance reductions and must continue to meet the loan agreement terms to the satisfaction of the department.

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

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

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

excluding any applied or anticipated original principal balance reductions.

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

(7) ADMINISTRATION.—

(a) The department shall create and maintain a separate account in the General Inspection Trust Fund as a fund for the program. All repayments must be returned to the loan fund and made available as provided in this section. Notwithstanding s. 216.301, funds appropriated for the loan program are not subject to reversion. The department shall manage the fund, establishing loan practices that must include, but are not limited to, procedures for establishing loan interest rates, uses of funding, application procedures, and application review procedures. The department is authorized to contract with a third-party administrator to administer the program and manage the loan fund. A contract for a third-party administrator that includes management of the loan fund must, at a minimum, require maintenance of the loan fund to ensure that the program may operate in a revolving manner.

(b) The department shall coordinate with other state agencies and other entities to ensure to the greatest extent possible that agriculture and aquaculture producers in this state have access to the maximum financial assistance available following a declared emergency ~~natural disaster~~. The coordination must endeavor to ensure that there is no

duplication of financial assistance between the loan program and other funding sources, such as any federal or other state programs, including public assistance requests to the Federal Emergency Management Agency or financial assistance from the United States Department of Agriculture, which could render the approved applicant ineligible for other financial assistance.

(8) PUBLIC RECORDS EXEMPTION.—

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

1. Tax returns.

2. Credit history information, credit reports, and credit scores.

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

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

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

(10) REPORTS.—By December 1, 2024, and each December 1 thereafter, the department shall provide a report on program activities during the previous fiscal year to the President of the Senate and the Speaker of the House of Representatives. The report must include information on noticed application periods, the number and value of loans awarded under the program for each

application period, the number and value of loans outstanding, the number and value of any loan repayments received, and an anticipated repayment schedule for all loans.

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

Section 64. Section 570.823, Florida Statutes, is created to read:

570.823 Silviculture emergency recovery program.—

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

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

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

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

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

(2) USE OF GRANT FUNDS; GRANT TERMS.—

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

1. Timber stand restoration, including downed tree removal

on land which will retain the existing trees on site which are lightly or completely undamaged;

2. Site preparation, and tree replanting; or

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

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

(c) The department shall coordinate with state agencies and other entities to ensure to the greatest extent possible that timber landowners have access to the maximum financial assistance available following a specified declared emergency. The coordination must endeavor to ensure that there is no duplication of financial assistance between these funds and other funding sources, such as any federal or other state programs, including public assistance requests to the Federal Emergency Management Agency or financial assistance from the United States Department of Agriculture, which would render the approved applicant ineligible for other financial assistance.

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

Section 65. Section 570.831, Florida Statutes, is created to read:

570.831 Florida beef marketing program.—The Cattle

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Enhancement Board, Inc., in coordination with the department, shall, subject to appropriation, establish a Florida beef marketing program to conduct research designed to expand the uses of beef and beef products and strengthen the market position of Florida's cattle industry through marketing campaigns and promotions within this state and the nation.

Section 66. Subsections (2) and (5) of section 581.1843, Florida Statutes, are amended to read:

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

(2) Effective January 1, 2007, it is unlawful for any person to propagate for sale or movement any citrus nursery stock that was not propagated or grown on a site and within a protective structure approved by the department ~~and that is not at least 1 mile away from commercial citrus groves. A citrus nursery registered with the department prior to April 1, 2006, shall not be required to comply with the 1-mile setback from commercial citrus groves while continuously operating at the same location for which it was registered~~. However, the nursery shall be required to propagate citrus within a protective structure approved by the department. Effective January 1, 2008, it is ~~shall be~~ unlawful to distribute any citrus nursery stock that was not produced in a protective structure approved by the department.

~~(5) The department shall establish regulated areas around the perimeter of commercial citrus nurseries that were established on sites after April 1, 2006, not to exceed a radius of 1 mile. The planting of citrus in an established regulated~~

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~~area is prohibited. The planting of citrus within a 1-mile radius of commercial citrus nurseries that were established on sites prior to April 1, 2006, must be approved by the department. Citrus plants planted within a regulated area prior to the establishment of the regulated area may remain in the regulated area unless the department determines the citrus plants to be infected or infested with citrus canker or citrus greening. The department shall require the removal of infected or infested citrus, nonapproved planted citrus, and citrus that has sprouted by natural means in regulated areas. The property owner shall be responsible for the removal of citrus planted without proper approval. Notice of the removal of citrus trees, by immediate final order of the department, shall be provided to the owner of the property on which the trees are located. An immediate final order issued by the department under this section shall notify the property owner that the citrus trees, which are the subject of the immediate final order, must be removed and destroyed unless the property owner, no later than 10 days after delivery of the immediate final order, requests and obtains a stay of the immediate final order from the district court of appeal with jurisdiction to review such requests. The property owner shall not be required to seek a stay from the department of the immediate final order prior to seeking a stay from the district court of appeal.~~

Section 67. Sections 593.101, 593.102, 593.103, 593.104, 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111, 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116, and 593.117, Florida Statutes, are repealed.

Section 68. Subsection (11) of section 595.404, Florida

Statutes, is amended to read:

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

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

Section 69. Section 599.002, Florida Statutes, is amended to read:

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

(1) There is created within the Department of Agriculture and Consumer Services the Florida Wine ~~Viticulture~~ Advisory Council, to be composed ~~consist~~ of eight members as follows: the president of the Florida Wine and Grape Growers Association ~~Florida Grape Growers' Association~~ or a designee thereof; a representative from the Institute of Food and Agricultural Sciences; a representative from the viticultural science program at Florida Agricultural and Mechanical University; and five additional commercial members, to be appointed for a 2-year term each by the Commissioner of Agriculture, including a wine producer, a fresh fruit producer, a nonwine product (juice, jelly, pie fillings, etc.) producer, and a viticultural nursery operator.

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

(3) The primary responsibilities of the Florida Wine

~~Viticulture~~ Advisory Council are to submit to the Commissioner of Agriculture, annually, the industry's recommendations for wine and viticultural research, promotion, and education and, as necessary, the industry's recommendations for revisions to the State Wine ~~Viticulture~~ Plan.

Section 70. Section 599.003, Florida Statutes, is amended to read:

599.003 State Wine ~~Viticulture~~ Plan.—

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

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

(b) Additional proposed legislation that may be required.

(c) Plans and goals to improve research and service capabilities at Florida Agricultural and Mechanical University and the University of Florida in their efforts to address current and future needs of the industry.

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

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

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

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

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

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

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

(2) A revision and update of the State Wine ~~Viticulture~~ Plan must ~~shall~~ be submitted biennially to the President of the Senate, the Speaker of the House of Representatives, and the chairs of appropriate committees of the Senate and House of Representatives, and a progress report and budget request must ~~shall~~ be submitted annually.

Section 71. Paragraph (a) of subsection (2) and subsection (3) of section 599.004, Florida Statutes, are amended, and paragraph (d) is added to subsection (2) of that section, to read:

599.004 Florida Farm Winery Program; registration; logo;

fees.—

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

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

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

Section 72. Section 599.012, Florida Statutes, is amended to read:

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

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

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

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

(c) Provide grants for viticultural research.

(2) Fifty percent of the revenues collected from the excise

taxes imposed under s. 564.06 on wine produced by manufacturers in this state from products grown in the state will be deposited in the Viticulture Trust Fund in accordance with that section.

Section 73. Subsection (1) of section 616.12, Florida Statutes, is amended to read:

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

(1) Each person who operates any traveling show, exhibition, amusement enterprise, carnival, vaudeville, exhibit, ~~minstrel,~~ rodeo, theatrical, game or test of skill, riding device, dramatic repertoire, other show or amusement, or concession, including a concession operating in a tent, enclosure, or other temporary structure, within the grounds of, and in connection with, any annual public fair held by a fair association shall pay the license taxes provided by law. However, if the association satisfies the requirements of this chapter, including securing the required fair permit from the department, the license taxes and local business tax authorized in chapter 205 are waived and the department shall issue a tax exemption certificate. The department shall adopt the proper forms and rules to administer this section, including the necessary tax exemption certificate, showing that the fair association has met all requirements and that the traveling show, exhibition, amusement enterprise, carnival, vaudeville, exhibit, ~~minstrel,~~ rodeo, theatrical, game or test of skill, riding device, dramatic repertoire, other show or amusement, or concession is exempt.

Section 74. Section 687.16, Florida Statutes, is created to read:

687.16 Florida Farmer Financial Protection Act.—

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

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

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

(b) "Agritourism activity" has the same meaning as provided in s. 570.86.

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

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

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

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

(g) "ESG factor" means any factor or consideration that is collateral to or not reasonably likely to affect or impact financial risk and includes the promotion, furtherance, or achievement of environmental, social, or political goals,

objectives, or outcomes, which may include the agriculture producer's greenhouse gas emissions, use of fossil-fuel derived fertilizer, or use of fossil-fuel powered machinery.

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

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

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

(3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

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

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

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

(4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney General, in consultation with the Office of Financial

Regulation, is authorized to enforce subsection (3). Any violation of subsection (3) constitutes an unfair trade practice under part II of chapter 501 and the Attorney General is authorized to investigate and seek remedies as provided in general law. Actions for damages may be sought by an aggrieved party.

Section 75. Paragraph (a) of subsection (3) of section 741.0305, Florida Statutes, is amended to read:

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

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

1. A psychologist licensed under chapter 490.

2. A clinical social worker licensed under chapter 491.

3. A marriage and family therapist licensed under chapter 491.

4. A mental health counselor licensed under chapter 491.

5. An official representative of a religious institution which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the representative has relevant training.

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

Section 76. Paragraph (h) of subsection (2), subsection (3), paragraph (c) of subsection (6), and subsection (10) of section 790.06, Florida Statutes, are amended to read:

790.06 License to carry concealed weapon or concealed firearm.—

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

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

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

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

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

4. Completion of any law enforcement firearms safety or training course or class offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement agency or security enforcement;

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

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

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

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

(3)(a) The Department of Agriculture and Consumer Services shall deny a license if the applicant has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence constituting a misdemeanor, unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled or the record has been sealed or expunged. The Department of Agriculture and Consumer Services shall revoke a license if the licensee has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence within the

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preceding 3 years. The department shall, upon notification by a law enforcement agency, a court, clerk's office, or the Florida Department of Law Enforcement ~~and subsequent written verification~~, temporarily suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime that would disqualify such person from having a license under this section, until final disposition of the case. The department shall suspend a license or the processing of an application for a license if the licensee or applicant is issued an injunction that restrains the licensee or applicant from committing acts of domestic violence or acts of repeat violence. The department shall notify the licensee or applicant suspended under this section of his or her right to a hearing pursuant to chapter 120. A hearing conducted regarding the temporary suspension must be for the limited purpose of determining whether the licensee has been arrested or charged with a disqualifying crime or issued an injunction or court order. If the criminal case or injunction results in a nondisqualifying disposition, the department must issue an order lifting the suspension upon the applicant or licensee's submission to the department of a certified copy of the final resolution. If the criminal case results in a disqualifying disposition, the suspension remains in effect and the department must proceed with denial or revocation proceedings pursuant to chapter 120.

(b) This subsection may not be construed to limit, restrict, or inhibit the constitutional right to bear arms and carry a concealed weapon in this state. The Legislature finds it a matter of public policy and public safety that it is necessary

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to ensure that potentially disqualifying information about an applicant or licensee is investigated and processed in a timely manner by the department pursuant to this section. The Legislature intends to clarify that suspensions pursuant to this section are temporary, and the department has the duty to make an eligibility determination and issue a license in the time frame prescribed in this subsection.

(6)

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

1. Issue the license; or

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

3. In the event the result of the criminal history screening identifies ~~department receives~~ criminal history information related to a crime that may disqualify the applicant but does not contain ~~with no~~ final disposition of the crime or lacks sufficient information to make an eligibility determination ~~on a crime which may disqualify the applicant~~, the time limitation prescribed by this paragraph may be extended for up to an additional 90 days from the receipt of the information ~~suspended until receipt of the final disposition or proof of restoration of civil and firearm rights~~. The department may make

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a request for information to the jurisdiction where the criminal history information originated but must issue a license if it does not obtain a disposition or sufficient information to make an eligibility determination during the additional 90 days if the applicant is otherwise eligible. The department may take any action authorized in this section if it receives disqualifying criminal history information during the additional 90-day review or after issuance of a license.

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

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

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

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

(d) Is found guilty of a crime under chapter 893, or similar laws of any other state, relating to controlled substances;

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

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

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

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

Notwithstanding s. 120.60(5), service of a notice of the suspension or revocation of a concealed weapon or concealed firearm license must be given by either certified mail, return receipt requested, to the licensee at his or her last known mailing address furnished to the Department of Agriculture and Consumer Services, or by personal service. If a notice given by certified mail is returned as undeliverable, a second attempt must be made to provide notice to the licensee at that address, by either first-class mail in an envelope, postage prepaid, addressed to the licensee at his or her last known mailing address furnished to the department, or, if the licensee has provided an e-mail address to the department, by e-mail. Such mailing by the department constitutes notice, and any failure by the licensee to receive such notice does not stay the effective date or term of the suspension or revocation. A request for hearing must be filed with the department within 21 days after notice is received by personal delivery, or within 26 days after the date the department deposits the notice in the United States mail (21 days plus 5 days for mailing). The department shall document its attempts to provide notice, and such documentation is admissible in the courts of this state and constitutes sufficient proof that notice was given.

Section 77. Subsection (2) of section 812.0151, Florida Statutes, is amended to read:

812.0151 Retail fuel theft.—

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

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

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

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

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

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

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

(c) A person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084,

if he or she:

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

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

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

Section 78. Section 812.136, Florida Statutes, is created to read:

812.136 Mail theft.—

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

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

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

(c) "Postal service" means the United States Postal Service

or its contractors, or any commercial courier that delivers mail.

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

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

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

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

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

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

(b) Knowingly and unlawfully making, forging, or counterfeiting any such key or possessing any such key or lock adopted by a postal service with the intent to unlawfully or improperly use, sell, or otherwise dispose of the key or lock, or to cause the key or lock to be unlawfully or improperly used, sold, or otherwise disposed.

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

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

Section 79. Paragraph (i) of subsection (4) of section 934.50, Florida Statutes, is amended to read:

934.50 Searches and seizure using a drone.—

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

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

Section 80. Section 1013.373, Florida Statutes, is created to read:

1013.373 Educational facilities used for agricultural education.—

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

(2) Lands used for agricultural education or for Future

Farmers of America or 4-H activities are considered agricultural lands pursuant to s. 193.461 and subject to s. 823.14.

Section 81. For the purpose of incorporating the amendment made by this act to section 110.205, Florida Statutes, in a reference thereto, paragraph (a) of subsection (5) of section 295.07, Florida Statutes, is reenacted to read:

295.07 Preference in appointment and retention.—

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

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

Section 82. For the purpose of incorporating the amendment made by this act to section 388.271, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 189.062, Florida Statutes, is reenacted to read:

189.062 Special procedures for inactive districts.—

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

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

1. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government notifies the department in writing that the district has taken no action for

2 or more years;

2. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government notifies the department in writing that the district has not had a governing body or a sufficient number of governing body members to constitute a quorum for 2 or more years;

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

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

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

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

7. The district is an independent special district or a community redevelopment district created under part III of chapter 163 that has reported no revenue, no expenditures, and no debt under s. 189.016(9) or s. 218.32 for at least 5 consecutive fiscal years beginning no earlier than October 1, 2018. This subparagraph does not apply to a community development district established under chapter 190 or to any independent special district operating pursuant to a special act

that provides that any amendment to chapter 190 to grant additional powers constitutes a power of that district; or

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

Section 83. For the purpose of incorporating the amendment made by this act to section 388.271, Florida Statutes, in a reference thereto, subsection (7) of section 388.261, Florida Statutes, is reenacted to read:

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

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

Section 84. For the purpose of incorporating the amendment made by this act to section 482.161, Florida Statutes, in a reference thereto, paragraph (b) of subsection (3) of section 482.072, Florida Statutes, is reenacted to read:

482.072 Pest control customer contact centers.—

(3)

(b) Notwithstanding any other provision of this section:

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

service in a customer contact center.

2. A pest control business licensee may be subject to disciplinary action under s. 482.161 for a violation of this section or a rule adopted under this section committed by a person who solicits pest control services or provides customer service in a customer contact center operated by a licensee if the licensee participates in the violation.

Section 85. For the purpose of incorporating the amendment made by this act to section 482.161, Florida Statutes, in a reference thereto, section 482.163, Florida Statutes, is reenacted to read:

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

Section 86. For the purpose of incorporating the amendment made by this act to section 487.044, Florida Statutes, in a reference thereto, section 487.156, Florida Statutes, is reenacted to read:

487.156 Governmental agencies.—All governmental agencies shall be subject to the provisions of this part and rules adopted under this part. Public applicators using or supervising the use of restricted-use pesticides shall be subject to

examination as provided in s. 487.044.

Section 87. For the purpose of incorporating the amendment made by this act to section 496.405, Florida Statutes, in a reference thereto, subsection (2) of section 496.4055, Florida Statutes, is reenacted to read:

496.4055 Charitable organization or sponsor board duties.—

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

Section 88. For the purpose of incorporating the amendment made by this act to section 496.405, Florida Statutes, in references thereto, subsections (2) and (4) of section 496.406, Florida Statutes, are reenacted to read:

496.406 Exemption from registration.—

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

(a) The name, street address, and telephone number of the charitable organization or sponsor, the name under which it intends to solicit contributions, the purpose for which it is organized, and the purpose or purposes for which the

contributions to be solicited will be used.

(b) The tax exempt status of the organization.

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

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

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

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

Section 89. For the purpose of incorporating the amendment made by this act to section 500.12, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 500.80, Florida Statutes, is reenacted to read:

500.80 Cottage food operations.—

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

Section 90. For the purpose of incorporating the amendment

made by this act to section 500.172, Florida Statutes, in a reference thereto, subsection (6) of section 500.121, Florida Statutes, is reenacted to read:

500.121 Disciplinary procedures.—

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

Section 91. For the purpose of incorporating the amendment made by this act to section 790.06, Florida Statutes, in a reference thereto, section 790.061, Florida Statutes, is reenacted to read:

790.061 Judges and justices; exceptions from licensure provisions.—A county court judge, circuit court judge, district court of appeal judge, justice of the supreme court, federal district court judge, or federal court of appeals judge serving in this state is not required to comply with the provisions of s. 790.06 in order to receive a license to carry a concealed weapon or firearm, except that any such justice or judge must

comply with the provisions of s. 790.06(2)(h). The Department of Agriculture and Consumer Services shall issue a license to carry a concealed weapon or firearm to any such justice or judge upon demonstration of competence of the justice or judge pursuant to s. 790.06(2)(h).

Section 92. This act shall take effect July 1, 2025.

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The Florida Senate

APPEARANCE RECORD

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3-8-2025
Meeting Date

Fiscal Policy
Committee

SB 700
Bill Number or Topic

202232
Amendment Barcode (if applicable)

Name Eric Friday

Phone 904-722-3333

Address 225 E. Church St.
Street

Email efriday@kingryfriday.com

Jacksonville FL 32202
City *State* *Zip*

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☑ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing:

Florida Carry, Inc,

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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3-8-2025	SB 700
Meeting Date	Bill Number or Topic
Fiscal Policy	
Committee	Amendment Barcode (if applicable)

Name Eric J. Friday

Phone 904-722-3333

Address 225 E. Church ST.
Street

Email efriday@kingryfriday.com

Jacksonville FL 32202
City *State* *Zip*

Speaking: ☑ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing:
Florida Carry, Inc.

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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8 Apr 2025
Meeting Date

Fiscal Policy
Committee

SB 700
Bill Number or Topic

Amendment Barcode (if applicable)

Name Cecile Scoon

Phone 850-319-1975

Address 25 E 8th St
Street

Email cecile@lwvfl.org

Panama City FL 32401
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☒ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:
League

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

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04/08/25
Meeting Date

Fiscal Policy
Committee

SB 700
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jackson Oberlink

Phone

Address
Street

Email

City *State* *Zip*

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing: Florida Rising

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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The Florida Senate

APPEARANCE RECORD

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April 8, 2025
Meeting Date

Fiscal Policy
Committee

700
Bill Number or Topic

Amendment Barcode (if applicable)

Name Anthony DiMarco

Phone 850.224-2265

Address 1001 Thomasville Rd
Street

Tallahassee FL 32303
City State Zip

Email adimarco@floridabankers.com

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing: Florida Bankers Association

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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4/8/25
Meeting Date

Policy
Committee

700
Bill Number or Topic

Amendment Barcode (if applicable)

Name Ruescher Schneier

Phone 850-417-0042

Address 414 N Guillemard St
Street

Email greatchange01@yahoo.com

Pensacola FL 32501
City State Zip

Speaking: ☑ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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4/8/25
Meeting Date

FISCAL POLICY
Committee

700
Bill Number or Topic

Amendment Barcode (if applicable)

Name LENA JUAREZ

Phone 8502128330

Address PO BOX 10390
Street

Email lena@jejassoc.com

TALLAHASSEE FL 32302
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:
FLORIDA AGRITOURISM ASSOCIATION

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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04/08/25
Meeting Date

Fiscal Policy
Committee

700
Bill Number or Topic

Amendment Barcode (if applicable)

Name Christopher Hodge

Phone 850-375-2532

Address 3652 Coolidge
Street

Email Christopher.Hodge@TheLeague.coop

Tallahassee FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Florida Credit Union Association

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04/8/2025
Meeting Date

SB 700
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name HOWARD E. "GENE" ADAMS Phone 850-222-3533

Address PENNINGTON P.A. 215 SOUTH MONROE ST. Email GENE@PENNINGTONLAW.COM
Street

TALLAHASSEE FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing: FLA FEED ASSOC.

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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Meeting Date

Fiscal Policy
Committee

700
Bill Number or Topic

Amendment Barcode (if applicable)

Name Alex Haley

Phone (850) 617-7700

Address 400 S. Monroe St, PL-10
Street

Email

Tallahassee FL 32399
City *State* *Zip*

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☑ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing:
Florida Department of Agriculture & Consumer Services

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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4/8/25
Meeting Date

Fiscal Policy
Committee

700
Bill Number or Topic

Amendment Barcode (if applicable)

Name Tripp Hunter

Phone

Address
Street

Email

City *State* *Zip*

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:
Farm Bureau

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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SB 700
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Roberto Gonzalez, Miami-Dade Commissioner D-11 Phone 305-375-5511

Address 12781 SW 42 St. Email robj.gonzalez@miamidade.gov
Street

Miami FL 33175
City State Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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4/8/25
Meeting Date

Fiscal Policy
Committee

CS/CS/SB 700
Bill Number or Topic

Amendment Barcode (if applicable)

Name KELBY SEANOR

Phone 703-254-7439

Address 11250 Waples Mill Rd.
Street

Email Kseanor@nrahq.org

Fairfax VA 22030
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☑ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing:
NATIONAL RIFLE ASSOCIATION (NRA)

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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Fiscal Policy
Committee

700
Bill Number or Topic

Amendment Barcode (if applicable)

Name Patrick Durden Phone 850 519-0896

Address 320 N 8th Email durdenrcdlaw@gmail

Street

Quincy FL 32351
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Florida Attorney's Assoc. Past President

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4/8/25
Meeting Date

Fiscal Policy
Committee

700
Bill Number or Topic

Amendment Barcode (if applicable)

Name Sam Ard

Phone 850.591.2731

Address 201 S Monroe
Street

Email sard@asrlegal.com

TLH 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing: Florida Cattlemen's Association

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

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04/08/2025
Meeting Date

Fiscal Policy
Committee

SB 700
Bill Number or Topic

Amendment Barcode (if applicable)

Name Brandon Edmonston

Phone 850-681-3629

Address 545 John Knox Rd #200
Street

Email bedmonston@floridadental.org

Tallahassee FL 32303
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing:
Florida Dental Association

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

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4/8/25
Meeting Date

Fiscal Policy
Committee

700
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jim Spratt

Phone 850-224-1276

Address 119 S Monroe St
Street

Email jim@majorlobbyingllc.com

TLH FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:

Florida Forestry Association

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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April 8 2025
Meeting Date

Fiscal Policy
Committee

CS/CS/SB 700
Bill Number or Topic

Amendment Barcode (if applicable)

Name Nancy Stewart

Phone 850-385-7805

Address 1400 Village Square Blvd Ste 3-156
Street

Email nancy.stewart nancy@blackstewart.com

Tallahassee FL 32312
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:
Florida Poultry Federation

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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04-07-25
Meeting Date

Fiscal
Committee

SB 700
Bill Number or Topic

Amendment Barcode (if applicable)

Name Matthew Grocholske Phone

Address 1701 Lee Rd Email
Street

Winter Park FL 32784
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

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 Fiscal Policy

BILL:	SB 796
INTRODUCER:	Senator Bradley
SUBJECT:	General Permits for Distributed Wastewater Treatment Systems
DATE:	April 7, 2025
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Barriero	Rogers	EN	**Favorable**
2.	Reagan	Betta	AEG	**Favorable**
3.	Barriero	Siples	FP	**Favorable**

I. Summary:

SB 796 grants a general permit for the replacement of existing onsite sewage treatment and disposal systems with distributed wastewater treatment systems (DWTSs), provided that the permittee conducts monthly reporting, annual inspections, recordkeeping, and biosolids management in accordance with applicable rules. The installation of a distributed wastewater treatment unit (DWTU) may proceed without further action by the Department of Environmental Protection (DEP) if the permittee notifies the DEP at least 30 days before the installation. The notification must certify that a Florida registered professional designed the DWTU in compliance with applicable rules and that the proposed DWTU meets specific design and operational requirements. To be eligible for the general permit, the DWTU and the DWTS must be commonly owned and operated by the permittee.

The bill has no fiscal impact on state revenues or expenditures.

The bill takes effect July 1, 2025.

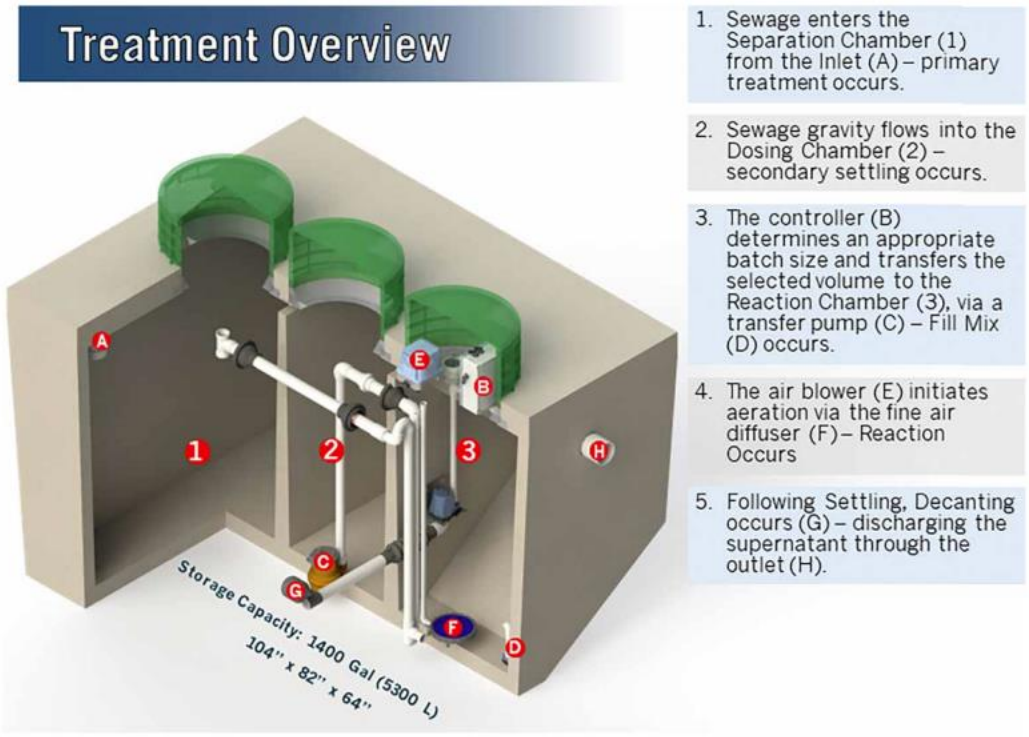
II. Present Situation:

Distributed Wastewater Treatment Systems

Distributed wastewater treatment systems consist of separate distributed wastewater treatment units (DWTUs) that are in different geographical locations but are linked to a central system either physically or by management.[1] The design of DWTUs varies based on manufacturer and setting (residential, commercial, or industrial).

[1] *See* EPA, Water Environment Foundation, and The Water Research Foundation, *Distributed Systems Overview*, 1 (2019), *available at* https://www.wef.org/globalassets/assets-wef/2-resources/topics/a-n/distributed-systems/technical-resources/wsec-2019-fs-012-wef_wrf_distributed_sytems_overview.pdf. (last visited March 22, 2025).

For residential use, one type of DWTU consists of three separate chambers.[2] The first chamber is used for primary sedimentation (settling) and digestion of biosolids. The wastewater flows via gravity from the first chamber into a flow equalization and dosing chamber. An onboard computer continuously monitors the liquid level in the dosing chamber and determines an appropriate treatment batch volume based on incoming flows (calculated based on the rate of change in liquid level). The computer then pumps a batch of wastewater from the dosing chamber into a reaction chamber, where biological treatment is provided in a sequential, computer-controlled aeration, mixing, and clarification process.[3]



Example of a residential DWTU[4]

After each batch is completed, the onboard computer selects a variable fraction of the treated batch for additional treatment via internal recycling.[5] This fraction of fully treated effluent is pumped back to the first (settling) chamber, diluting the incoming wastewater and receiving additional treatment. The remaining fraction of each treated batch of effluent is discharged to the drainfield. Finally, the DWTU utilizes a return activated sludge process to optimize sludge volume in the reaction chamber and minimize accumulation of biosolids in the settling chamber. Activated sludge is periodically returned to the settling chamber where biosolids are broken down via anaerobic digestion. The biosolids residuals must be removed from the DWTU

[2] Brian E. Lapointe et al., *Distributed wastewater treatment offers an environmentally preferable alternative to conventional septic systems in Central Florida*, Water Science & Technology, vol. 86, 433 (2022), *available at* https://iwaponline.com/wst/article/86/3/432/89867/Distributed-wastewater-treatment-offers-an. (last visited March 22, 2025).
[3] *Id.*
[4] *Id.* at 434 (showing the graphic of the DWTU).
[5] *Id.*

periodically (approximately every 7-10 years) by a licensed contractor for treatment and disposal.[6]

DWTU treatment processes are performed by an onboard computer and remotely monitored.[7] The remote monitoring system communicates with each DWTU over a wireless data network to:

- Record wastewater treatment volume and flow, component run time and power consumption, and equipment deficiencies;
- Perform diagnostics; and
- Enable remote supervisory control by a licensed wastewater operator.[8]

DWTUs are currently permitted and regulated as domestic wastewater treatment facilities under ch. 403, F.S., and chs. 62-600 and 62-620, Florida Administrative Code.[9]

Domestic Wastewater Treatment Facilities

The majority of the state's wastewater is controlled and treated by centralized treatment facilities regulated by the Department of Environmental Protection (DEP).[10] Florida has approximately 2,000 permitted domestic wastewater treatment facilities.[11]

Wastewater treatment facilities are required to provide secondary treatment prior to reuse or disposal.[12] Such treatment requires that carbonaceous biochemical oxygen demand (CBOD5) and total suspended solids not exceed specific levels based on the method of disposal (i.e., surface water disposal, reuse, land application, or groundwater discharge).[13] For example, for land application or groundwater discharge, the annual average of CBOD5 and total suspended solids (TSS) may not exceed 20.0 milligrams per liter (mg/L), and the maximum-permissible concentration in any single sample may not exceed 60.0 mg/L.[14]

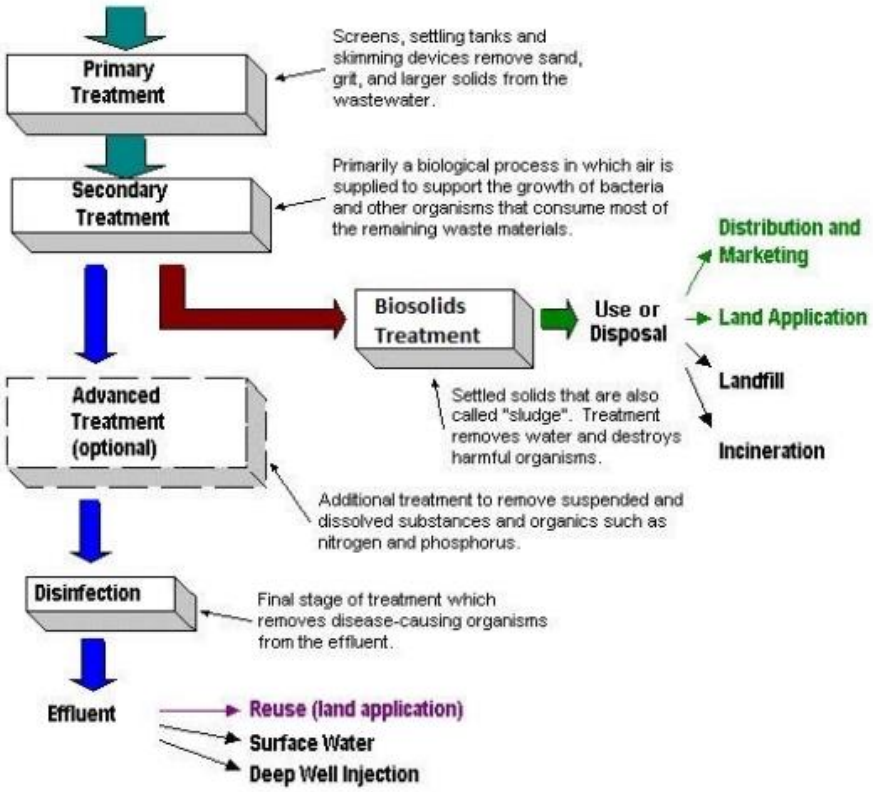
Advanced waste treatment (AWT) is required before discharging into certain impaired waterbodies.[15] The DEP may also order AWT if deemed necessary.[16] AWT provides a reclaimed water product containing no more than the following concentrations of pollutants:

- 5 mg/L of Biochemical Oxygen Demand;
- 5 mg/L of Suspended Solids;
- 3 mg/L of total nitrogen; and

---

[6] *Id.* at 433-435.
[7] *Id.* at 434.
[8] *Id.* at 434-435.
[9] *See* Email from the Department of Environmental Protection (DEP) to Senate Committee on Environment and Natural Resources on Oct. 4, 2024 (on file with the Senate Committee on Environment and Natural Resources).
[10] DEP, *Domestic Wastewater Program*, https://floridadep.gov/water/domestic-wastewater (last visited Mar. 22, 2025).
[11] DEP, *General Facts and Statistics about Wastewater in Florida*, https://floridadep.gov/water/domestic-wastewater/content/general-facts-and-statistics-about-wastewater-florida (last visited Mar. 22, 2025).
[12] Sections 403.086(1)(a) and (2), F.S.; Fla. Admin. Code R. 62-600.420.
[13] CBOD5 is the quantity of oxygen utilized in the carbonaceous biochemical oxidation of organic matter present in water or wastewater, reported as a five-day value determined using approved methods. Fla. Admin. Code R. 62-600.200(8).
[14] Fla. Admin. Code R. 62-600.420(3).
[15] Section 403.086(1)(c), F.S.
[16] Section 403.086(1)(a), F.S.

- 1 mg/L of total phosphorous.[17]



Facilities may be required to provide additional treatment to satisfy water quality standards for receiving surface and ground waters.[18] Systems within Monroe County are subject to different treatment requirements.[19]

Wastewater treatment facilities must monitor the flow, the influent for CBOD5 and TSS, and the effluent for all effluent parameters as required by the permit.[20] The minimum schedule for sampling is based on the facility's permitted capacity. For example, for facilities with a permitted capacity of 2,000-24,999 gallons per day, sampling must be conducted according to the following parameters:[21]

- Daily[22] testing for flow, pH, and chlorine residual;[23]
- Weekly testing for e. coli or enterococci; and
- Monthly testing for TSS, CBOD5, nutrients, chlorine residual, and fecal coliform.

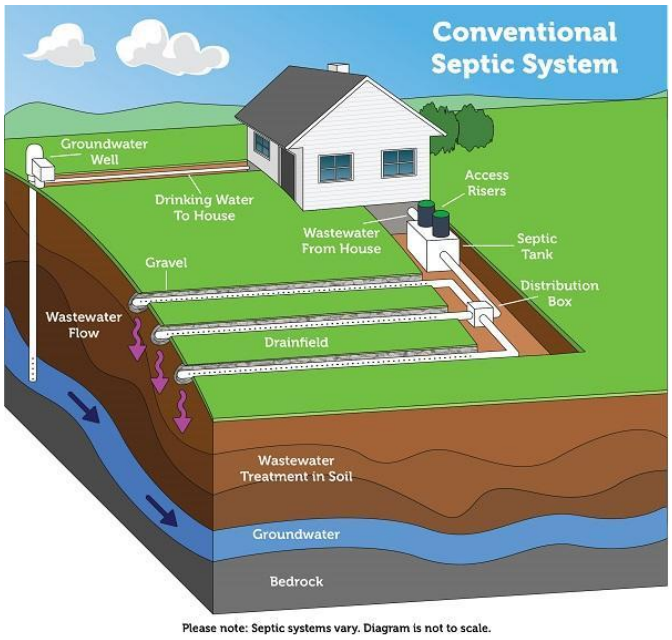
[17] Section 403.086(4)(a), F.S.
[18] Fla. Admin. Code R. 62-600.430. DEP, *Domestic Wastewater Treatment Process*, *available at* https://floridadep.gov/water/domestic-wastewater/documents/domestic-wastewater-treatment-process (showing flowchart of wastewater treatment process). (last visited Mar. 20, 2025).
[19] Section 403.086(11), F.S.
[20] Fla. Admin. Code R. 62-600.660(1).
[21] *Id.* at Figure 1.
[22] The "daily" frequency is either 2, 3, or 5 days per week consistent with the required operator attendance specified in paragraph 62-699.310(2)(a), F.A.C. *Id.* at n. 8.
[23] Total chlorine residual measured for disinfection effectiveness. *Id.* at n. 2.

Wastewater treatment facilities which are designed so that some or all the effluent may enter groundwaters must also conduct groundwater monitoring.[24]

Permits other than general and generic permits require the permittee to allow the DEP and the U.S. Environmental Protection (EPA) to sample or monitor any substances or parameters at any location necessary to assure compliance.[25] Such permittees must also allow the DEP and the EPA to inspect the facilities, equipment, practices, or operations regulated under the permit.[26]

Onsite Sewage Treatment and Disposal Systems (OSTDSs)

OSTDSs, commonly referred to as "septic systems," generally consist of two basic parts: the septic tank and the drainfield.[27] Waste from toilets, sinks, washing machines, and showers flows through a pipe into the septic tank, where anaerobic bacteria break the solids into a liquid form. The liquid portion of the wastewater flows into the drainfield, which is generally a series of perforated pipes or panels surrounded by lightweight materials such as gravel or Styrofoam. The drainfield provides a secondary treatment where aerobic bacteria continue deactivating the germs. The drainfield also provides filtration of the wastewater, as gravity draws the water down through the soil layers.[28] In Florida, the bottom of the drainfield must be at least 24 inches above the water table during the wettest season of the year.[29]



Please note: Septic systems vary. Diagram is not to scale.

There are an estimated 2.6 million OSTDSs in Florida, providing wastewater disposal for 30 percent of the state's population.[30] Development in some areas is dependent on OSTDSs due to

[24] Fla. Admin. Code R. 62-600.670(1).
[25] Fla. Admin. Code R. 62-620.610(9)(d).
[26] Fla. Admin. Code R. 62-620.610(9)(c).
[27] Florida Dep't of Health (DOH), *Septic System Information and Care*, http://columbia.floridahealth.gov/programs-and-services/environmental-health/onsite-sewage-disposal/septic-information-and-care.html (last visited Mar. 12, 2025); EPA, *Types of Septic Systems*, https://www.epa.gov/septic/types-septic-systems (last visited Mar. 12, 2025) (showing the graphic provided in the analysis).
[28] *Id.*
[29] Fla. Admin. Code R. 62-6.006(2). For system repairs and alterations to add sewage flow, where the existing elevation of the bottom surface of the drainfield is less than 24 inches above the wet season high water table, the bottom of the drainfield must be maintained at the existing separation or a minimum of 12 inches above the wet season high water table, whichever is greater. Where the bottom of the drainfield is less than 12 inches above the wet season high water table, the drainfield must be brought into full compliance with all new system standards. Fla. Admin. Code R. and 62-6.001(4)(e)2. and 3. *See also* Fla. Admin. Code R. 62-6.015(6)(a).
[30] DEP, *Onsite Sewage Program*, https://floridadep.gov/water/onsite-sewage#:~:text=Onsite%20sewage%20treatment%20and%20disposal%20systems%20%28OSTDS%29%2C%20commonly,represents%2012%25%20of%20the%20United%20States%E2%80%99%20septic%20systems (last visited Mar 22, 2025).

the cost and time it takes to install central sewer systems.[31] For example, in rural areas and low-density developments, central sewer systems are not cost-effective.[32]

Conventional OSTDSs do not reduce nitrogen from raw sewage. In Florida, approximately 30-40 percent of the nitrogen levels are reduced in the drainfield of a system that is installed 24 inches or more from groundwater.[33] This still leaves a significant amount of nitrogen to percolate into the groundwater, which makes nitrogen from OSTDSs a potential contaminant in groundwater.[34]

Different types of advanced OSTDSs can remove greater amounts of nitrogen than a typical septic system (often referred to as "advanced" or "nutrient-reducing" septic systems),[35] and may be required in certain areas. For example, enhanced nutrient-reducing OSTDSs[36] are required for new systems within the Indian River Lagoon[37] and on lots of one acre or less within a basin management action plan, reasonable assurance plan, or pollution reduction plan where a sewerage system is not available.[38] There are also special treatment requirements for the Florida Keys.[39] In addition, performance-based treatment systems[40] must meet specific treatment standards.[41]

The DEP must inspect OSTDSs before placing a system into service[42] and approve the final OSTDS installation before a building or structure may be occupied.[43] If certain alterations[44] are

[31] DOH, *Report on Range of Costs to Implement a Mandatory Statewide 5-Year Septic Tank Inspection Program*, Executive Summary (2008), *available at* http://www.floridahealth.gov/environmental-health/onsite-sewage/_documents/costs-implement-mandatory-statewide-inspection.pdf. (last visited Mar. 20, 2025).
[32] *Id*.
[33] DOH, *Florida Onsite Sewage Nitrogen Reduction Strategies Study*, *Final Report 2008-2015*, 21 (Dec. 2015), *available at* http://www.floridahealth.gov/environmental-health/onsite-sewage/research/draftlegreportsm.pdf; *See* Fla. Admin. Code R. 64E-6.006(2).
[34] University of Florida Institute of Food and Agricultural Sciences, *Onsite Sewage Treatment and Disposal Systems: Nitrogen*, 3 (2020), *available at* http://edis.ifas.ufl.edu/pdffiles/SS/SS55000.pdf. (last visited Mar. 20, 2025).
[35] DOH, *Nitrogen-Reducing Systems for Areas Affected by the Florida Springs and Aquifer Protection Act* (updated May 2021), *available at* http://www.floridahealth.gov/environmental-health/onsite-sewage/products/_documents/bmap-n-reducing-tech-18-10-29.pdf.
[36] "Enhanced nutrient-reducing OSTDS" means an OSTDS approved by DEP as capable of meeting or exceeding a 50 percent total nitrogen reduction before disposal of wastewater in the drainfield, or at least 65 percent total nitrogen reduction combined from onsite sewage tank or tanks and drainfield. Section 373.469(2)(b), F.S.
[37] *See* section 373.469(3)(d), F.S.
[38] Sections 373.811(2) and 403.067(7)(a)10., F.S.
[39] Section 381.0065(4)(l), F.S.
[40] "Performance-based treatment system" means a specialized OSTDS designed by a professional engineer with a background in wastewater engineering, licensed in the state of Florida, using appropriate application of sound engineering principles to achieve specified levels of CBOD5 (carbonaceous biochemical oxygen demand after five days), TSS (total suspended solids), TN (total nitrogen), TP (total phosphorus), or fecal coliform found in domestic or commercial sewage waste, to a specific and measurable established performance standard. Fla. Admin. Code R. 62-6.025(7). If a site restricts home construction because of setbacks or authorized sewage flow, a system can be designed by an engineer to meet strict levels of effluent pollutant reductions. The three levels of performance-based treatment systems are secondary treatment, advanced secondary treatment, and advanced wastewater treatment.
[41] *See* Fla. Admin. Code R. 62-6.025(11).
[42] Fla. Admin. Code R. 62-6.003(2).
[43] Section 381.0065(4), F.S.
[44] This includes alterations that change the conditions under which the system was permitted, sewage characteristics, or increase sewage flow. The DEP approval is required prior to such alterations. Fla. Admin. Code R. 62-6.001(4), F.S.

made, system tanks must be pumped and visually inspected.[45] If an existing system was approved within the preceding five years, a new inspection is not required unless there is a record of failure of the system.[46] System repairs must be inspected by the DEP or a master septic tank contractor.[47]

Buildings or establishments that use an aerobic treatment unit or generate commercial waste must be inspected by the DEP at least annually.[48]

Biosolids

When domestic wastewater is treated, a solid, semisolid, or liquid byproduct known as biosolids[49] accumulates in the wastewater treatment plant and must be removed periodically to keep the plant operating properly.[50] The collected residue is high in organic content and contains moderate amounts of nutrients.[51] Properly treated biosolids may be used as a fertilizer supplement or soil amendment, subject to regulatory requirements that have been established to protect public health and the environment.[52]

According to the DEP's estimates in 2019, wastewater treatment facilities produce about 340,000 dry tons of biosolids each year.[53] Biosolids can be disposed of in several ways: transfer to another facility, placement in a landfill, distribution and marketing as fertilizer, incineration, bioenergy, and land application to pasture or agricultural lands.[54] In 2019, about two-thirds of the total amount of biosolids produced was beneficially used and one-third was landfilled.[55]

General Permits

A general permit is a permit issued by rule of the DEP under s. 403.814, F.S., which authorizes a person to undertake certain activities, which when performed in accordance with the specific requirements and practices set forth in the general permit have a minimal adverse environmental

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[45] Fla. Admin. Code R. 62-6.001(4)(b).
[46] Fla. Admin. Code R. 62-6.001(4)(c).
[47] Fla. Admin. Code R. 62-6.003(3).
[48] Section 381.0065(4), F.S.
[49] Biosolids are the solid, semisolid, or liquid residue generated during the treatment of domestic wastewater in a domestic wastewater treatment facility and include products and treated material from biosolids treatment facilities and septage management facilities. The term does not include the treated effluent or reclaimed water from a domestic wastewater treatment facility, solids removed from pump stations and lift stations, screenings and grit removed from the preliminary treatment components of domestic wastewater treatment facilities, or ash generated during the incineration of biosolids. Section 373.4595, F.S.
[50] DEP, *Domestic Wastewater Biosolids*, https://floridadep.gov/water/domestic-wastewater/content/domestic-wastewater-biosolids (last visited Mar. 12, 2025).
[51] DEP, *Domestic Wastewater Biosolids*.
[52] *Id*.
[53] DEP, *Biosolids in Florida*, 5 (2019), *available at* https://www.florida-stormwater.org/assets/MemberServices/Conference/AC19/02%20-%20Frick%20Tom.pdf#:~:text=Biosolids%20and%20Management%20in%20Florida%20Estimated%20Total%20Production,two-thirds%20are%20beneficially%20used%20and%20onethird%20is%20landfilled. (last visited Mar. 20, 2025).
[54] *Id*. at 4.
[55] *Id*. at 5.

effect. A person may proceed under a general permit 30 days after notifying the DEP, without any further action by the DEP.[56]

III. Effect of Proposed Changes:

Section 1 amend s. 403.814, F.S., regarding general permits. The bill grants a general permit for the replacement of an existing onsite sewage treatment and disposal system with a distributed wastewater treatment system (DWTS)[57] if the distributed wastewater treatment unit (DWTU)[58] and DWTS are commonly owned and operated by the permittee. The installation of each DWTU may proceed without further action by the Department of Environmental Protection (DEP) if the permittee submits a notification to the DEP at least 30 days before installation. Such notification must certify that a Florida registered professional designed the DWTU in accordance with applicable rules and that the proposed DWTU meets all the following requirements:

- The design capacity of the DWTU does not exceed 10,000 gallons per day of domestic wastewater or 5,000 gallons per day of commercial wastewater.
- The DWTU may discharge without disinfection into a slow-rate subsurface application system designed and operated to protect public health and safety and maintain the current separation, and in no case has less than 12 inches of separation, between the bottom surface of the drainfield and the water table elevation at the wettest season of the year.
- The horizontal setback distance from the DWTU and subsurface application system to property lines, surface waterbodies, potable water wells, and utilities is consistent with rules adopted under this ch. 403, F.S., which regulates domestic wastewater treatment facilities, and s. 381.0065, F.S., which regulates onsite sewage treatment and disposal systems.
- The permittee has legal access to maintain and operate the DWTU and remove the DWTU in case of termination of service.
- The permittee has submitted a plan for conducting monthly effluent compliance sampling of a representative number of deployed DWTUs, the results of which may be aggregated to determine compliance with performance standards consistent with this subsection and the rules adopted under this chapter.
- The operation of the DWTU does not:
  - Create saturated conditions on the ground surface;
  - Adversely impact wetlands or other surface waters; or
  - Cause or contribute to a violation of state water quality standards.

The bill requires the permittee to conduct monthly reporting, annual inspections, recordkeeping, and biosolids management for the DWTU consistent with the applicable rules adopted under ch. 403, F.S., which regulates wastewater treatment facilities. Permittees are also required to schedule staffing and visitation by licensed operators for the DWTU in a manner that is consistent with the rules adopted under ch. 403, F.S., except that visitation may be accomplished using an electronic control system.

[56] Section 403.814(1), F.S.
[57] The bill defines DWTS as an integrated system approach to treating wastewater consisting of one or more distributed wastewater treatment units.
[58] The bill defines DWTU as an advanced onsite closed-tank wastewater treatment system that is remotely operated and controlled by the permittee using an electronic control system and designed to achieve secondary treatment standards and a minimum of 80 percent total nitrogen removal before discharge to a subsurface application system.

Section 2 provides an effective date of July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

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 substantially amends section 403.814 of the Florida Statutes.

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.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Bradley

6-01334-25 2025796__

A bill to be entitled

An act relating to general permits for distributed wastewater treatment systems; amending s. 403.814, F.S.; defining terms; authorizing the Secretary of Environmental Protection to grant a general permit for the replacement of an existing onsite sewage treatment and disposal system with a distributed wastewater treatment system under certain circumstances; providing for the installation of distributed wastewater treatment units to proceed without any further action by the Department of Environmental Protection if a permittee submits a notification to the department at least a specified number of days before installation; providing requirements for such notification; requiring such a permittee to take specified actions for distributed wastewater treatment units they install; providing an effective date.

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

Section 1. Subsection (13) is added to section 403.814, Florida Statutes, to read:

403.814 General permits; delegation.—

(13)(a) For the purposes of this subsection, the term:

1. "Distributed wastewater treatment system" or "DWTS" means an integrated system approach to treating wastewater consisting of one or more distributed wastewater treatment units.

2. "Distributed wastewater treatment unit" or "DWTU" means

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

6-01334-25 2025796__

an advanced onsite closed-tank wastewater treatment system that is remotely operated and controlled by the permittee using an electronic control system and designed to achieve secondary treatment standards and a minimum of 80 percent total nitrogen removal before discharge to a subsurface application system.

(b) A general permit is granted for the replacement of an existing onsite sewage treatment and disposal system, otherwise subject to s. 381.0065, with a DWTS if the DWTU and DWTS are commonly owned and operated by the permittee. Pursuant to obtaining this permit, the installation of each DWTU may proceed without further action by the department if the permittee submits a notification to the department at least 30 days before installation. Such notification must certify that a Florida registered professional designed the DWTU in accordance with applicable rules adopted pursuant to this chapter and that the proposed DWTU meets all of the following requirements:

1. The design capacity of the DWTU does not exceed 10,000 gallons per day of domestic wastewater or 5,000 gallons per day of commercial wastewater.

2. The DWTU may discharge without disinfection into a slow-rate subsurface application system designed and operated to protect public health and safety and maintain the current separation, and in no case has less than 12 inches of separation, between the bottom surface of the drainfield and the water table elevation at the wettest season of the year.

3. The horizontal setback distance from the DWTU and subsurface application system to property lines, surface waterbodies, potable water wells, and utilities is consistent with rules adopted under this chapter and s. 381.0065.

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4. The permittee has legal access to maintain and operate the DWTU and remove the DWTU in case of termination of service.

5. The permittee has submitted a plan for conducting monthly effluent compliance sampling of a representative number of deployed DWTUs, the results of which may be aggregated to determine compliance with performance standards consistent with this subsection and the rules adopted under this chapter.

6. The operation of the DWTU does not:

a. Create saturated conditions on the ground surface;

b. Adversely impact wetlands or other surface waters; or

c. Cause or contribute to a violation of state water quality standards.

(c) The permittee shall:

1. Conduct monthly reporting, annual inspections, recordkeeping, and biosolids management for the DWTU consistent with the rules adopted under this chapter.

2. Schedule staffing and visitation by licensed operators for the DWTU in a manner that is consistent with the rules adopted under this chapter, except that visitation may be accomplished using an electronic control system.

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

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

796
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jeff Littlejohn

Phone 850-363-9644

Address 2282 Killearn Center Blvd
Street

Email jlittlejohn@onsyte.com

Tallahassee FL 32309
City State Zip

Speaking: [X] For [ ] Against [ ] Information **OR** Waive Speaking: [X] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[X] I am appearing without compensation or sponsorship.

[ ] I am a registered lobbyist, representing:

[ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

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 Fiscal Policy

BILL:	CS/CS/SB 1618
INTRODUCER:	Fiscal Policy Committee; Appropriations Committee on Pre-K - 12 Education; and Senator Calatayud
SUBJECT:	Education
DATE:	April 10, 2025
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Palazesi	Bouck	ED	**Favorable**
2.	Gray	Elwell	AED	**Fav/CS**
3.	Jahnke/Palazesi	Siples	FP	**Fav/CS**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1618 modifies Florida's prekindergarten through grade 12 education system related to early learning, academic standards and student achievement, instructional personnel, and student discipline, and modifies provisions related to higher education, workforce development, and regulation which focuses on tuition and fee policies, educational programs, workforce training, and institutional operations.

For the Florida Voluntary Prekindergarten (VPK) Program, the bill:

- Removes the 70 percent cap on the hours authorized to be reported for funding prior to withdrawing from a VPK program for good cause and reenrolling in another VPK program.
- Repeals the Council for Early Grades Success.
- Removes authorization for the Department of Education (DOE) to recommend to the State Board of Education (SBE) that a provider be permitted to maintain its Gold Seal Quality Care status in certain circumstances.

For state academic standards and required instruction, the bill:

- Requires the state academic standards documents to contain only standards and benchmarks.
- Requires the DOE, in consultation with the Department of Agriculture and Consumer Services and the University of Florida Institute of Food and Agricultural Sciences, to revise the state agricultural standards.

For reading instruction, the bill:

- Specifies requirements for personnel who provide intensive reading interventions and requires reading interventions to incorporate evidence-based strategies identified by Just Read, Florida!
- Requires that districts provide a description of how the district prioritizes the assignment of highly effective teachers to kindergarten to grade two.
- Authorizes the use of unpaid or paid hours that a high school student devotes to tutoring in the Reading Achievement Initiative for Scholastic Excellence can count toward meeting community service requirements for high school graduation and the Florida Bright Futures Scholarship Program.

For instructional personnel, the bill:

- Authorizes the use of a valid certificate issued by the American Board for Certification of Teacher Excellence (ABCTE) as a direct pathway to a professional certificate.
- Authorizes lab schools and charter school consortia who meet certain criteria to the entities eligible to submit to the DOE a nominee for the Teacher of the Year award.

For higher education workforce development and regulation, the bill:

- Expands the duties of The Office of Ocean Economy at Florida Atlantic University, include collaboration with career centers and the College of the Florida Keys and with education and industry to strengthen Florida's maritime industry, and requires a catalog of ocean economy programs, credentialing opportunities, and training providers.
- Authorizes schools administering The Graduation Alternative to Traditional Education (GATE) Program, to partner with online providers, modifies the age limit, removes a simultaneous enrollment requirement for secondary and career education, and expands uses of the GATE Startup Fund to support marketing and outreach efforts.
- Shifts a Florida College System institution allocation of financial aid fees to assist underrepresented students instead of targeted gender or ethnic minorities.
- Provides tuition and fee waivers for active Florida State Guard members.
- Modifies the out-of-state fee waiver for nonresident students with a Florida resident grandparent.

For higher education governance and institutional changes, the bill:

- Renames Hillsborough Community College to Hillsborough College.
- Removes the Board of Governors requirement to provide electronic access to degree job placement and earnings rankings.
- Expands preeminent state research university eligibility by adding the Classical Learning Test (CLT) as an alternative to the SAT and ACT.
- Eliminates reporting requirements on student open access resources and the performance of the annual host entity.
- Modifies licensure exemption requirements for nonpublic religious postsecondary institutions and establishes requirements related to an institution affidavit.

Additionally, the bill:

- Revises the definition and requirements for emergency opioid antagonists.
- Specifies that school board policy on corporal punishment must include parent permission.

- Prohibits public schools, charter schools, school districts, charter school administrators, or direct-support organizations from using funds on certain items.
- Repeals the Florida School for Competitive Academics.
- Removes the Commissioner of Education's authority to determine if schools have maximized their efforts to include minority persons and persons of lower socioeconomic status on their school advisory councils.
- Adds requirements relating to the costs of postsecondary education to the one-half credit of financial literacy credit required for high school graduation.
- Authorizes the SBE to join or establish a national consortium to develop advanced courses.
- Specifies only certain instructional personnel can qualify for bonuses under the School Recognition award.
- Clarifies that an owner or operator of a private scholarship school is subject to state screening requirements for employment in positions that may require direct contact with students.
- Clarifies that general background screening exemptions do not apply to public school and private scholarship school employees in positions that may require direct contact with a student.
- Authorizes a private school located in a county with four incorporated municipalities to construct new facilities on property, under the facility's preexisting zoning and land use designations and without having to implement any mitigation requirements or conditions, subject to specified limitations.
- Adds the Classic Learning Test (CLT) 10 assessment as an approved assessment for students in grade 10 under the Florida Partnership for Minority and Underrepresented Student Achievement.

The bill is effective July 1, 2025, except as otherwise specified.

This bill has an indeterminate fiscal impact. **See Section V., Fiscal Impact Statement.**

II. Present Situation:

The present situation for the relevant portions of the bill is discussed under the Effect of Proposed Changes section of this bill analysis.

III. Effect of Proposed Changes:

Florida's Voluntary Prekindergarten (VPK) Program

Present Situation

Florida's Voluntary PreKindergarten (VPK) Program

The VPK program prepares children for success in school and in life. Implemented in 2005, the program is a free, high-quality, education program available to all four-year-old children residing in the state.[1] Each child who resides in Florida who attains the age of four years on or before September 1 of the school year is eligible for the VPK Program during either that school year or the following school year. Parents of four-year-olds with birthdays from February 2 through

[1] FLA. CONST., Art. IX, s. 1.

September 1 may wait to enroll their child the following year when they are five.[2] The child remains eligible until the child is admitted to kindergarten, or unless the child has attained the age of six years by February 1 of any school year.[3] In 2023-2024, there were 155,275 children enrolled with 6,247 providers in Florida's VPK program.[4]

Parents of each child eligible for a VPK program in Florida may enroll their child in one of the following programs:

- A school-year prekindergarten program delivered by an approved private prekindergarten provider.
- A school-year prekindergarten program delivered by a public school.
- A summer prekindergarten program delivered by a public school or private prekindergarten provider.
- A specialized instructional services program for children who have disabilities, if the child has been evaluated and determined as eligible and has a current individual educational plan developed by the local school board.[5]

Funding for Florida's VPK Program

A full-time equivalent student in the VPK program is calculated as follows:

- For a student in a school-year prekindergarten program delivered by a private prekindergarten provider: 540 instructional hours.
- For a student in a school-year prekindergarten program delivered by a public school: 540 instructional hours.
- For a student in a summer prekindergarten program delivered by a public school or private prekindergarten provider: 300 instructional hours.[6]

A child who, for any of the prekindergarten programs, has not completed more than 70 percent of the hours authorized to be reported for funding may withdraw from the program for good cause and reenroll in one of the programs. The total funding for a child who reenrolls in one of the programs for good cause may not exceed one full-time equivalent student. A child who has not substantially completed any of the prekindergarten programs may withdraw from the program due to an extreme hardship that is beyond the child's or parent's control, reenroll in one of the summer programs, and be reported for funding purposes as a full-time equivalent student in the summer program.[7]

A child may be granted a good cause exemption if:

- The illness of the child, an individual living in the child's household, an individual which the child's parent is responsible for caring for, or the child's parent, sibling, grandparent, stepparent, step-sibling, or step-grandparent.

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[2] Florida Department of Education, *Division of Early Learning, Annual Report 2023-2024, available at: https://www.fldoe.org/file/20628/2324-DEL-AnnualReport.pdf (last visited Mar. 15, 2025).*
[3] Section 1002.53(2), F.S.
[4] Florida Department of Education, *Division of Early Learning, Annual Report 2023-2024, available at: https://www.fldoe.org/file/20628/2324-DEL-AnnualReport.pdf* (last visited Mar. 15, 2025).
[5] Section 1002.53(3), F.S.
[6] Section 1002.71(2), F.S.
[7] Section 1002.71(4), F.S.

- A disagreement between the parent and the provider concerning policies, practices, or procedures at the provider's VPK program.
- A change in the child's residence.
- A change in the employment schedule or place of employment of the child's parent.
- The VPK program provider's inability to meet the child's health, behavioral, or educational needs.
- The termination of the child's class before 70 percent of the VPK program instructional hours are delivered.
- The child is dismissed by a VPK program provider for failure to comply with the provider's attendance policy.
- The VPK program provider's designation as a provider on probation.

A child may be granted an exemption for an extreme hardship if:

- The illness of the child, a family member which the child's parent is responsible for caring for, or of the child's parent, as documented in writing by a licensed physician if it would result in the child being absent for more than 30 percent of the number of hours in the program type in which the child is enrolled.
- The termination of the child's VPK program class as a result of the VPK program provider's removal from eligibility to offer the VPK program, as documented by the early learning coalition.
- The parent's inability to meet the basic needs of the child, including, but not limited to, a lack of food, shelter, clothing, or transportation, as documented in writing by a federal, state, or local governmental official.
- The VPK program provider's inability to meet the child's educational needs due to the child's learning or developmental disability, as documented by a federal, state, or local governmental official.
- The VPK program provider's inability to meet the child's health needs as documented by a licensed or a federal, state, or local governmental official.
- Displacement of the child from his or her place of residence, or closure of the child's VPK program provider as a result of a state of emergency as declared by a federal, state, or local government official.
- A temporary or permanent change in parent custody or guardianship, supported by legal documentation such as a court order or official documentation from the Department of Children and Families (DCF) or DCF contracted agency. This includes an at-risk childcare authorization that documents the guardianship change.[8]

Gold Seal Quality Care Program

The Department of Education (DOE) administers the Gold Seal Quality Care program (Gold Seal program). Established in 1996,[9] the Gold Seal program recognizes childcare facilities and family day care homes that have gone above the required minimum licensing standards to become accredited by recognized agencies whose standards reflect quality in the level of care and supervision provided to children. The Gold Seal program is not an accreditation, but a designation. The Gold Seal program offers various advantages to participating providers,

[8] Rule 6M-8.210, F.A.C.
[9] Ch. 96-175, s. 72, L.O.F.

including tax exemptions on certain educational materials and property taxes, as well as increased reimbursement rates for School Readiness (SR) providers.[10] To obtain and maintain a designation as a Gold Seal program provider, a childcare facility, large family childcare home, or family day care home must have:

- No class I[11] violations within preceding two years.
- Less than three class II[12] violations within the preceding two years.
- Less than three class III[13] violations within the preceding two years that were not corrected within one year.
- If the DOE determines through a formal process that a provider has been in business for at least five years and has no other class I violations recorded, the DOE may recommend to the State Board of Education (SBE) that the provider maintain its Gold Seal Quality Care status.[14]

During the 2023-2024 fiscal year:[15]

- There were 16 Gold Seal approved accrediting associations.
- There were 1,861 Gold Seal designated childcare providers, of which 1,519 were contracted for SR and 1,591 were contracted for VPK.
- There were 23 providers removed from the Gold Seal program due to licensing regulation violations.

The Council for Early Grades Success

The Council for Early Grades Success (Council) was created in 2021 within the DOE.[16] The Council is responsible for reviewing the implementation of training for and outcomes from the coordinated screening and progress monitoring program to provide recommendations to the DOE that support grade three students reading at or above grade level. The Council, at a minimum, is responsible for:

- Providing recommendations on the implementation of the coordinated screening and progress monitoring program, including reviewing any procurement solicitation documents and criteria before being published.
- Developing training plans and timelines for such training.
- Identifying appropriate personnel, processes, and procedures required for the administration of the coordinated screening and progress monitoring program.

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[10] Florida Department of Education, *Division of Early Learning, Annual Report 2023-2024, available at: https://www.fldoe.org/file/20628/2324-DEL-AnnualReport.pdf* (last visited Mar. 15, 2025).
[11] Class "I" violations are those conditions or occurrences related to the operation and maintenance of a provider or to the care of clients which the agency determines present an imminent danger to the clients of the provider or a substantial probability that death or serious physical or emotional harm would result therefrom. Section 408.813, F.S.
[12] Class "II" violations are those conditions or occurrences related to the operation and maintenance of a provider or to the care of clients which the agency determines directly threaten the physical or emotional health, safety, or security of the clients, other than class I violations. *Id.*
[13] Class "III" violations are those conditions or occurrences related to the operation and maintenance of a provider or to the care of clients which the agency determines indirectly or potentially threaten the physical or emotional health, safety, or security of clients, other than class I or class II violations. *Id.*
[14] Section 1002.945 (4), F.S.
[15] Florida Department of Education, *Division of Early Learning, Annual Report 2023-2024, available at: https://www.fldoe.org/file/20628/2324-DEL-AnnualReport.pdf* (last visited March 15, 2025).
[16] Section 65, ch. 2021-10, L.O.F.

- Providing input on the methodology for calculating the VPK accountability program.[17]
- Working with the department to review the methodology for determining a child's kindergarten readiness.
- Reviewing data on age-appropriate learning gains by grade level that a student would need to attain to demonstrate proficiency in reading by grade three.
- Continually reviewing anonymized data from the results of the coordinated screening and progress monitoring program for students in the VPK Program through grade three to help inform recommendations to the department that support practices that will enable grade three students to read at or above grade level.[18]

Effect of Proposed Changes

The bill amends s. 1002.71, F.S., to remove the 70 percent cap on the hours authorized to be reported for funding for a child who withdraws from a VPK program for good cause and reenrolls in another VPK program. The bill maintains that the total funding for a VPK student who reenrolls in one of the programs for good cause may not exceed one full-time equivalent student. Similarly, the bill also specifies that a child who has not completed any portion of the program, no matter the number of hours, of a VPK program may withdraw from the program due to an extreme hardship that is beyond the child's or parent's control, reenroll in one of the summer programs, and be reported for funding purposes as a full-time equivalent student in the summer program for which the child is reenrolled.

The bill amends s. 1002.945, F.S., to remove the authority of the DOE to determine through a formal process that because a provider has been in business for at least five years and has no other class I violations recorded, the DOE may recommend to the SBE that the provider maintain its Gold Seal Quality Care status.

The bill repeals s. 1008.2125, F.S., to remove the Council for Early Grades Success. The bill also amends s. 1002.68, F.S., to remove the requirement that the DOE consult with the Council for Early Grades Success prior to adopting, in SBE rule, the methodology related to the VPK accountability system and differential payments.

Student Academic Standards

Present Situation

State Academic Standards

Florida's state academic standards establish the core content of the curricula to be taught and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Standards must be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time.[19]

[17] Rule 6M-8.622, Voluntary Prekindergarten (VPK) Provider Performance Metric and Designation, was adopted by the State Board of Education on August 21,2024 and went into effect September 9, 2024.
[18] Section 1008.2125(1)(a), F.S.
[19] Section 1003.41(1), F.S.

The Commissioner of Education (commissioner) is required to develop and submit proposed revisions to the standards for review and comment by Florida educators, school administrators, representatives of the Florida College System institutions and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education and careers, a representative from the Department of Commerce, business and industry leaders for in-demand careers, and the public.[20] The state academic standards are required to meet the following requirements:

- English Language Arts standards are required to establish specific curricular content for, at a minimum, reading, writing, speaking and listening, and language.
- Science standards are required to establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science.
- Mathematics standards are required to establish specific curricular content for, at a minimum, algebra, geometry, statistics and probability, number and quantity, functions, and modeling.
- Social Studies standards are required to establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, humanities, economics, and financial literacy.
- Visual and performing arts, physical education, health, and foreign language standards are required to establish specific curricular content and include distinct grade-level expectations for the core content knowledge.[21]

Florida uses a unique coding scheme that is defined by five-character positions in alphanumeric code: The subject, grade level, strand, standard and benchmark. The strand is a focal group of related standard, standards are overarching criteria for the grade level or grade band, and the benchmark is a specific expectation for the grade level or grade band that falls within the standard. An example of a standard is provided below: [22]

K-8 Example

Subject	*Grade Level*	*Strand*	*Standard*	*Benchmark*
SC.	**4.**	**CO.**	**1.**	**2**
Science	Grade 4	Computing Components	Introduce foundational computer literacy skills.	Create and edit multimedia artifacts using digital tools.

Within the approved state academic standards documents, the Department of Education includes clarifications that are added to standards to guide teachers in the integration of those standards within instruction. For example, in the Computational Thinking and Reasoning Standards for the Computer Science Standards, there are seven standards, and each of the seven standards has a clarification for how that standard should be integrated into instruction. [23]

[20] Section 1003.41(3), F.S.
[21] Section 1003.41(2), F.S.
[22] Florida Department of Education, *Florida's State Academic Standards Computer Science 2024* (2024), available at https://www.fldoe.org/core/fileparse.php/20758/urlt/7-3.pdf (last visited Mar. 17, 2025),
[23] Florida Department of Education, *Florida's State Academic Standards Computer Science 2024* (2024), available at https://www.fldoe.org/core/fileparse.php/20758/urlt/7-3.pdf (last visited Mar. 17, 2025),

Effect of Proposed Changes

The bill amends s. 1003.41, F.S., to require that new and revised standards documents submitted to the State Board of Education must only consist of academic standards and benchmarks. The bill also requires the commissioner to submit all revised standards documents to the SBE for approval no later than July 1, 2026. By removing the benchmark clarifications statements, educators will have more flexibility in how they incorporate the standards into their instruction.

Agricultural Education

Present Situation

Required Instruction

The mission of Florida's Early Learning-20 education system is to allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities.[24] Each district school board must provide appropriate instruction to ensure that students meet State Board of Education (SBE) adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts.[25]

Instructional staff of public schools, subject to the rules of the SBE and the district school board, must provide instruction in:

- The history and content of the Declaration of Independence.
- The history, meaning, significance, and effect of the provisions of the Constitution of the United States.
- The arguments in support of adopting our republican form of government.
- Flag education, including proper flag display and flag salute.
- The elements of civil government.
- The history of the United States.
- The history of the Holocaust.
- The history of African Americans.
- The history of Asian Americans and Pacific Islanders.
- The elementary principles of agriculture.
- The effects of alcoholic and intoxicating liquors and beverages and narcotics.
- Kindness to animals.
- The history of the state.
- The conservation of natural resources.
- Comprehensive age-appropriate and developmentally appropriate K-12 instruction on health education and life skills.
- The study of Hispanic contributions to the United States.
- The study of women's contributions to the United States.
- The nature and importance of free enterprise to the United States economy.
- Civic and character education.

[24] Section 1000.03(4), F.S.
[25] Section 1003.42(1), F.S.

- The sacrifices that veterans and Medal of Honor recipients have made serving the country.[26]

Agricultural Education in Florida

To help support students interested in the agricultural industry in Florida, the Florida Department of Education (DOE) created nine middle school courses focused on careers in the agricultural field, ranging from the "Exploration of Agriscience" to the "Introduction to Agriculture, Food and Natural Resources." At the secondary level, the DOE created 18 courses and programs ranging from "Agricultural Biotechnology" to "Food Science Applications."[27] In the 2022-2023 school year, there were 640 Secondary CTE Programs in Agriculture, Food and Natural Resources. Additionally, there are several benchmarks related to the impact agriculture has had on society:

- Compare the lifestyles of hunter-gatherers with those of settlers of early agricultural communities.[28]
- Explain how the physical landscape has affected the development of agriculture and industry in the ancient world.[29]
- Describe how the developments of agriculture and metallurgy related to settlement, population growth, and the emergence of civilization.[30]
- Describe the agricultural and technological innovations that led to industrialization in Great Britain and its subsequent spread to continental Europe, the United States, and Japan.[31]

Effect of Proposed Changes

The bill amends s. 1003.42, F.S., to expand the requirements of the elementary principles of agriculture to include the history of agriculture both nationally and specifically in Florida, the economic and societal impact of agriculture, and the various agricultural industry sectors. The change expands the current instruction of how agriculture impacts Florida, our economy, and society. The bill also requires the DOE, in collaboration with the Department of Agriculture and Consumer Services and the University of Florida's Institute of Food and Agricultural Science to prepare and offer standards and a curriculum and may seek input from state or nationally recognized agricultural educational organizations. The bill also authorizes the DOE to contract with state or nationally recognized agricultural educational organizations to develop training for

[26] Section 1003.42(2), F.S.
[27] Florida Department of Education, *2024-25 CTE Curriculum Frameworks: Agriculture Food & Natural Resources*, available at https://www.fldoe.org/academics/career-adult-edu/career-tech-edu/curriculum-frameworks/2024-25-frameworks/agriculture-food-natural-resources.stml, (last visited Mar. 17, 2025).
[28] Florida Department of Education, *Florida's State Academic Standards Social Studies 2024* (2024) at 56, available at https://cpalmsmediaprod.blob.core.windows.net/uploads/docs/standards/best/ss/ss_standardsbook_bc_240417_finalada.pdf, (last visited Mar.17, 2025). This standard is included in Grade 6 World History.
[29] Florida Department of Education, *Florida's State Academic Standards Social Studies 2024* (2024) at 64, available at https://cpalmsmediaprod.blob.core.windows.net/uploads/docs/standards/best/ss/ss_standardsbook_bc_240417_finalada.pdf, (last visited Mar. 17, 2025). This standard is included in Grade 6 Geography.
[30] Florida Department of Education, *Florida's State Academic Standards Social Studies 2024* (2024) at 56, available at https://cpalmsmediaprod.blob.core.windows.net/uploads/docs/standards/best/ss/ss_standardsbook_bc_240417_finalada.pdf, (last visited Mar. 17, 2025). This standard is included in Grade 6 World History.
[31] Florida Department of Education, *Florida's State Academic Standards Social Studies 2024* (2024) at 132, available at https://cpalmsmediaprod.blob.core.windows.net/uploads/docs/standards/best/ss/ss_standardsbook_bc_240417_finalada.pdf, (last visited Mar. 17, 2025). This standard is included in Grades 9-12 World History.

instructional personnel and grade-appropriate classroom resources to support the developed curriculum.

Reading

Present Situation

Comprehensive System of Reading Intervention

Each school district is required to implement a system of comprehensive reading instruction for students enrolled in prekindergarten through grade 12 and certain students who exhibit a substantial deficiency in early literacy.[32] Students with a substantial deficiency are defined as:

- A voluntary prekindergarten student in early literacy skills who scores below the tenth (10th) percentile or is unable to complete the practice items at the middle or end of the year test administration of the coordinated screening and progress monitoring system.
- A kindergarten through grade three student in reading if:
  - The student is identified as in need of Tier 3 interventions[33]. or
  - For kindergarten, the student scores below the tenth (10th) percentile or is unable to complete the practice items on the designated grade-level assessment at the beginning, middle, or end of the year test administration of the coordinated screening and progress monitoring system.
  - b. For grades one and two, the student scores below the tenth (10th) percentile or is unable to complete the practice items on the designated grade-level assessment for the specified test administration of the coordinated screening and progress monitoring system. or
  - c. For grade three, the student scores below the twentieth (20th) percentile at the beginning or middle of the year test administration of the coordinated screening and progress monitoring system.
  - A student in grade three scores a Level 1 on the end-of-year statewide, standardized English Language Arts (ELA) assessment.[34]

The comprehensive reading instruction plan may include all district schools, including charter schools, unless a charter school elects to submit a plan independently from the school district.[35] The plan may include the following components:

- Additional time per day of evidence-based intensive reading instruction for kindergarten through grade 12 students, which may be delivered during or outside of the regular school day.
- Highly qualified reading coaches, who must be endorsed in reading, to specifically support classroom teachers in making instructional decisions based on progress monitoring data and improve classroom teacher delivery of effective reading instruction, reading intervention, and reading in the content areas based on student need.

[32] Section 1003.4201, F.S.
[33] Intensive, Individualized Instruction/Interventions (Tier 3): provides explicit, systematic, individualized instruction based on student need, one-on-one or very small group instruction with more guided practice, immediate corrective feedback, and frequent progress monitoring; and occurs in addition to core instruction and Tier 2 interventions.
[34] Rule 6A-6.053, F.A.C.
[35] Section 1003.4201(1), F.S.

- Professional learning to help instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program earn a certification, a credential, an endorsement, or an advanced degree in scientifically researched and evidence-based reading instruction.
- Summer reading camps, using only classroom teachers or other district personnel who possess a micro-credential[36] in reading or are certified or endorsed in reading consistent for all students in kindergarten through grade five exhibiting a reading deficiency as determined by district and state assessments.
- Incentives for instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program who possess a reading certification or endorsement or micro-credential and provide educational support to improve student literacy.
- Tutoring in reading.[37]

Reading Achievement Initiative for Scholastic Excellence Act

In 2021, the Florida Legislature established the Reading Achievement Initiative for Scholastic Excellence (RAISE) program within the DOE.[38] The RAISE program provides instructional supports to school districts, school administrators, and instructional personnel in implementing evidence-based reading instruction and interventions in order to improve student reading achievement.[39]

Under the RAISE program, the DOE must establish 20 literacy support regions and regional support teams in Florida to assist schools in improving low reading scores.[40] Eligible schools include:

- Schools serving students in kindergarten through grade five where 50 percent of the students score below a Level 3 on the statewide, standardized ELA assessment for any grade level. and
- Schools where 50 percent or more of students in kindergarten through grade three are not on track to pass the grade three ELA assessment based on data from the coordinated screening and progress monitoring system.[41]

As part of the RAISE program, the DOE must establish a tutoring program and develop training to prepare eligible high school students to tutor students in kindergarten through grade three. If high school students serve as a tutor in the RAISE program, they:

- May earn up to three elective credits for high school graduation based on the verified number of hours the student spends tutoring under the program.

[36] To earn an early literacy micro-credential a teacher must demonstrate competency in diagnosing literacy difficulties and determining the appropriate range of literacy interventions based upon the age and literacy deficiency of the student and how use evidence-based instructional and intervention practices grounded in the science of reading, including strategies identified by the Just Read, Florida! Office.
[37] Section 1003.4201(2), F.S
[38] Section1008.365, F.S.
[39] Section 1008.365(2), F.S.
[40] Section 1008.365(3), F.S.
[41] Section 1008.365(4), F.S.

- May use unpaid hours devoted to tutoring may be counted toward meeting community service requirements for high school graduation and community service requirements for participation in the Florida Bright Futures Scholarship Program.[42]

Effect of Proposed Changes

The bill amends s. 1003.4201, F.S., to authorize school districts to include in their comprehensive reading instruction plan intensive reading interventions, which must be delivered by instructional personnel who possess an early literacy micro-credential or personnel certified or endorsed in reading, and which must include specified evidence-based strategies. The bill also requires that instructional personnel who possess an early literacy micro-credential and who deliver intensive reading interventions are supervised by an educator who is certified or endorsed in reading. The bill defines "supervised" as able, through telecommunication or in person, to communicate and consult with, and receive direction from. The bill also authorizes districts to include a description of how the district prioritizes the assignment of highly effective teachers in grades kindergarten through grade two.

The bill amends s. 1008.365, F.S., to allow high school students who are tutors in the RAISE program to use either paid or unpaid hours, to count towards the volunteer service or paid work hours requirements for the Florida Bright Futures Scholarship program.

Private Schools

Present Situation

A private school is a nonpublic school defined as an individual, association, copartnership, or corporation, or department, division, or section of such organizations, that designates itself as an educational center that includes kindergarten through grade 12 or higher.[43] A private school that participates in the scholarship program must also:

- Comply with 42 U.S.C. s. 2000d which prohibits excluding a person from participating in federally assisted programs on the grounds of race, color, or national origin.
- Notify the Department of Education (DOE) of its intent to participate in the scholarship program.
- Notify the DOE of any changes in the school's name, director, mailing address, or physical location within 15 days of change.
- Provide to the DOE or the scholarship funding organization (SFO) all required documentation for student registration and payment.
- Provide to the SFO the school's fee schedule.
- Annually complete and submit to the DOE a notarized scholarship compliance statement verifying compliance with the background screening requirements.
- Demonstrate fiscal soundness in accordance with statutory requirements.
- Meet applicable state and local health. Safety, and welfare laws, codes, and rules.
- Employ or contract with teachers that meet specified requirements.
- Maintain a physical location in the state at which each student has regular and direct contact with teachers.

[42] Section 1008.365(8), F.S.
[43] Section 1002.01(3), F.S.

- Provide to parents information regarding the school's programs, services, classroom teacher qualifications, and a statement that a private school student with a disability does not have a right to all of the services that the student would receive if enrolled in a public school under the Individuals with Disabilities Education Act (IDEA).
- Provide the parent, at least on a quarterly basis, a written report of the student's progress.
- Cooperate with a parent who wants a student to participate in Florida's statewide standardized assessments.
- Adopt policies establishing standards of ethical conduct for educational support employees, instructional personnel, and school administrators.
- Not to be owned or operated by a person or an entity domiciled in, owned by, or in any way controlled by a foreign country of concern or foreign principal, as identified in law.[44]

Private schools that participate in a state scholarship program must, complete a Scholarship Program Compliance form, which includes the following questions related to the school facility:

- Does the school facility meet the prescribed minimum requirements and standards of sanitation and safety for K-12 private schools, with current Florida law?
- If the school facility possesses a well, is it licensed or permitted pursuant to the Florida Safe Drinking Water Act?
- If the school facility stores, prepares, or serves food to students, does the school possess a current, food service establishment sanitation certificate in accordance with Florida law?
- If the school facility is located in a non-exempt county, does the school possess a current and acceptable Mandatory Measurements Nonresidential Radon Measurement Report in accordance with current Florida Law?
- Does the school facility possess a current, violation free or satisfactory Fire Code inspection and compliance report in accordance with current Florida law and county and/or municipal ordinance?[45]

After a new private school applies to participate in a state scholarship program, the Department of Education (DOE) schedules and conducts a site visit at the school's physical location. A private school is ineligible to receive scholarship payments until a satisfactory site visit has been conducted by the DOE.[46]

A private school may use facilities on property that is owned or leased by, or purchased from a library, community service organization, museum, performing arts venue, theatre, cinema, or church facility[47], which is or was actively used as such within five years of any executed agreement with a private school to use the facilities; any facility or land owned by a Florida College System institution or university; any similar public institutional facilities; and any facility recently used to house a school or child care facility,[48] under any such facility's

[44] Section 1002.421(1), F.S.; *see also* Rule 6A-6.03315, F.A.C.
[45] Rule 6A-6.03315, F.A.C.
[46] Rule 6A-6.03315, F.A.C.
[47] Section 170.201(2), F.S. defines a "religious institution" as any church, synagogue, or other established physical place for worship at which nonprofit religious services and activities are regularly conducted and carried on
[48] Section 402.305, F.S. provides for the licensing requirements for child care facilities.

preexisting zoning and land use designations without rezoning or obtaining a special exception or a land use change, and without complying with any mitigation requirements or conditions.[49]

The facility must be located on property used solely as one of the designated facilities and meet applicable state and local health, safety, and welfare laws, codes, and rules, including fire safety and building safety.[50]

Effect of Proposed Changes

The bill amends s. 1002.40, F.S., to authorize a private school located in a county with four incorporated municipalities[51] to construct new facilities on property that is:

- Purchased or leased from a library, community service organization, museum, performing arts venue, theater, cinema, or church that is or was actively used as such within five years of any executed agreement with the private school;
- Owned by a Florida College System institution or state university; or
- Recently used to house a school or childcare facility licensed under s. 402.305, Florida Statutes.

The bill authorizes the new facilities may be constructed under the property's preexisting zoning and land use designations, without the need for rezoning, a special exception, a land use change, or compliance with mitigation requirements or conditions.

The bill also requires that the new facility be used solely as a private school and comply with all applicable state and local health, safety, and welfare laws, codes, and rules, including those related to fire safety and building safety.

High School Graduation Requirements

Present Situation

To earn a standard high school diploma a student must complete 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum.[52]

The 24-credit option for a standard diploma includes:

- Four credits in ELA I, II, III, and IV.
- Four credits in mathematics, including one in Algebra I and one in Geometry.
- Three credits in science, two of which must have a laboratory component and one of which must include Biology I.
- Three credits in social studies including one credit in United States History, one credit in World History, one-half credit in economics, and one-half credit in United States Government.

[49] Section 1002.40, (19), F.S.
[50] *Id.*
[51] Florida League of Cities, *Florida Cities by County with form of Government &Population, available at* https://www.floridaleagueofcities.com/docs/default-source/research-institute-reports/2020alphabycountywithgovtpopulation.pdf?sfvrsn=4009d6d5_0. (last visited Mar. 25, 2025) There are three counties that have four municipalities, Bradford County, Clay County and Sarasota County.
[52] Section 1003.4282(1), F.S.

- One credit in fine or performing arts, speech and debate, or career and technical education.
- One credit in physical education which includes the integration of health.
- Seven and one-half credits in electives.
- One-half credit in personal financial literacy.

The one-half credit in personal financial literacy must include instruction in all of the following:
- Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution's services.
- Balancing a checkbook.
- Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.
- Completing a loan application.
- Receiving an inheritance and related implications.
- Basic principles of personal insurance policies.
- Computing federal income taxes.
- Local tax assessments.
- Computing interest rates by various mechanisms.
- Simple contracts.
- Contesting an incorrect billing statement.
- Types of savings and investments.
- State and federal laws concerning finance.[53]

Effect of Proposed Changes

The bill amends s. 1003.4282, F.S., to require that the one-half credit in financial literacy instruction includes the costs of postsecondary education, cost of attendance, completion of the Free Application for Federal Student Aid, scholarships and grants, and student loans.

Articulated Accelerated Mechanisms

Present Situation

High school students in Florida have a variety of avenues by which they can earn college credit. These opportunities, known as articulated acceleration mechanisms, shorten the time necessary for a student to complete the requirements for a high school diploma and a postsecondary degree. These mechanisms also allow Florida schools to increase the depth of study in a particular subject and expand available curricular options.[54]

Programs that provide high school students with the opportunity to earn college credit include, but are not limited to, dual enrollment and early admission, credit by examination, advanced placement, the IB Program, and the AICE Program. Credit earned through the Florida Virtual School also provides additional opportunities for early graduation and acceleration.[55]

[53] Section 1003.4282(3), F.S.
[54] Section 1007.27(1), F.S.
[55] *Id.*

The Department of Education (DOE) annually identifies and publishes the minimum scores, maximum credit, and course or courses for which credit is to be awarded for each College Level Examination Program (CLEP) subject examination, College Board Advanced Placement Program examination, AICE examination, IB examination, Excelsior College subject examination, Defense Activity for Non-Traditional Education Support (DANTES) subject standardized test, and Defense Language Proficiency Test (DLPT). In addition, the DOE also identifies courses in the general education core curriculum of each state university and FCS institution for which credit is to be granted. The DOE is also authorized to partner with an independent third-party testing or assessment organization to develop assessments that measure competencies consistent with general education core courses.[56]

Effect of Proposed Changes

The bill amends s. 1007.27, F.S., to authorize the SBE and the Board of Governors to join or establish a national consortium as an alternative method to develop courses for secondary students that align with general education core course competencies, and to implement advanced placement courses.

The bill also makes conforming provisions to s. 1007.27, F.S., related to changes in the bill related to teacher training under the Florida Partnership for Minority and Underrepresented Student Achievement.

The Florida School for Competitive Academics

Present Situation

Established in 2023, The Florida School for Competitive Academics (FSCA) was scheduled to open in the 2024-2025 school year to students in grades six through 12 and located in Alachua County.[57] The FSCA was created for the primary purpose of providing a rigorous academic curriculum, and the secondary purpose was to prepare students for regional, state, and national academic competitions in all areas of study, including, but not limited to, science, technology, engineering, and mathematics. The FSCA's mission was to provide students who met selective admissions requirements with an environment that would foster high academic engagement and advanced understanding of subject areas, develop productive work habits, build resiliency, connect students with industry leaders, and promote civic leadership.[58]

The FSCA was to be operated by a board of trustees composed of seven members appointed by the Governor to four-year terms and confirmed by the Senate. The FSCA Board of Trustees had full power and authority to:

- Adopt rules to implement provisions of the law relating to the operation of the FSCA. The rules had to be submitted to the State Board of Education for approval or disapproval.
- Appoint a principal, administrators, teachers, and other employees.
- Remove principals, administrators, teachers, and other employees at the discretion of the board.

[56] Section 1007.27(2), F.S.
[57] Ch. 2023-245, Laws of Fla.
[58] Section 1002.351(2), F.S.

- Determine eligibility of students and procedures for admission.
- Provide for the proper keeping of accounts and records and for budgeting funds.
- Receive gifts, donations, and bequests of money or property, real or personal, tangible or intangible, from any person, firm, corporation, or other legal entity for the use and benefit of the school.
- Recommend to the Legislature that the school become a residential public school.
- Perform every other matter requisite to the proper management, maintenance, support, and control of the school at the highest efficiency economically possible.
- Prepare and submit legislative budget requests.[59]

The FSCA was a public school but, like charter schools, was exempt from all statutes in the education code except:

- Statutes pertaining to the student assessment program and school grading system.
- Statutes pertaining to the provision of services to students with disabilities.
- Statutes pertaining to civil rights, including, but not limited to, statutes relating to discrimination.
- Statutes pertaining to student health, safety, and welfare.[60]

The FSCA was scheduled to open beginning in the 2024-2025 school year; however, the school was never officially opened.

Effect of Proposed Changes

The bill repeals ss.1002.351, 1011.58, and 1011.59, F.S., to remove the Florida School for Competitive Academics.

The bill also conforms cross-references related to FSCA activities and requirements in ss. 11.45, 216.251, 447.203, 1004.04, 1001.20, 1002.394, and 1002.395, F.S.

District and School Advisory Councils

Present Situation

Each district school board must establish an advisory council for each school in the district and develop procedures for the election and appointment of advisory council members. The school advisory council is the sole body responsible for final decision-making at the school relating to the implementation of school improvement and education accountability.[61]

[59] Section 1002.351(3), F.S.
[60] Section 1002.351(8), F.S.
[61] Section 1001.452(1), F.S.

The advisory councils must consist of the principal and an appropriately balanced number of teachers,[62] education support employees,[63] students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils must include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents must be elected by their respective peer groups at the school in a fair and equitable manner. [64]

The district school board must review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board must appoint additional members to achieve proper representation. The Commissioner of Education must determine if schools have maximized their efforts to include minority persons and persons of lower socioeconomic status on their advisory council.[65]

Effect of Proposed Changes

The bill amends s. 1001.452, F.S., to remove the authority of the Commissioner of Education to determine if schools have maximized their efforts to include minorities and persons of lower socioeconomic status on their advisory council. The bill maintains the requirement that the district school board review the membership composition of each advisory council and appoint additional members if the elected school advisory council is not representative of the ethnic, racial, and economic community served by the school.

Parental Rights

Present Situation

K-12 Student and Parent Rights

Parents of public school students are required to receive from school districts accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. Students and parents are afforded numerous statutory rights, including, but not limited to:

- A high-quality system of education, one that allows students the opportunity to obtain a high-quality education;
- Attendance;
- Issues surrounding health;
- Discipline;
- Safety;

[62] Section 1001.452(1), F.S. (flush left provision at the end of the paragraph). For the purposes of school advisory councils and district advisory councils, the term "teacher" includes classroom teachers, certified student services personnel, and media specialists.
[63] *Id.* For the purposes of school advisory councils and district advisory councils, "education support employee" means any person employed by a school who is not defined as instructional or administrative personnel and whose duties require 20 or more hours in each normal working week.
[64] Section 1001.452(1), F.S.
[65] *Id.* (flush left provision at the end of the paragraph).

- Educational Choice;
- Issues relating to Students with Disabilities and Blind Students;
- Issues relating to Limited English Proficient Students;
- Students with deficiencies in Math and Reading;
- Pledge of Allegiance;
- Student Records, Report Cards and Student Progress Reports;
- School Accountability and Improvement Rating Reports;
- Athletics and Extracurricular Activities;
- Instructional Materials;
- Juvenile Justice Programs;
- Parental Input and Meetings; and
- Transportation.[66]

Opioid Antagonists

In 2022, public schools were authorized to purchase a supply of the opioid antagonist, naloxone, from an approved wholesale distributor, in the event of a student opioid overdose.[67] School districts are required to maintain the naloxone in a secure location and the school district employee who administers the opioid antagonist in compliance with state law is immune from civil liability.

Opioid receptor antagonists block one or more of the opioid receptors in the central or peripheral nervous system. The two most commonly used centrally acting opioid receptor antagonists are naloxone and naltrexone. Naloxone comes in intravenous, intramuscular, and intranasal formulations and is FDA-approved for the use in an opioid overdose and the reversal of respiratory depression associated with opioid use. Naltrexone is available in both oral and long-acting injectable formulations and is FDA-approved for the treatment of opioid and/or alcohol maintenance treatment. The most commonly used peripheral opioid receptor antagonist is methylnaltrexone, which is a potent competitive antagonist acting at the digestive tract and is also FDA-approved for the treatment of opioid-induced constipation.[68]

Corporal Punishment

District school boards have the option of administering corporal punishment and must establish a policy authorizing the use of corporal punishment as a form of discipline, which must be reviewed every three years. The district school board is required to take public testimony in establishing or reviewing the policy authorizing corporal punishment.[69] If the school board has a corporal punishment policy it must incorporate that:

- The use of corporal punishment must be approved by the principal before it is used, but approval is not necessary for each specific instance in which it is used. The principal is

[66] Section 1002.20, F.S.
[67] Ch. 2022-28, L.O.F. A wholesale distributor means a person, other than a manufacturer, a manufacturer's co-licensed partner, a third-party logistics provider, or a repackager, who is engaged in wholesale distribution.
[68] *Opioid Antagonists*, Theriot, Jonathan, et. al., (last updated July 23, 2023), *available at* https://www.ncbi.nlm.nih.gov/books/NBK537079/#:~:text=3%5D%5B4%5D-,The%20two%20most%20commonly%20used%20centrally%20acting%20opioid%20receptor%20antagonists,depression%20associated%20with%20opioid%20use. (last visited Mar 17, 2025).
[69] Section 1002.20(4), F.S.

required to prepare guidelines for administering such punishment that must identify the types of punishable offenses, the conditions under which the punishment is administered, and the specific personnel on the school staff authorized to administer the punishment.
- A teacher or principal may administer corporal punishment only in the presence of another adult who is informed beforehand, and in the student's presence, of the reason for the punishment.
- A teacher or principal who has administered corporal punishment shall, upon request, provide the student's parent with a written explanation of the reason for the punishment and the name of the other adult who was present.[70]

In the 2023-2024 school year, there were 516 incidents of corporal punishment in 17 school districts.[71]

Effect of Proposed Changes

The bill amends s. 1002.20, F.S., to modify provisions related to opioid antagonists and corporal punishment in schools. The bill expands the opioid antagonist for purchase by district school boards to specify any emergency opioid antagonist approved by the U.S. Food and Drug Administration (FDA), rather than only naloxone.

The bill also requires that if a district school board has a policy authorizing corporal punishment, the policy must include a requirement for parental consent. The policy may specify that parent consent is provided for the entire school year or before each administration of corporal punishment.

The bill amends s. 1002.33, F.S., to require charter schools to comply with the requirements of corporal punishment.

Prohibited Expenditures

Present Situation

Florida Educational Equity Act

The "Florida Educational Equity Act" (FEEA) prohibits discrimination in any program or employment condition on the basis of race, color, national origin, sex, disability, religion, or marital status against a student or an employee in the state system of public K-20 education.

The FEEA specifies, in part, that:
- No individual may, on the basis of race, color, national origin, sex, disability, religion, or marital status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any public K-20 education program or activity, or in any employment conditions or practices, conducted by a public educational institution that receives or benefits from federal or state financial assistance.

[70] Section 1003.32(1), F.S.
[71] Florida Department of Education, *Discipline Data, 2023-24, available at* https://www.fldoe.org/file/18612/2324DisciplineReport.xlsx, (last visited Mar. 17, 2025)

- The criteria for admission to a program or course may not have the effect of restricting access by persons of a particular race, color, national origin, sex, disability, religion, or marital status.[72]

Included in the prohibition on discrimination on the basis of race, color, national origin, or sex is subjecting any student or employee to training or instruction that espouses, promotes, advances, inculcates, or compels such student or employee to believe any of the following concepts:

- Members of one race, color, national origin, or sex are morally superior to members of another race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
- A person's moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, national origin, or sex.
- Members of one race, color, national origin, or sex cannot and should not attempt to treat others without respect to race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex, should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.
- A person, by virtue of his or her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the person played no part, committed in the past by other members of the same race, color, national origin, or sex.[73]

Florida College System institution and State University System Prohibited Expenditures

A Florida College System (FCS) institution, state university, FCS institution direct-support organization, or state university direct-support organization may not expend any funds, regardless of source, to purchase membership in, or goods and services from, any organization that discriminates on the basis of race, color, national origin, sex, disability, or religion.[74]

An FCS institution, state university, FCS institution direct-support organization, or state university direct-support organization may not expend any state or federal funds to promote, support, or maintain any programs or campus activities that:

- Violate Florida's Educational Equity Act
- Advocate for diversity, equity, and inclusion, or promote or engage in political or social activism, as defined by rules of the State Board of Education and regulations of the Board of Governors.[75]

The requirements for prohibited expenditures do not apply to student fees to support student-led organizations regardless of any speech or expressive activity by such organizations, but the

[72] Section 1000.05(2), F.S.
[73] Section 1005.05(4), F.S.
[74] Section 1004.06(1), F.S.
[75] Section 1004.06(2), F.S.

public funds must be allocated to student-led organizations pursuant to written policies or regulations of each FCS institution or state university. [76] The requirements also do not apply to programs, campus activities, or functions required for compliance with general or federal laws or regulations; for obtaining or retaining institutional or discipline-specific accreditation; or for access programs for military veterans, Pell Grant recipients, first generation college students, nontraditional students, "2+2" transfer students from the FCS, students from low-income families, or students with unique abilities.[77]

Effect of Proposed Changes

The bill creates s. 1001.325, F.S., to align the expenditure restrictions across different educational institutions. Specifically, it aligns the existing limitations on prohibited expenditures for Florida College System (FCS) institutions and state universities with the purchasing requirements for schools and school districts. The bill specifies that a public school, charter school, school district, charter school administrator, or direct-support organization may not expend any funds, regardless of source, to purchase membership in, or goods and services from, any organization that discriminates on the basis of race, color, national origin, sex, disability, or religion. The bill also probits a public school, charter school, school district, charter school administrator, or direct-support organization from expending any state or federal funds to promote, support, or maintain any programs or campus activities that:

- Violate Florida's Educational Equity Act; or
- Advocate for or promote or engage in political or social activism, as defined by rules of the State Board of Education (SBE).

The bill exempts from prohibited expenditure requirements student fees to support student-led organizations regardless of any speech or expressive activity by such organizations that would otherwise violate the above provisions, but the public funds must be allocated to student-led organizations pursuant to written policies or regulations of the school or district in which the student is enrolled, as applicable. The bill does not prohibit programs, campus activities or functions required for compliance with general or federal laws or regulations, for obtaining or retaining accreditation, or for continuing to receive state funds with the approval of either the SBE or the department.

The bill requires the SBE to adopt rules to implement these requirements.

Florida School Recognition Funding

Present Situation

The Florida School Recognition Program provides public recognition and financial awards to faculty and staff at schools sustaining high student performance by receiving a school grade of "A" or showing substantial improvement in student performance by improving a letter grade.

Schools that receive financial awards depend on the availability of funds appropriated and the number and size of schools selected to receive an award. The school recognition funds must be

[76] Section 1004.06(2), F.S. (Flush left)
[77] Section 1004.06(3)

distributed to the school's fiscal agent and placed in the school's account and must be used for purposes listed in statute as determined jointly by the school's staff and school advisory council. If school staff and the school advisory council cannot reach agreement by February 1, the awards must be equally distributed to all classroom teachers currently teaching in the school.

The school recognition award funding must be used for the following:

- Nonrecurring bonuses to the faculty and staff.
- Nonrecurring expenditures for educational equipment or materials to assist in maintaining and improving student performance.
- Temporary personnel for the school to assist in maintaining and improving student performance.[78]

The 2024-2025 General Appropriations Act allocated $200,000,000 to schools in the School Recognition program.[79]

Effect of Proposed Changes

The bill amends s. 1008.36, F.S., to clarify that only instructional personnel, which includes classroom teachers, individuals working in student personnel services, librarians/media specialists, education paraprofessionals, and other instructional staff, are eligible for nonrecurring bonuses through the School Recognition awards.

Postsecondary Feedback of Information to High Schools

Present Situation

The Commissioner of Education must annually report, by high school, to the State Board of Education, the Board of Governors, and the Legislature, by April 30, the number of prior year Florida high school graduates who enrolled for the first time in public postsecondary education in this state during the previous summer, fall, or spring term, indicating the number of students whose scores on the common placement test indicated the need for developmental education or for applied academics for adult education.[80]

Effect of Proposed Changes

The bill revises the deadline from April 30 to May 31 for the annual reporting of postsecondary feedback information by the commissioner to specified entities. The bill also removes the requirement to include data on the number of students whose common placement test scores indicated a need for developmental education courses.

[78] Section 1008.36, F.S.
[79] Specific Appropriation 87, ch. 2024-231, L.O.F.
[80] Section 1008.37(2), F.S.

Instructional Personnel

Present Situation

Educator Certification

Educational personnel in public schools must possess appropriate skills in reading, writing, and mathematics; adequate pedagogical knowledge; and relevant subject matter competence to demonstrate an acceptable level of professional performance.[81] For a person to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the Department of Education (DOE).[82]

A professional teaching certificate is valid for five school fiscal years and is renewable. A professional certificate is awarded to an applicant who meets the basic eligibility requirements for certification and demonstrates mastery of:

- General knowledge.
- Subject area knowledge. and
- Professional preparation and education competence.[83]

Acceptable means of demonstrating mastery of general knowledge include:

- Achievement of passing scores on the general knowledge examination.
- Documentation of a valid professional standard teaching certificate issued by another state.
- Documentation of a valid certificate issued by the National Board for Professional Teaching Standards (NBPTS) or a national educator credentialing board approved by the State Board of Education (SBE).
- Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System (FCS) institution, state university, or private college or university that meets certain criteria.
- Achievement of passing scores on national or international examinations with comparable verbal, writing, quantitative reasoning, and rigor as the general knowledge exam, including but not limited to Graduate Record Examination.
- Documentation of receipt of a master's or higher degree from an accredited postsecondary educational institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher.[84]

A school district that employs an individual who does not achieve passing scores on any subtest of the general knowledge examination must provide information regarding the availability of state-level and district-level supports and instruction to assist him or her in achieving a passing score. The requirement of mastery of general knowledge must be waived for an individual who has been provided three years of support and instruction and who has been rated effective or highly effective for each of the last three years.[85]

[81] Section 1012.54, F.S.
[82] Sections 1012.55(1) and 1002.33(12), F.S.
[83] Section 1012.56(2), F.S.
[84] Section 1012.56(3), F.S.
[85] Section 1012.56(3), F.S. (flush left)

The acceptable means of demonstrating mastery of subject area knowledge include:

- Passing a subject area or other alternative examination as approved by the SBE.
- Having a valid teaching certificate from another state, having a valid certificate from the NBPTS.
- A passing score or program completion of a specified defense language proficiency test or program.[86]

The acceptable means of demonstrating mastery of a professional preparation and education competence include:

- Successful completion of an approved teacher preparation program at a postsecondary educational institution within this state and achievement of a passing score on the professional education competency examination required by state board rule.
- Successful completion of a teacher preparation program at a postsecondary educational institution outside Florida and achievement of a passing score on the professional education competency examination required by state board rule.
- Documentation of a valid professional standard teaching certificate issued by another state.
- Documentation of a valid certificate issued by the NBPTS or a national educator credentialing board approved by the SBE.
- Documentation of two semesters of successful, full-time or part-time teaching in an FCS institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution of higher education identified by the DOE as having a quality program and achievement of a passing score on the professional education competency examination required by SBE rule.
- Successful completion of professional preparation courses as specified in state board rule,
- Successful completion of a professional education competence program and documentation of three years of being rated effective or highly effective while holding a temporary certificate.
- Successful completion of a professional learning certification program.
- Successful completion of a competency-based certification program and achievement of a passing score on the professional education competency examination required by SBE rule.[87]

American Board for Certification of Teacher Excellence (ABCTE)

The ABCTE is run by the nonprofit American Board program which is designed to offer a competency-based alternative path to teaching for career changers with a quick and affordable route to becoming a teacher.[88] The ABTCE is approved in 15 states to offer teacher certification programs.[89] In Florida, ABTCE is approved to offer certification programs in the following subject areas:

- Biology (6-12);
- Chemistry (6-12);

[86] Section 1012.56(5), F.S., and Rule 6A-4.002(4), F.A.C.
[87] Section 1012.56(6), F.S.
[88] Teach, *American Board About*, available at https://www.teach.org/programs/american-board?programId=4918fb59-f054-492d-aad3-7e62061f68f0, (last visited Mar.17, 2025).
[89] American Board, *Online Teacher Certification*, available at https://www.americanboard.org/, (last visited Mar. 17, 2025). The 15 states include: Alabama, Florida, Idaho, Indiana, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, West Virginia, Wisconsin.

- Elementary Education (K-6);
- English (6-12);
- Math (6-12);
- Physics (9-12);
- Reading (K-6);
- Science (5-9); and
- Special Education (K-12).[90]

Currently, the DOE allows a teaching candidate with a valid certificate issued by ABCTE to qualify for a temporary certificate. Additionally, the DOE allows a teaching candidate with a valid certificate issued by ABCTE to qualify for a professional certificate if they have completed the one of the requirements for demonstrating professional education competence in the classroom.[91]

Christa McAuliffe Ambassador for Education Program

The Christa McAuliffe Ambassador for Education Program was created in 2002[92] to recognize that Florida continues to face teacher shortages, and that fewer young people consider teaching as a career. The Christa McAuliffe Ambassador for Education Program was established to provide salary, travel, and other related expenses annually for an outstanding Florida teacher (Teacher of the Year) to promote the positive aspects of teaching as a career. The goals of the program are to:

- Enhance the stature of teachers and the teaching profession.
- Promote the importance of quality education and teaching for our future.
- Inspire and attract talented people to become teachers.
- Provide information regarding Florida's scholarship and loan programs related to teaching.
- Promote the teaching profession within community and business groups.
- Provide information to retired military personnel and other individuals who might consider teaching as a second career.
- Work with and represent the Department of Education, as needed.
- Work with and encourage the efforts of school and district teachers of the year.
- Support the activities of the Florida Future Educator of America Program.
- Represent Florida teachers at business, trade, education, and other conferences and meetings.
- Promote the teaching profession in other ways related to the teaching responsibilities, background experiences, and aspirations of the Ambassador for Education.[93]

The Teacher of the Year is required to serve as the Ambassador for Education for a year. Applications and selection criteria are distributed annually by the Department of Education to all school districts. The Commissioner of Education is required to establish a selection committee which assures representation from teacher organizations, administrators, and parents to select the

[90] American Board, *Florida Teacher Certification,* available at https://www.americanboard.org/florida/, (last visited Mar. 17, 2025)
[91] Florida Department of Education, *Certificate Pathways & Routes*, available at https://www.fldoe.org/teaching/certification/pathways-routes/#direct, (last visited Mar. 17, 2025).
[92] Ch. 2002-387, L.O.F.
[93] Section 1012.77(2), F.S.

Teacher of the Year and Ambassador for Education from among the school district teachers of the year.[94]

Effect of Proposed Changes

The bill amends s. 1012.56, F.S., to expand options for educators who hold a valid certificate issued by The American Board for Certification of Teacher Excellence (ABCTE) to have a direct pathway to a professional teaching certificate in Florida. The bill specifies that ABCTE certification satisfies subject area, general knowledge, and professional preparation and educator competence requirements.

The bill amends s. 1012.77, F.S., to include charter school consortia with at least 30 member schools and an approved professional learning system on file with the DOE as eligible entities to nominate teacher-of-the-year candidates.

Background Screenings

Present Situation

In 2012, the Legislature created the Care Provider Background Screening Clearinghouse (clearinghouse) to create a single "program" of screening individuals and allow for the results of criminal history checks of persons acting as covered care providers to be shared among the specified agencies.[95] Designated agencies include:

- Agency for Health Care Administration (ACHA);
- Department of Health;
- Department of Children and Families;
- Department of Elder Affairs;
- Agency for Persons with Disabilities;
- Department of Education;
- Each school district;
- Developmental Research (Laboratory) Schools;
- Florida School for the Deaf and the Blind;
- Florida Virtual School;
- Virtual instruction programs;
- Charter schools;
- Charter school Hope Operators;
- Private schools participating in an educational scholarship program;
- Alternative schools;
- Regional workforce boards providing services; and
- Local licensing agencies when these agencies are conducting state and national criminal history background screening on persons who work with children or persons who are elderly or disabled.[96]

[94] Section 1012.77(3), F.S
[95] Chapter 2012-73, L.O.F.
[96] Section 435.02, F.S. (definition of "specified agency").

Once a person's screening record is in the clearinghouse, that person will avoid the need for any future state screens and related fees.[97] Final implementation of the clearinghouse by the designated state agencies was required by October 1, 2013. The clearinghouse was initially implemented by the AHCA on January 1, 2013.

Background Screening of Individuals at Schools

School districts, lab schools, the Florida School for the Deaf and the Blind, the Florida Virtual School, virtual instruction providers, charter schools, hope operators, early learning coalitions, and private schools participating in an educational scholarship program (education entities, collectively) currently using the Volunteer Employee Criminal Screening History System (VECHS) to conduct background screenings are required to use the clearinghouse beginning on January 1, 2023. Education entities must be fully implemented into the Clearinghouse by January 1, 2025, or by a date determined by the AHCA.[98]

Individuals who work in or provide services to school districts, charter schools, alternative schools, and private schools participating in state school choice scholarship programs[99] must undergo a fingerprint based background screening before being permitted access to school grounds.[100] The individuals who must undergo background screening fall under three personnel classifications: instructional and noninstructional personnel;[101] noninstructional school district employees and contracted personnel;[102] and noninstructional contractors.[103] Candidates for educator certification must also undergo background screening.[104]

Employees of each school district, lab schools, the Florida school for the Deaf and the Blind, the Florida Virtual school, virtual instruction programs, charter schools, private schools participating in the education scholarship program and alternative schools must be rescreened under the following schedule:[105]

- Employees for whom the last screening was conducted on or before June 30, 2021, must be rescreened by June 30, 2025.
- Employees for whom the last screening was conducted between July 1, 2021, and June 30, 2022, must be rescreened by June 30, 2026.
- Employees for whom the last screening was conducted between July 1, 2022, and December 31, 2023, must be rescreened by June 30, 2027.

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[97] Agency for Health Care Administration, *Clearinghouse Renewals*, available at https://ahca.myflorida.com/MCHQ/Central_Services/Background_Screening/Renewals.shtml (last visited on March 18, 2025).
[98] Section 435.12(1), F.S.
[99] The background screenings conducted by such private schools are conducted through the VECHS.
[100] Sections 1002.421, 1012.32(2), 1012.465(2), and 1012.467(2)(a), F.S
[101] Instructional and noninstructional personnel are individuals who are hired or contracted to fill positions that require direct contact with students in any public school. Section 1012.32(2), F.S.
[102] Noninstructional school district employees and contracted personnel are individuals who are permitted access to school grounds when students are present; who have direct contact with students; or who have access to, or control of, school funds. Section 1012.465(1), F.S.
[103] Noninstructional contractors are vendors or contractors who are not school district employees, are permitted access to school grounds when students are present and have little or no direct contact with students. Section 1012.467(1), F.S.
[104] Sections 1012.315, 1012.32(2), and 1012.56, F.S.
[105] Section 435.12(3)(a), F.S.

The background screening requirements for each personnel classification vary depending upon the individual's duties, whether or not the individual is a school district employee, and the degree of contact the individual has with students.[106] Because they are more likely to have direct contact with students, candidates for educator certification, instructional and noninstructional personnel, and noninstructional school district employees and contracted personnel must be screened against a distinct list of 52 disqualifying offenses applicable to employment with public schools and school districts.[107]

The Commissioner of Education is required to maintain a disqualification list that includes the following:

- The identity of each person who has been permanently denied an educator certificate or whose educator certificate has been permanently revoked and has been placed on the list as directed by the Education Practices Commission pursuant.
- The identity of each person who has been permanently disqualified by the commissioner from owning or operating a private school that participates in state scholarship programs.
- The identity of each person who has been terminated, or has resigned in lieu of termination, from employment as a result of sexual misconduct with a student.[108]
- The identity of each person who is ineligible for educator certification or employment based on the following criteria:
  - Is on the disqualification list.
  - Is registered as a sex offender.
  - Is ineligible based on a Level 2 background screening requirements in law.[109]
  - Is ineligible for an exemption under current law.[110]
  - Has been convicted or found guilty of, has had adjudication withheld for any criminal act in another state or under federal law that would count as a disqualifying offense in Florida.[111]

The head of the appropriate agency or qualified entity may grant to any employee or person with an affiliation otherwise disqualified from employment an exemption from disqualification for:

- Felonies for which at least two years have elapsed since the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court for the disqualifying felony;
- Specified misdemeanors for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court;

[106] *See* ss. 1012.32(2), 1012.465(2), and 1012.467(2), F.S
[107] Sections 1012.315, 1012.32, and 1012.465, F.S.
[108] Section 1001.10(4)(b), F.S.
[109] Section 435.04(2), F.S. provides the lists of ineligible criminal offenses a person must not have been arrested for and are awaiting final disposition of; have not been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to; or have not been adjudicated delinquent and the record has not been sealed or expunged
[110] Section 435.07, F.S. allows certain individuals disqualified from employment due to background screening results to seek an exemption if they demonstrate rehabilitation through clear and convincing evidence, provided they have completed sentencing requirements and paid all court-ordered costs. However, exemptions are prohibited for individuals convicted of severe crimes such as sexual offenses, murder, kidnapping, and certain child-related offenses, as well as registered sex offenders, sexual predators, and career offenders.
[111] Section 1012.315, F.S.

- Offenses that were felonies when committed but that are now misdemeanors and for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court; or
- Findings of delinquency. For offenses that would be felonies if committed by an adult and the record has not been sealed or expunged, the exemption may not be granted until at least three years have elapsed since the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court for the disqualifying offense.[112]

Effect of Proposed Changes

The bill amends s. 1012.315, F.S., to clarify that the owner or operator of a private school must meet the same background screening requirements as an individual who has direct contact with students. The bill also clarifies that background screening exemptions do not apply to public and private school employees in positions that require direct contact with students. Finally, the bill specifies that persons who apply for certification or employment in positions that may require direct contact with a student are governed by the laws and rules in effect when the application was issued for initial certificate or employment, if continuity of certificates or employment are maintained.

The bill also amends s. 435.12, F.S., to extend the background rescreening deadlines for public and private school employees by approximately six months, moving compliance dates from June 30 to December 1 over the next three years. The new rescreening schedule will be as follows:

- Employees for whom the last screening was conducted on or before June 30, 2021, must be rescreened by December 1, 2025.
- Employees for whom the last screening was conducted between July 1, 2021, and June 30, 2022, must be rescreened by December 1, 2026.
- Employees for whom the last screening was conducted between July 1, 2022, and December 31, 2023, must be rescreened by December 1, 2027.

School Board Discretionary Millage Levy

Present Situation

Each district school board is authorized to levy 1.5 mills against the taxable value for public school purposes to fund specific needs as identified in law, including, for example:[113]

- New construction, remodeling projects, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities, athletic facilities, or ancillary facilities.
- Payments for educational facilities and sites due under a lease-purchase agreement.
- Payment of costs of leasing relocatable educational facilities, of renting or leasing educational facilities and sites, or of renting or leasing buildings or space within existing buildings.

[112] Section 435.07(1), F.S.
[113] Section 1011.71(2), F.S.

In addition, a district school board may expend up to $200 per unweighted FTE student from the revenue generated by the millage levy to fund expenses for:[114]

- The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.
- Payment of the cost of premiums property and casualty insurance necessary to insure school district educational and ancillary plants.[115]

Effect of Proposed Changes

The bill modifies s. 1011.71, F.S. to add liability insurance in the listed types of casualty insurance that a school district may use the revenue generated by their discretionary millage levy to pay for the cost of premiums.

Office of Program Policy Analysis and Government Accountability

Present Situation

The Office of Program Policy Analysis and Government Accountability (OPPAGA) is a research arm of the Florida Legislature. The OPPAGA was created by the Legislature in 1994 to help improve the performance and accountability of state government. The OPPAGA provides data, evaluative research, and objective analyses to assist legislative budget and policy deliberations. The OPPAGA conducts research as directed by state law, the presiding officers, or the Joint Legislative Auditing Committee.[116]

Effect of Proposed Changes

The bill modifies s. 11.52, F.S., by authorizing the OPPAGA to develop contracts or agreements with State University System institutions to utilize the expertise of state university faculty and research staff to provide assistance in analysis and evaluative research.

Postsecondary Tuition and Fees

Present Situation

Residency Status for Tuition Purposes

Students must be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by public postsecondary institutions. Students pay differing tuition rates based on their status as a resident or nonresident of Florida.[117]
To qualify as a resident for tuition purposes, a person, or if that person is a dependent child, his or her parent or parents, must have established legal residence in Florida and must have

[114] Section 1011.71(5), F.S.
[115] The casualty insurance authorized is burglary and theft, glass, boiler and machinery, leakage and fire extinguisher equipment, and elevator. Section 624.605(1)(d), (f), (g), (h), and (m), F.S.
[116] Office of Program Policy and Government Accountability, *About Us*, https://oppaga.fl.gov/About (last visited Mar. 14, 2025).
[117] Section 1009.21. F.S.

maintained legal residence for at least 12 consecutive months immediately prior to his or her initial enrollment in the public postsecondary institution.[118]

Each public postsecondary institution must make a residency determination based on the submission of at least two forms of documentation specified in law. Documentation includes, but is not limited to, a Florida voter registration card, Florida driver's license, Florida vehicle registration, homestead exemption (which is a single, conclusive proof of residency), proof of full-time Florida employment, declaration of domicile, Florida incorporation, lease agreements, or utility bills.[119]

Additional Student Fees

Each FCS and SUS institution is authorized to charge additional student fees. Such fees may include activity, service, athletics, financial aid, technology, capital improvements, and other user fees and fines.[120]

Specifically, each FCS institution's board of trustees is authorized to establish a separate fee for financial aid purposes in an additional amount up to, but not to exceed, five percent of the total student tuition or out-of-state fees collected. Up to 25 percent or $600,000, whichever is greater, of the financial aid fees collected may be used to assist students who demonstrate academic merit; who participate in athletics, public service, cultural arts, and other extracurricular programs as determined by the institution; or who are identified as members of a targeted gender or ethnic minority population.[121]

Tuition and Fee Waivers

To support access to higher education, school districts, each FCS institution and state university is authorized to provide a variety of tuition and fee waivers for eligible students. These waivers support individuals based on employment, military service, financial need, and other specific circumstances.[122] These waivers include, but are not limited to, the following:

- University Employees – Waiver for full-time employees of a state university for up to six credit hours per term on a space-available basis.
- Classroom Teachers – Waiver for full-time classroom teachers to enroll in up to six credit hours per term in undergraduate courses related to special education, mathematics, or science.
- Graduate Students in School Psychology Programs – Waiver for internship credit hours for graduate students completing internships in public schools under the supervision of a certified school psychologist.
- Dependents of Deceased First Responders – Waiver for spouses and children of first responders who died in the line of duty.
- Active-Duty Military Members – Waiver of out-of-state fees for active-duty service members residing or stationed outside Florida.

[118] Section 1009.21(2), F.S. This section also specifies other circumstances that may classify a person as a resident for tuition purposes.
[119] Section 1009.21(3), F.S.
[120] Sections 1009.23 and 1009.24, F.S.
[121] Section 1009.23(8), F.S.
[122] *See* Sections 1009.25, 1009.26, and 1009.265, F.S.

- Grandparent Waiver – Waiver of out-of-state fees for students with a grandparent who is a Florida resident, provided the student achieves an SAT combined score no lower than the 89th national percentile or the concordant score on the ACT or Classic Learning Test (CLT), and enrolls full-time in an undergraduate program.[123]

Effect of Proposed Changes

Student Fees

The bill modifies s. 1009.23, F.S., by authorizing an FCS institution to allocate a portion of financial aid fees to assist underrepresented students rather than students who are members of a targeted gender or ethnic minority.

Tuition and Fee Waivers

The bill amends s. 251.001, F.S., by providing tuition and fee waivers for active members of the Florida State Guard to enroll in a state university or Florida College System institution for up to six credit hours of courses per term on a space-available basis. This waiver is similar to the existing tuition and fee waiver available to state employees.

The bill amends s. 1009.26, F.S., by revising the grandparent out-of-state fee waiver by replacing the legal residency requirement with a new standard requiring the grandparent to have established domicile in Florida for at least five years.

State College Regional Consortium Organization

Present Situation

School districts with 20,000 or fewer students, developmental research (laboratory) schools, and the Florida School for the Deaf and Blind may enter into cooperative agreements to form a regional consortium service organization (regional consortium).[124] Each regional consortium must provide, at a minimum, three of the following services:

- Exceptional student education.
- Teacher student centers.
- Environmental education.
- Federal grant procurement and coordination.
- Data processing.
- Health insurance.
- Risk management insurance.
- Staff development.
- Purchasing.
- Planning and accountability.[125]

[123] Section 1009.26, F.S.
[124] Section 1001.451, F.S.
[125] *Id.*

The board of directors of a regional consortium may use various means to generate revenue in support of its activities, which may include patents, copyrights, and trademarks and licenses. Such funds must be used to support the organization's marketing and research development activities in order to improve and increase services to its member districts.[126]

Effect of Proposed Changes

Creates s. 1001.68, F.S., to create the state college regional consortium service organizations to improve the effectiveness and efficiency of small institutions in the Florida College System that serve rural communities. Colleges with 5,000 or fewer full-time equivalent students may enter into cooperative agreements to form a regional consortium service organization. Each organization must provide at least three of the following services:

- Grant procurement.
- Institutional research and reporting.
- Risk management.
- Professional development for faculty and staff.
- Leadership support.
- Information technology and cybersecurity training.
- Faculty and staff recruitment.
- Workforce development programs.
- Cooperative purchasing.
- Administrative services.
- Enrollment services.

Each state college regional consortium service organization must be governed by a board of directors composed of the presidents of the respective member colleges.

The Office of Ocean Economy

Present Situation

The maritime industry encompasses a wide range of interrelated activities such as shipping, shipbuilding, port operations, maritime logistics, fishing and aquaculture, offshore energy, and marine services. The maritime industry facilitates the movement of goods, connects markets, supports industries, and plays a vital role in sustainable development.

The U.S. marine economy plays a significant role in the national economy, contributing $432 billion in gross domestic product (GDP) and supporting 2.3 million jobs across various industries. In 2021, the sector generated $730 billion in sales, reflecting a 10.5 percent increase and demonstrating its substantial economic impact. Notably, the tourism and recreation sector experienced 27.3% growth ($49.8 billion), underscoring the marine economy's vital role in driving business activity, sustaining employment, and supporting overall economic stability.[127]

[126] Section 1001.451(5), F.S.
[127] Office of Coastal Management, Fast Facts, *Marine Economy*, https://coast.noaa.gov/states/fast-facts/marine-economy.html (last visited Mar. 14, 2025).

Florida's marine economy plays a vital role in the state's economic landscape, supporting numerous businesses, jobs, and wages. As of the most recent data:

- There are 24,588 marine-related businesses operating in the state, contributing to economic activity across various sectors.
- The industry employs 546,866 workers, reflecting its significant impact on Florida's job market.
- These jobs provide a total of $20.6 billion in wages, supporting livelihoods across the coastal and marine sectors.
- Florida's marine economy contributes $39.9 billion to the state's GDP, demonstrating its importance in driving statewide economic growth.[128]

The Office of Ocean Economy (office) is created within the State University System and housed at Florida Atlantic University (FAU). The office is created to connect the state's ocean and coastal resources to economic development strategies that grow, enhance, or contribute to the ocean economy.[129]

The duties of the office are to advance research, innovation, industry recruitment, funding, and workforce training to grow the ocean economy. The office is intended to foster collaboration among universities, colleges, and industry partners while maintaining an online inventory of research and resources. The office identifies economic challenges, supports commercialization, removes regulatory barriers, and expands financial opportunities. It also tracks job growth, wages, and business development while promoting Florida's role in the global ocean economy. Additionally, the office educates state and local entities on aligning economic growth with environmental sustainability.[130]

Effect of Proposed Changes

The bill amends s. 288.036, F.S., by revising the duties of the Office of Ocean Economy at FAU. The bill expands the collaboration and coordination between the office and institutions. Specifically, the bill:

- Shifts from fostering relationships to actively collaborating and coordinating with institutions.
- Expands the scope of collaboration to include career centers and specifies collaboration with the College of the Florida Keys.

The bill adds "strengthening the workforce" as an explicit goal in identifying economic challenges and solutions within the ocean economy. This may broaden the office's role in addressing labor market demands alongside innovation, commercialization, and financial growth. Additionally, the bill expands the office's online reporting requirements by requiring an inventory of programs related to the ocean economy, an evaluation of additional credentialing opportunities, and a list of institutions or training providers offering these credentials.

[128] NOAA, *2024 Marine Economy Report: Florida* (2021), *available at* https://coast.noaa.gov/data/digitalcoast/pdf/marine-economy-florida.pdf.
[129] Section 288.036(2), F.S.
[130] Section 288.036(3), F.S.

The bill requires the office to collaborate with public and private educational and industry organizations to make recommendations in:

- Strengthening employment opportunities in specific maritime sectors, including commercial fishing, fisheries and aquaculture, shipbuilding, and shipping.
- Expanding maritime education programs and launching a public awareness campaign.
- Increasing access to dual enrollment, preapprenticeship, apprenticeship, and work-study programs in both public and private institutions.
- Aligning regulatory frameworks for fishing and boat operations with workforce demand through coordination with the Fish and Wildlife Conservation Commission.

Furthermore, the bill clarifies that the office must provide a detailed report on the economic benefits of its activities, and beginning August 1, 2026, the report must include recommendations related to workforce expansion and regulatory alignment.

Florida Center for Brain Tumor Research

Present Situation

In July 2006, the Florida legislature established the Florida Center for Brain Tumor Research (FCBTR), within the Evelyn F. and William L. McKnight Brain Institute of the University of Florida, in a coordinated effort among the state's public and private universities and hospitals and the biomedical industry to discover cures for brain tumor and develop brain tumor treatment modalities.[131]

The FCBTR serves as a collaborative, statewide resource, maintaining a biorepository of cancerous and non-cancerous brain tumor specimens, along with matched samples of DNA, plasma, serum, and cerebrospinal fluid. These samples are collected from patients who provide informed consent at various healthcare institutions across Florida. Professional research coordinators and tissue acquisition specialists facilitate the collection process, ensuring that valuable specimens and data are available for future research. The bank distributes materials to researchers both within Florida and beyond, supporting investigations into improved treatments and potential cures for brain tumors.[132]

In addition to its biorepository functions, the FCBTR has awarded pilot funding to researchers throughout the state. This funding has led to the development of novel therapies currently being tested in clinical trials and has resulted in significant extramural funding and meaningful collaborations between public and private institutions in Florida.[133]

The FCBTR operates under the guidance of a scientific advisory council, which includes biomedical researchers, physicians, clinicians, and representatives from public and private universities and hospitals. The council members are appointed by the Governor, Speaker of the House of Representatives, President of the Senate, and State Surgeon General. These members

[131] Section 381.853, F.S.
[132] Florida Center for Brain Tumor Research, College of Medicine, University of Florida, *About Us*, https://fcbtr.ufl.edu/about-us/ (last visited Mar. 14, 2025).
[133] Florida Center for Brain Tumor Research, College of Medicine, University of Florida, *About Us*, https://fcbtr.ufl.edu/about-us/ (last visited Mar. 14, 2025).

serve staggered 4-year terms and without compensation. The council meets at least annually to provide oversight and strategic direction.[134]

Effect of Proposed Changes

The bill amends s. 381.853, F.S., to shift the appointment authority to the President of the University of Florida, in consultation with the dean of the University of Florida College of Medicine, to appoint the advisory council members for the Florida Center for Brain Tumor Research.

Assistive Technology Advisory Council

Present Situation

The Assistive Technology Advisory Council was established to ensure consumer involvement in the development, application, and distribution of assistive technology for individuals with disabilities. The council plays a critical role in statewide policy development, legislative advocacy, and the oversight of assistive technology programs to enhance accessibility and service delivery. Its responsibilities include reviewing consumer responsiveness, evaluating program effectiveness, and advising on resource allocation to improve assistive technology access across Florida.[135]

The council is composed of members representing a diverse range of stakeholders, including individuals with disabilities, their family members, consumer advocacy organizations, business and industry representatives, and various state agencies involved in disability services. A majority of its members must be individuals with disabilities who are assistive technology consumers or their family members. Membership is also required to be geographically representative of the state and reflect diversity in race, ethnicity, gender, age, and disability type. Members are appointed by the Commissioner of Education and serve terms of up to three years, with a limit of two consecutive terms. A member who has served two terms may be reappointed after a three-year break, ensuring opportunities for new voices while maintaining institutional knowledge.[136]

Effect of Proposed Changes

The bill modifies s. 413.407, F.S., by removing diversity, race, ethnicity, gender, and age from the requirement that the Assistive Technology Advisory Council members be representative of the state's population. The bill also increases the term limit of council members from three to five years.

Apprenticeship Training Programs

Present Situation

Apprenticeship training provides educational opportunities for individuals to develop skills for trades, occupations, and professions that align with their abilities. These programs promote

[134] Section 381.853(4), F.S.
[135] Section 413.407, F.S.
[136] Section 413.407(1), F.S.

hands-on training in occupations requiring physical manipulative skills by expanding job training opportunities and strengthening coordination between academic programs, career programs, and registered apprenticeships. By combining on-the-job training with related classroom instruction, apprenticeship programs help individuals gain practical experience while enhancing their knowledge and expertise.

Efforts to support apprenticeship training include establishing preapprenticeship programs within the public school system, expanding existing registered programs, and developing new programs in occupations that are well-suited for apprenticeship. Oversight of these programs ensures the adoption of uniform minimum standards, assists educational institutions in developing preapprenticeship opportunities, and upholds the quality of training through program promotion, registration, monitoring, and enforcement of standards.[137]

The established uniform minimum standards and policies governing apprenticeship and preapprenticeship programs ensure training providers submit necessary performance data while maintaining quality training standards. These standards regulate apprentice employment and training conditions, including ratios of apprentices to journeyworkers, safety measures, related instruction, and on-the-job training. An annual report is published by September 1 detailing registered programs, expenditures, program completion rates, wage progression, and public engagement efforts. It also assists district school boards, Florida College System institutions, program sponsors, and workforce development boards in promoting apprenticeship opportunities to students, parents, and the community.[138]

Apprenticeship and preapprenticeship programs must meet established standards to be registered and maintained, ensuring compliance through monitoring and investigation of complaints. Programs that fail to adhere to standards or refuse to cooperate with oversight efforts may have their registration canceled. The development and expansion of apprenticeship opportunities are supported through outreach initiatives, including efforts to educate veterans on career pathways. Local apprenticeship sponsors receive assistance in developing training standards, and registered programs are encouraged to grant credit to individuals who have completed preapprenticeship programs. Apprenticeship programs must operate in compliance with all applicable standards, with minority and gender diversity considered in their administration.[139]

Effect of Proposed Changes

The bill modifies s. 446.032, F.S., by changing the required publishing date of the annual report on apprenticeship and preapprenticeship programs from September 1 to November 30.

The bill amends s. 446.041, F.S., by removing the term “minority and gender diversity” and replacing it with “underrepresented groups” to be considered in the administration of apprenticeship and preapprenticeship training programs.

[137] Section 446.011, F.S.
[138] Section 446.032, F.S.
[139] Section 446.041, F.S.

Florida Educational Equity Act

Present Situation

The Florida Educational Equity Act[140] (FEEA) requires equal access to, and prohibits discrimination against, any student or employee of the state's K-20 public education system on the basis of race, ethnicity, gender, national origin, disability, religion, or marital status. No individual may, on such bases, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any public K-20 education program or activity, or in any employment conditions or practices, conducted by a public educational institution that receives or benefits from federal or state financial assistance.[141] Additionally, the prohibition on discrimination extends to participation in any interscholastic, intercollegiate, club, or intermural athletics offered by a public K-20 educational institution, and no K-20 education institution may provide athletics separately on such basis, except as provided by law.[142] Further, the FEEA expressly requires that any discrimination motivated by anti-Semitic[143] intent be treated in an identical manner to discrimination motivated by race.[144]

Public schools and Florida College System (FCS) institutions must develop and implement strategies to increase participation among students of a particular race, color, national origin, sex, disability, or marital status in programs where they have been traditionally underrepresented. These efforts apply to fields such as mathematics, science, computer technology, electronics, communications technology, engineering, and career education to promote greater diversity and inclusion.[145]

The FEEA is implemented by the Board of Governors through regulations[146] and rules adopted by the State Board of Education (SBE).[147] Additionally, the Office of Equal Educational Opportunity (OEEO), within the Department of Education (DOE), serves implementation functions including, but not limited to, the following:

- Requiring all district school boards and FCS institution boards of trustees to develop and submit plans for the implementation of the FEEA to the DOE.
- Requiring all district school boards and Florida College System institution boards of trustees to submit data and information necessary to determine compliance with the FEEA.

[140] Section 1000.05(1), F.S.
[141] Section 1000.05(2)(a), F.S. Students may be separated for permissible single gender programs, for portions of a class that deals with human reproduction, or during participation in bodily contact sports. Section 1000.05(2)(d), F.S. All K-20 public education classes and guidance services must be made available to students without regard to any of the bases described above. Section 1000.05(2)(c) and (e), F.S.
[142] Section. 1000.05(3)(a), F.S. Public K-20 educational institutions are authorized to maintain separate teams for members of each gender or based on ability in certain circumstances. Section. 1000.05(3)(b)-(c), F.S. It is the responsibility of the Board of Governors and the Commissioner of Education to determine whether equal athletic opportunities are provided for both genders at state universities and in school districts and Florida College Systems, respectively. Section 1000.05(3)(d), F.S.
[143] For purposes of this section, the term "anti-Semitism" includes a certain perception of the Jewish people, which may be expressed as hatred toward Jewish people, rhetorical and physical manifestations of anti-Semitism directed toward a person, his or her property, or toward Jewish community institutions or religious facilities. Section 1005.05(8), F.S. The FEEA also lists examples of anti-Semitism. Section 1000.05(7)(a)-(b), F.S.
[144] Section 1000.05(8), F.S.
[145] Section 1000.05(5), F.S.
[146] Board of Governors Regulation 2.003.
[147] Rule 6A-19.010, F.A.C.

- Developing and implementing enforcement mechanisms with appropriate penalties to ensure that public K-12 schools and Florida College System institutions comply with Title IX of the Education Amendments of 1972 and the FEEA.
- Reporting to the Commissioner of Education any district school board or FCS institution board of trustees found to be out of compliance with the FEEA or the rules implementing the FEEA.[148]

The SBE is responsible for ensuring compliance with its rules by district school boards and FCS institution boards of trustees. If a board is found to be out of compliance, the Commissioner of Education must report the violation, and the SBE may impose penalties, including declaring the institution ineligible for competitive state grants and directing the Chief Financial Officer to withhold general revenue funds until compliance is achieved. The institution remains ineligible for funding until it meets compliance requirements or the SBE approves a corrective plan.[149]

The FEEA provides a cause of action for anyone aggrieved by a violation of the FEEA. Such an individual is authorized to seek equitable relief and, should he or she prevail, he or she may be awarded reasonable attorney fees and court costs.[150]

Effect of Proposed Changes

The bill amends s. 1000.05, F.S., by renaming the "Florida Educational Equity Act" to the "Florida Educational Equality Act". The bill changes the term "gender" to "sex" and removes the term "particular race, color, national origin, sex, disability or marital status" and replaces it with "underrepresented."

Additionally, the bill removes the specific reporting duty of the OEEO and the penalties for non-compliance in favor of requiring the Commissioner of Education and State Board of Education to utilize their enforcement authority already specified in law.

Hillsborough Community College

Present Situation

Hillsborough Community College (HCC) opened in 1968 as "Hillsborough Junior College." In 1970, the college's name was changed to Hillsborough Community College to better reflect its community orientation and involvement.[151] HCC is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACS) to award associate and baccalaureate degrees.[152] HCC offers a baccalaureate degree in nursing.

[148] Section 1000.05(6), F.S.
[149] Section 1000.05, F.S.
[150] S. 1000.05(9), F.S.
[151] Hillsborough Community College, About Us, *History*, https://news.hccfl.edu/about-us/history/default.aspx (last visited Mar. 14, 2025).
[152] Southern Association of Colleges and Schools, Commission on Colleges, *Hillsborough Community College*, https://sacscoc.org/institutions/?institution_name=hillsborough+community+college&results_per_page=25&curpage=1 (last visited Mar. 14, 2025).

Florida College System Institution Name Change

With the approval of its board of trustees, a Florida College System (FCS) institution may change the institution's name and use the designation "college" or "state college" if it has been authorized by the SBE to grant baccalaureate degrees and has been accredited as a baccalaureate-degree-granting institution by an accrediting agency or association recognized by the United States Department of Education (USDOE).[153]

With the approval of its board of trustees, an FCS institution that either has not been authorized to grant baccalaureate degrees or has not been accredited as a baccalaureate-degree-granting institution by an accrediting agency or association recognized by the USDOE may request approval from the SBE to change the institution's name and use the designation "college." The SBE may approve the request if the FCS institution enters into an agreement with the SBE to do the following:

- Maintain as its primary mission responsibility for responding to community needs for postsecondary academic education and career degree education.
- Maintain an open-door admissions policy for associate-level degree programs and workforce education programs.
- Continue to provide outreach to underserved populations.
- Continue to provide remedial education.
- Comply with all provisions of the statewide articulation agreement that relate to two-year and four-year public degree-granting institutions as adopted by the SBE.[154]

A district board of trustees that approves a change to the name of an institution must seek statutory codification of such name change during the next regular legislative session.[155]

Effect of Proposed Changes

The bill amends s. 1000.21, F.S., to change the name of "Hillsborough Community College" to "Hillsborough College".

Board of Governors

Present Situation

The State University System (SUS) is composed of 12 public universities,[156] each administered by a board of trustees. The Board of Governors (BOG) is responsible for operating, regulating, and managing the entire SUS.[157] It also ensures compliance with all applicable local, state, and federal laws governing the institutions under its jurisdiction.[158]

Additionally, the BOG oversees cost-effective policy decisions at each constituent university, ensuring alignment with institutional missions, the maintenance of high-quality education

[153] Section 1001.60(2)(b)1., F.S.
[154] Section 1001.60(2)(b)2., F.S.
[155] Section 1001.60(2)(c), F.S.
[156] *See* State University System of Florida, *Universities*, https://www.flbog.edu/universities/ (last visited Mar. 14, 2025) (identifying 12 state universities).
[157] FLA. CONST., art. IX, s. 7(a)-(d).
[158] Section 1001.705(2), F.S.

programs, performance measurement, data reporting, and input on state policy, budgeting, and education standards.[159] To fulfill these responsibilities, the BOG carries out key functions, including:

- Developing strategic and accountability plans with performance metrics for universities.
- Requiring universities to provide students with employment and earnings data for degree programs.[160]
- Maintaining an information system to track and report institutional performance.
- Investigating allegations of waste, fraud, or financial mismanagement at state universities.
- Authorizing regulatory flexibilities and waivers to support institutional priorities.
- Monitoring and improving four-year graduation rates through institutional proposals.
- Matching student data with state and federal employment records to assess program effectiveness.[161]

MyFloridaFuture is a free online tool, developed by the SUS, that helps students, parents, and policymakers make more informed decisions about college and career planning. This interactive tool allows users to explore data related to graduate salary, employment, and student debt by institution or major at both the statewide and individual institution levels.[162]

Effect of Proposed Changes

The bill modifies s. 1001.706, F.S., by removing the requirement for the Board of Governors to provide electronic access to data on the top 25 percent of degrees with the highest job placement and earnings and the bottom 10 percent of degrees with the lowest job placement and earnings before registration.

Preeminent State Research Universities Program

Present Situation

The preeminent state research universities program is a collaborative partnership between the Board of Governors (BOG) and the Legislature to raise the academic and research preeminence of the highest performing state research universities in Florida.[163] A state university that meets 12 of the 13 academic and research excellent standards specified in law is designated a "preeminent state research university."[164] Currently, the University of Florida, Florida State University, University of South Florida, and Florida International University are designated as preeminent state research universities.[165]

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[159] Section 1001.706, F.S.
[160] See Section 1008.39, F.S. The Florida Education and Training Placement Information Program (FETPIP) is a data collection and consumer reporting system that provides employment and education follow-up data on former students and program participants who have graduated, exited, or completed a public education or training program within the State of Florida.
[161] Section 1001.706(5), F.S.
[162] Florida Board of Governors, *MyFloridaFuture*, https://www.flbog.edu/myfloridafuture/ (last visited Mar. 14, 2025).
[163] Section 1001.7065(1), F.S.
[164] Section 1001.7065(3), F.S.
[165] Board of Governors, State University System of Florida, *Accountability Propels State University System of Florida to New Heights*, https://www.flbog.edu/2024/07/01/accountability-propels-state-university-system-of-florida-to-new-heights/ (last visited Mar. 14, 2025).

The following are the academic and research excellence standards established for the preeminent state research universities program and must be reported annually in the BOG Accountability Plan:

- An average weighted grade point average (GPA) of 4.0 or higher and an average SAT score of 1200 or higher or an average ACT score of 25 or higher for fall semester incoming freshmen.
- A top-50 ranking on at least two well-known national public university rankings, such as U.S. News & World Report.
- A 90% or higher freshman retention rate for full-time, first-time-in-college students.
- A 60% or higher four-year graduation rate for full-time, first-time-in-college students.
- At least six faculty members who are members of a national academy.
- Total annual research expenditures of $200 million or more, including federal research funding.
- Annual research expenditures in diversified nonmedical sciences of $150 million or more.
- A top-100 national ranking for research expenditures in five or more STEM fields.
- At least 100 patents awarded by the U.S. Patent and Trademark Office over the most recent three-year period.
- 400 or more doctoral degrees awarded annually, including professional doctoral degrees in medical and health care disciplines.
- 200 or more postdoctoral appointees annually.
- An endowment of $500 million or more.
- Total annual STEM-related research expenditures of $50 million or more, including federal research funding.[166]

Effect of Proposed Changes

The bill amends s. 1001.7065, F.S., by expanding the standardized test options used to meet the academic and research excellence standards for the preeminent state research universities program. It adds the Classical Learning Test (CLT) as an alternative to the SAT and ACT, requiring an average CLT score of 83 or higher on a 120-point scale for incoming freshmen.

Emergency Opioid Antagonists

Present Situation

Each Florida College System institution and state university must maintain a supply of emergency opioid antagonists,[167] such as naloxone hydrochloride or any similarly acting drug approved by the United States Food and Drug Administration (FDA), in every residence hall or dormitory it owns or operates. These emergency opioid antagonists must be placed in clearly marked locations within each residence hall or dormitory and must be easily accessible to campus law enforcement officers trained in their administration. Public and private partnerships

[166] Section 1001.7065(2), F.S.
[167] Section 1004.0971(1)(b), F.S., defines an "emergency opioid antagonist" as naloxone hydrochloride or any similarly acting drug that blocks the effects of opioids administered from outside the body and that is approved by the United States Food and Drug Administration for the treatment of an opioid overdose.

are encouraged to cover the costs associated with purchasing and placing these emergency opioid antagonists.[168]

Campus law enforcement officers who are trained and administer or attempt to administer an emergency opioid antagonist in compliance with applicable laws, as well as the institution that employs such officers, are immune from civil or criminal liability.[169]

Effect of Proposed Changes

The bill amends s. 1004.0971, F.S., by removing the specific reference to "naloxone hydrochloride or any similarly acting" drug and instead broadly defining an emergency opioid antagonist as any FDA-approved drug that blocks the effects of opioids and is used for opioid overdose treatment.

Graduation Alternative to Traditional Education Program

Present Situation

Created within the Department of Education, the Graduation Alternative to Traditional Education (GATE) Program offers a unique opportunity for students who have left high school to get back on track. Designed for students aged 16 to 21, GATE provides a pathway to earn valuable career education credentials while also completing a standard high school diploma or its equivalent.[170]

Through the GATE program, students can enroll in a Career and Technical Education (CTE) program and an Adult Secondary Education (ASE) program simultaneously. Eligible ASE programs include Adult High School or GED® Preparation. Participants will work towards earning both a high school diploma and a credential from a Career Education Program on the Master Credential list in their chosen career field. Students have up to three years to complete the GATE Program.[171]

To be eligible for participation in the GATE Program, a student must:

- Not have earned a standard high school diploma or a high school equivalency diploma before enrolling in the GATE Program;
- Have been withdrawn from high school;
- Be a resident of the state for tuition purposes;
- Be 16 to 21 years of age at the time of initial enrollment, and if 16 or 17 years of age, have withdrawn from school enrollment pursuant to certain requirements and safeguards;[172]
- Select the adult secondary education program and career education program of his or her choice at the time of admission to the GATE Program, provided that the career education program is included on the Master Credentials List. The student must remain in their chosen

[168] Section 1004.0971, F.S.
[169] Section 1004.0971(5), F.S.
[170] Section 1004.933, F.S. and Florida Department of Education, Adult Education, *Graduation Alternative to Traditional Education (GATE) Program*, https://www.fldoe.org/academics/career-adult-edu/adult-edu/gate.stml (last visited Mar. 14, 2025).
[171] Florida Department of Education, Adult Education, *Graduation Alternative to Traditional Education (GATE) Program*, https://www.fldoe.org/academics/career-adult-edu/adult-edu/gate.stml (last visited Mar. 4, 2025).
[172] Section. 1003.21(1), F.S.

pathway after enrollment, except that, if necessary, the student may enroll in an adult basic education program prior to enrolling in the adult secondary education program;
- Maintain a 2.0 grade point average (GPA) for career and technical education coursework; and
- Complete the adult secondary education program and the career education program within three years unless the institution determines that an extension is warranted due to extenuating circumstances.[173]

GATE Startup Grant Program

The GATE Startup Grant Program is established within the Department of Education (department) to fund and support the startup and implementation of the GATE Program. The purpose of the grant program is to increase access to programs that support adult learners earning a high school credential, either a high school diploma or its equivalent, and a workforce credential aligned to statewide or regional demand. The department is required to administer the grants, determine eligibility, and distribute grant awards.[174]

Applicants eligible to apply for the GATE Startup Grant Program must meet the definition of an "institution"[175] and must be located in or serve a rural area of opportunity as designated by the Governor. Rural Areas of Opportunity (RAO) are areas designated by the Governor that have been adversely affected by an extraordinary economic event, severe or chronic distress, or a natural disaster.[176]

Florida's designated RAOs are:
- Northwest Rural Area of Opportunity: Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Wakulla, and Washington Counties, and the area within the city limits of Freeport and Walton County north of the Choctawhatchee Bay and intercostal waterway.
- South Central Rural Area of Opportunity: DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee counties, and the cities of Pahokee, Belle Glade, and South Bay (Palm Beach County) and Immokalee (Collier County).
- North Central Rural Area of Opportunity: Baker, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Putnam, Suwannee, Taylor and Union.[177]

Grant funds may be used for planning activities and other expenses associated with the creation of the GATE Program, such as expenses related to program instruction, instructional equipment, supplies, instructional personnel, and student services. Grant funds may not be used for indirect costs. Grant recipients must submit an annual report in a format prescribed by the department.[178]

[173] Section 1004.933(4), F.S.
[174] Section 1011.804, F.S.
[175] Section 1011.804(2), F.S. The term "institution" means a school district career center established under s. 1001.44, a charter technical career center established under s. 1002.34, or a Florida College System institution identified in s. 1000.21 which offers the GATE Program pursuant to s. 1004.933.
[176] Section 288.0656(d), F.S.
[177] Department of Education, *Graduation Alternative to Traditional Education (GATE) Program,* https://www.fldoe.org/academics/career-adult-edu/adult-edu/gate.stml (last visited Mar. 14, 2025).
[178] Section 1011.804(6), F.S.

Effect of Proposed Changes

The bill amends s. 1004.933, F.S., by authorizing an institution to enter into an agreement with an online provider for the adult education or career instruction portion of the GATE Program, provided the provider's instructional content and services align with the state career and adult education curriculum frameworks.

The bill also modifies the age requirement at initial enrollment, changing it from "16 to 21" to "at least 16" years old. Additionally, it clarifies that students are not required to enroll in adult secondary and career education program coursework simultaneously with the GATE Program but maintains the three-year completion requirement.

The bill amends s. 1011.804, F.S., by expanding the authorized use of the GATE Startup Fund. Specifically, it authorizes institutions with existing GATE Programs located in or serving a RAO to apply for grant funds exclusively for marketing and outreach efforts to increase student participation. Additionally, all grant recipients are authorized to use funds for these purposes.

Nonpublic Religious Postsecondary Institutions

Present Situation

The Commission for Independent Education

The Commission for Independent Education (commission) was established in 2001 and is responsible for matters relating to nonpublic postsecondary educational institutions. The commission's functions include consumer protection, program improvements, institutional policies and administration, data management, and the licensure of independent schools, colleges, and universities.[179]

Licensure of Nonpublic Postsecondary Educational Institutions

Each college or school operating within the state must obtain licensure from the commission unless the institution is not under the commission's purview or jurisdiction as provided in law.[180] The commission has developed 12 standards by which to evaluate institutions for licensure. Standards include administrative organization, academic programs, admissions requirements, finances, faculty, library resources, facilities, student services and advertising.[181]

Provisional Licensure is the first level of licensure obtained by an applicant and allows the institution to advertise, recruit students, accept fees and tuition from students, and hold classes. Provisional Licensure is granted when the commission has determined that an applicant is in substantial compliance with the standards for licensure. A Provisional License is typically granted for one year. The process to obtain Provisional Licensure for a new applicant normally takes six to twelve months.[182] A provisional license may include conditions required by the

[179] Section 1005.21, F.S., and Florida Department of Education, *Commission for Independent Education*, https://www.fldoe.org/policy/cie/ (last visited Jan. 16, 2024).
[180] Sections 1005.31(1) and 1005.06, F.S.
[181] Section 1005.31(2), F.S. and Rule 6E-2.004, F.A.C.
[182] Florida Department of Education, *2022-2023 Commission for Independent Education Annual Report* (2024), *available at* https://www.fldoe.org/core/fileparse.php/7748/urlt/2223annualreport.pdf at 14 (last visited Apr. 2, 2025).

commission and all conditions must be met before the institution may receive a different licensure status.[183]

Annual Licensure is typically the second level of licensure obtained by an institution holding a Provisional License, or seeking renewal of an Annual License, when the commission has determined that an institution is in full compliance with the standards for licensure. An institution may continue to hold an Annual License as long as the institution remains in full compliance with the standards for licensure, does not undergo a substantive change, or meets the requirements and applies for a License by Means of Accreditation. An Annual License is typically granted for one year. Prior to the granting of an initial Annual License, a satisfactory on-site visit must occur. The process to obtain an initial Annual License or renewal of an Annual License normally takes three months from receipt of the Application for Annual License.

Institutions that hold an Annual License may add new degrees, programs, or majors to their offerings or alter any licensed program by more than 20 percent since their last review, change the title of a program or the credential awarded, or discontinue a program upon approval by the commission.[184]

Religious Institutions

The commission does not have jurisdiction or purview over all nonpublic postsecondary educational institutions. Certain postsecondary educational institutions are exempt from licensure and jurisdiction under the commission.[185]

Religious institutions are not under the jurisdiction or purview of the commission and are not required to obtain licensure. A religious college may operate without governmental oversight if the college annually verifies by sworn affidavit to the commission that:

- The name of the institution includes a religious modifier or the name of a religious patriarch, saint, person, or symbol of the church.
- The institution offers only educational programs that prepare students for religious vocations as ministers, professionals, or laypersons in the categories of ministry, counseling, theology, education, administration, music, fine arts, media communications, or social work.
- The titles of degrees issued by the institution cannot be confused with secular degree titles. For this purpose, each degree title must include a religious modifier that immediately precedes, or is included within, any of the following degrees: Associate of Arts, Associate of Science, Bachelor of Arts, Bachelor of Science, Master of Arts, Master of Science, Doctor of Philosophy, and Doctor of Education. The religious modifier must be placed on the title line of the degree, on the transcript, and whenever the title of the degree appears in official school documents or publications.
- The duration of all degree programs offered by the institution is consistent with the standards of the commission.

[183] Section 1005.31(5), F.S.
[184] Florida Department of Education, *2022-2023 Commission for Independent Education Annual Report* (2024), *available at* https://www.fldoe.org/core/fileparse.php/7748/urlt/2223annualreport.pdf at 20 (last visited Apr. 2, 2025).
[185] Section 1005.06, F.S. These include public colleges and universities; institutions that are otherwise licensed, such as dental schools, midwifery schools, or real estate schools; institutions eligible for the Effective Access for Student Education tuition assistance program; continuing education programs; and religious institutions.

- The institution's consumer practices are consistent with those specified in law. [186]

The commission may provide such a religious institution with a letter stating that the institution has met the requirements specified in law and is not subject to government oversight.

Effect of Proposed Changes

The bill amends s. 1005.06, F.S., to revise the criteria under which nonpublic religious postsecondary educational institutions may operate without licensure from the Commission for Independent Education. Specifically, the bill replaces the term "religious college" with "nonpublic religious postsecondary educational institution" and expands the number of affirmations required in the annual sworn affidavit from five to seven, to include:

- An explanation of the religious modifier, religious name, or religious symbol used in the institution's name.
- The titles and majors of every degree program offered by the institution as they appear on degrees and transcripts issued by the institution.

The bill authorizes the commission to request documentation from the institution demonstrating compliance with the affidavit requirements and the consumer protection standards. The institution is required to submit the requested documentation within 30 days after the request. The bill requires the commission to review affidavits in a public meeting and approve the affidavit unless the affidavit is facially invalid, is contradicted by the institution's public advertisements or by other evidence, or the institution fails to provide requested documentation.

Additionally, the bill requires the commission to revoke its approval, in a public meeting, if an institution previously received a written exemption and the institution fails to remain in compliance. If an affidavit is denied by the commission, the commission is authorized to take action unless the institution applies for licensure, ceases operations in the state, or submits documentation showing it meets the requirements of the exemption.

The bill moves administrative oversight responsibility for eligible Effective Access to Student Education (EASE) Grant institutions from the commission to the Department of Education. The bill also amends s.1009.8962, F.S., to conform a cross-reference that authorizes institutions eligible for the EASE grant remain eligible for the Linking Industry to Nursing Education (LINE) fund.

The bill authorizes the commission to adopt rules.

Florida Postsecondary Academic Library Network

Present Situation

The Florida Postsecondary Academic Library Network (Network) is administered by the Florida Virtual Campus (FLVC), which operates under the Northwest Regional Data Center (NWRDC),

[186] Section 1005.06(1), F.S. and Rule 6E-5.001, F.A.C.

an affiliate of Florida State University.[187] The Network provides academic support services to Florida College System (FCS) institutions and state universities, including access to distance learning courses, coordination of online academic resources, and administration of a shared library automation system. Additionally, it negotiates statewide licensing agreements for electronic library resources and promotes the use of low-cost and open-access educational materials to reduce textbook costs for students.[188]

The Student Open Access Resources Repository is a statewide searchable database of open educational resources curated by faculty members from FCS institutions and state universities. It is designed to expand access to free and low-cost instructional materials and support the development of faculty-created content. The repository is based on the statewide course numbering system and aims to accelerate textbook affordability. Institutions receiving grant funds for open educational resources must openly license and share materials developed using these funds by adding them to the repository.[189]

The Network is administered by a host entity responsible for delivering statewide academic support services. This host entity must submit an annual report by December 31 to the Chancellors of the State University System and Florida College System. The report includes data on the usage of open educational resources, the number and types of courses in the repository, and grant fund distributions. Additionally, the Chancellors must submit an annual performance report on the host entity's service delivery to the Governor, the Legislature, the Board of Governors, and the State Board of Education. The Board of Governors and the Department of Education are also required to include any necessary funding increases for these services in their legislative budget requests.[190]

Effect of Proposed Changes

The bill amends s. 1006.73, F.S., by removing certain reporting requirements related to the Student Open Access Resources Repository, which is no longer funded. Specifically, it eliminates the requirement to report the number and types of courses included in the repository and data on the utilization of the repository and open educational resources by FCS institutions and state universities.

The bill removes the requirement for the Chancellors of the SUS and the FCS to submit an annual performance report on the host entity's delivery of services. It also eliminates the requirement for the BOG and the DOE to include any necessary funding increases for these services in their annual legislative budget requests.

Additionally, the bill removes an obsolete provision that required the Commissioner of Education and the Chancellor of the BOG to submit a joint recommendation on expanding access

[187] Florida Virtual Campus, About FLVC Library Services, https://libraries.flvc.org/about-flvc-ls#:~:text=Funded%20by%20the%20state%20as,)%20(Served%20only%20state%20universities) (last visited April 8, , 2025).
[188] Section 1006.73(1), F.S.
[189] Section 1006.73(4), F.S.
[190] Section 1006.73(5), F.S.

to postsecondary distance learning, student support services, and library assets for school district career centers and charter technical career centers.

College Reach-Out Program

Present Situation

The College Reach-Out Program (CROP) was established in 1983 to motivate and prepare students in grades six–12 from low-income educationally disadvantaged backgrounds towards pursuing and successfully completing postsecondary education. Participants are students who otherwise would be unlikely to seek admission to a postsecondary institution without additional support and recruitment efforts.[191]

Effect of Proposed Changes

The bill modifies s. 1007.34, F.S., by replacing the term "minority" with "underrepresented" in references to the student population within the College Reach-Out Program.

Florida Partnership for Minority and Underrepresented Student Achievement

Present Situation

The Florida Partnership for Minority and Underrepresented Student Achievement was established to prepare, inspire, and connect students to postsecondary success and opportunity, with a particular focus on minority students and students who are underrepresented in postsecondary education.[192]

Each public high school, including alternative sites and centers of the Department of Juvenile Justice, must provide for the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) or the PreACT to all 10th-grade students. A written notice must be provided to parents, including the opportunity to exempt their child from taking the assessment.[193]

The partnership is responsible for identifying students for participation in advanced courses, providing information to students and parents regarding available opportunities, and explaining enrollment procedures. This information must include details on the benefits of advanced coursework in preparing students for postsecondary education, increasing access to postsecondary opportunities, and qualifying for scholarships and financial aid.[194]

The partnership must coordinate efforts to expand student access to advanced coursework, including working with school districts, the Florida Virtual School, and Florida College System (FCS) institutions and state universities to develop advanced courses and provide instructional

[191] Florida Department of Education, *College Reach-Out Program (CROP) available at* https://www.fldoe.org/schools/family-community/activities-programs/pre-collegiate/crop.stml (last visited April 8,, 2025)
[192] Section 1007.35(4), F.S.
[193] Section 1007.35(5), F.S.
[194] Section 1007.35(6)(i), F.S.

support.[195] It must also provide assessment tools to evaluate student strengths and weaknesses related to success in advanced coursework.[196]

Classic Learning Test (CLT)

Present Situation

The Classic Learning Test (CLT) is a standardized college entrance exam that emphasizes classical education. Designed as an alternative to the SAT and ACT, the CLT assesses students' reading, writing, and mathematical reasoning skills through texts drawn from classic literature, historical documents, and philosophical works. It aims to evaluate critical thinking and moral reasoning rather than test-taking strategies, appealing particularly to private, religious, and classical schools.[197] The CLT provides a suite of assessments, including the CLT for grades 11–12, the CLT10 for grades 9–10, and the CLT3–8 for grades 3–8.[198] In Florida 11th grade students are offered the opportunity to participate in a school day CLT administration if the school district in which they reside chooses to administer the CLT school day.[199]

Effect of Proposed Changes

The bill amends s. 1007.35, F.S., by renaming the "Florida Partnership for Minority and Underrepresented Student Achievement" to the "Florida Partnership for Underrepresented Student Achievement." The bill removes the partnership's specific focus on minority students, broadening its scope to all underrepresented student populations.

The bill provides legislative intent recognizing the value of career pathways beyond traditional college access, including vocational and trade schools, and emphasizes the importance of incentivizing high school programs that prepare students for those career paths. The bill provides that school districts can select to offer the CLT10 to all 10th grade students under the partnership.

The bill also requires that for each enrolled public high school student who has a grade point average (GPA) of 3.5 or higher and has score at or about the 75th national percentile or higher on the PSAT/NMSQT, CLT 10 or PreACT to administered pursuant to subsection (5), a school district must ensure the student has access to the following resources until the student participates in the ACT, CLT, or SAT:

- Online ACT, CLT, or SAT preparation courses or access to other evidence-based ACT, CLT, or SAT preparation resources. A school district may offer in-person preparation courses.
- Information on all eligibility requirements for the Florida Bright Futures Scholarship Program.

The bill requires that students maintain a GPA of 3.5 or higher to remain eligible to access ACT, CLT, or SAT resources.

Additionally, the bill removes requirements for the partnership to:

[195] Section 1007.35(6)(g) and (l), F.S.
[196] Section 1007.35(6)(d), F.S.
[197] Classic Learning Test, *What We Do*, https://www.cltexam.com/, (last visited April 8, 2025).
[198] *Id.*
[199] Section 1008.22(3)(c), F.S.

- Provide teacher training, professional development, and instructional materials.
- Consider ways to incorporate FCS institutions into its mission of preparing all students for postsecondary success.
- Cooperate with the DOE to provide information on partnership activities, opportunities, and priorities.

Florida Gold Seal Career and Professional Education (CAPE) Scholars Award

Present Situation

The Florida Gold Seal CAPE Scholars Award, established within the Bright Futures Scholarship Program, supports students who complete industry certifications that articulate for postsecondary credit.[200]

To qualify, students must earn at least five postsecondary credit hours through CAPE industry certifications and complete at least 30 volunteer hours or 100 hours of paid work.[201] This scholarship provides funding for career-focused postsecondary programs, including technical degrees, applied technology diplomas, or career certificates, and may extend to bachelor's degree programs in specific articulated pathways.[202]

Effect of Proposed Changes

The bill amends s. 1009.536, F.S., by modifying the eligibility requirements for the Florida Gold Seal CAPE Scholars award. Specifically, the bill reduces the required minimum postsecondary credit hours earned through CAPE industry certifications from five to three and adds a requirement that students earn a minimum cumulative weighted grade point average (GPA) of 2.5 in all subjects required for high school graduation, excluding electives.

The bill also expands eligibility by allowing students who complete the GATE Program to apply for the award before or within three months of completion.

Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) Fund

Present Situation

The PIPELINE Fund is a performance-based funding initiative designed to reward public postsecondary nursing education programs for their excellence and effectiveness.[203] The fund provides allocations to eligible institutions, school district career centers, charter technical career centers, Florida College System institutions, and state universities,[204] based on two key performance metrics:

- Number of program completers; and

[200] Section 1009.536. F.S.
[201] Section 1009.536(2), F.S.
[202] Section 1009.536(5), F.S.
[203] Section 1009.897, F.S.
[204] Section 1009.897(2), F.S.

- First-time passage rate on the National Council of State Boards of Nursing Licensing Examination (NCLEX).[205]

Programs with first-time NCLEX passage rates above the national average receive additional rewards.[206]

Effect of Proposed Changes

The bill modifies s. 1009.897, F.S., by specifying that funds under the PIPELINE Fund must be used for healthcare industry-related programs.

Contracting for Educational Facilities

Present Situation

Governing boards overseeing educational facilities, including district school boards, Florida College System institution boards of trustees, and state university boards of trustees, must competitively bid construction, remodeling, renovation, demolition, or improvement projects and award contracts to the lowest responsible bidder once funds are available and project plans are approved.[207]

Boards are authorized to allocate up to 10 percent of capital project funds exclusively for contracts with minority business enterprises, which are competitively bid only among qualifying businesses to address the effects of past discriminatory practices.[208] To ensure compliance and contractor qualifications, boards must also prequalify bidders and require that contractors hold the appropriate certificates or licenses before awarding any construction contract.[209] This statutory framework is designed to maintain fair competition, emergency flexibility, and equitable contracting practices while ensuring adherence to licensing and safety regulations.

Effect of Proposed Changes

The bill amends s. 1013.46, F.S., by removing the provision related to the option of setting aside 10 percent of allocated funds for construction contracts with minority business enterprises.

University Campus Master Plans

Present Situation

Each university board of trustees (BOT) is required to prepare and adopt a campus master plan for the university and maintain a copy of the plan on the university's website. The mater plan must identify general land uses and address the need for and plans for provision of roads, parking public transportation, solid waste, drainage, sewer, potable water, and recreation and open space during the coming 10 to 20 years. The plans contain certain elements and address the

[205] Section 1009.897(3), F,.S.
[206] Section 1009.897(3)(b), F.S.
[207] Section 1013.46(1)(a), F.S.
[208] Section 1013.46(1)(c), F.S.
[209] Section 1013.46(2), F.S.

compatibility with the surrounding community. These master plans must be updated every 5 years.

Effect of Proposed Changes

The bill amends s. 1013.30, F.S., to revise the frequency of the university master plan submission from five years to 10 years.

The bill is effective July 1, 2025, except as otherwise specified.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

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:

The bill requires the Department of Education (DOE) to prepare and offer standards of curriculum for instruction related to agricultural education. Additionally, the bill authorizes the DOE to enter into a contract from state or nationally recognized agricultural educational organizations to develop such curriculum. The fiscal impact for the development of the curriculum is indeterminate, but likely insignificant and able to be absorbed within existing resources.

Should the Office of Program Policy Analysis and Government Accountability develop contracts with institutions in the State University System, it may result in a revenue increase to the institutions. However, it may result in a cost to the Office of Program Policy Analysis and Government Accountability.

Requiring state universities and Florida College System institutions to waive tuition and fees for active members of the Florida State Guard would result in a revenue loss for the institutions.

Modifying the grandparent out-of-state fee waiver has an indeterminate fiscal impact on institutions. The bill may reduce the number of individuals enrolling due to the grandparent requirement to have established a domicile in the state for five years.

Hillsborough Community College may have costs associated with their name change, such as those related to signage, publication, documentation, advertising, and other related items.

There would be a fiscal impact on any institution participating in the Graduation Alternative to Traditional Education Program (GATE) Program that chooses to enter into an agreement with an online provider for the adult education or career instruction portion of the program. Eliminating the 21-year-old age cap would likely expand the number of GATE Program participants. However, this waiver is subject to the availability of funds.

The changes to the Florida Gold Seal CAPE Scholars award is indeterminate. It is assumed that reducing the required minimum postsecondary credit hours earned through CAPE would increase the number of eligible participants. The bill also adds provisions regarding minimum GPA requirements which could cause a cost neutral result. However, there would be a negative fiscal impact on the Florida Gold Seal CAPE Scholars award by expanding it to GATE Program completers.

Revising the frequency of the university campus master plans from five years to 10 years may result in a costs savings to the institutions.

Additionally, there could be an impact to the school districts to administer the CLT10 tests, however funding is contingent up funding in the GAA. There could also be a cost to the districts to provide practice access for these tests.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 11.45, 11.51 216.251, 251.001, 288.036, 381.853, 413.407, 435.12, 446.032, 446.041, 447.203, 1000.04, 1000.05, 1000.21, 1001.20, 1001.452, 1001.706, 1001.7065, 1002.20, 1002.33, 1002.394, 1002.395, 1002.42, 1002.68, 1002.71, 1002.945, 1003.41, 1003.42, 1003.4201, 1003.4282, 1004.0971, 1004.933, 1005.06, 1006.73, 1007.27, 1007.34, 1007.35, 1008.36, 1008.365, 1008.37, 1009.23, 1009.26, 1009.536, 1009.8962 1009.897, 1011.71, 1011.804, 1012.315, 1012.56, 1012.77, 1013.30, and 1013.46.

This bill creates the following sections of the Florida Statutes. 1001.325 and 1001.68.

This bill repeals the following sections of the Florida Statutes: 1002.351, 1008.2125, 1011.58, and 1011.59.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Fiscal Policy on April 8, 2025:
The committee substitute incorporates all of the provisions in CS/CS/SB 1624, which include:

- Providing tuition and fee waivers for active Florida State Guard members for up to six credit hours per term.
- Strengthening the FAU Office of Ocean Economy as a hub for research regarding Florida's maritime industry workforce.
- Focusing programs on underrepresented or economically disadvantaged students rather than identity groups.
- Expanding access to the GATE program by authorizing partnerships with online providers, removing age limits for participation, and expanding the use of funds for marketing and outreach in Rural Areas of Opportunity.
- Requiring PIPELINE funds, which rewards excellent nursing programs, to be used for healthcare programs.
- Renaming Hillsborough Community College to Hillsborough College.
- Authorizing smaller Florida College System institutions that primarily serve rural communities to establish state college regional consortium service organizations.
- Creating additional guardrails around the operations of private religious postsecondary institutions which are not licensed by the Commission for Independent Education.

The committee substitute also includes the following new provisions:

- Adds the Classic Learning Test (CLT) 10 assessment as an approved assessment for students in grade 10 under the Florida Partnership for Minority and Underrepresented Student Achievement.

- Requires school districts to provide access to Bright Futures Scholarship Program eligibility information and online ACT, CLT, and SAT prep resources to students who meet certain eligibility.
- Includes liability insurance among the types of casualty insurance that may be funded using revenue from a school district's discretionary millage levy.
- Extends the background rescreening deadlines for public and private school employees by approximately six months, moving compliance dates from June 30 to December 1 over the next three years.
- Realigns administrative oversight for eligible EASE Grant institutions from the Commission for Independent Education to the Department of Education and makes a conforming update to eligibility for a Linking Industry to Nursing Education grant.
- Moves the Postsecondary Feedback report on high schools report deadline from April 30 to May 31.

CS by Appropriations Committee on Pre-K - 12 Education on March 24, 2025:
The committee substitute authorizes a private school located in a county with four incorporated municipalities to construct new facilities on property that is:

- Purchased or leased from a library, community service organization, museum, performing arts venue, theater, cinema, or church that is or was actively used as such within five years of any executed agreement with the private school;
- Owned by a Florida College System institution or state university; or
- Recently used to house a school or childcare facility licensed under s. 402.305, Florida Statutes.

The committee substitute authorizes the new facilities may be constructed under the property's preexisting zoning and land use designations, without the need for rezoning, a special exception, a land use change, or compliance with mitigation requirements or conditions.

The committee substitute also requires that the new facility be used solely as a private school and comply with all applicable state and local health, safety, and welfare laws, codes, and rules, including those related to fire safety and building safety.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/09/2025	.	
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The Committee on Fiscal Policy (Calatayud) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Paragraphs (d) and (f) of subsection (2) of section 11.45, Florida Statutes, are amended to read:

11.45 Definitions; duties; authorities; reports; rules.—

(2) DUTIES.—The Auditor General shall:

(d) Annually conduct financial audits of the accounts and records of all district school boards in counties with

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populations of less ~~fewer~~ than 150,000, according to the most recent federal decennial statewide census; and the Florida School for the Deaf and the Blind~~; and the Florida School for Competitive Academics~~.

(f) At least every 3 years, conduct operational audits of the accounts and records of state agencies, state universities, state colleges, district school boards, the Florida Clerks of Court Operations Corporation, water management districts, and the Florida School for the Deaf and the Blind~~, and the Florida School for Competitive Academics~~.

The Auditor General shall perform his or her duties independently but under the general policies established by the Legislative Auditing Committee. This subsection does not limit the Auditor General's discretionary authority to conduct other audits or engagements of governmental entities as authorized in subsection (3).

Section 2. Subsection (5) is added to section 11.51, Florida Statutes, to read:

11.51 Office of Program Policy Analysis and Government Accountability.—

(5) The Office of Program Policy Analysis and Government Accountability may develop contracts or agreements with institutions in the State University System to use the expertise of state university faculty and research staff to provide assistance in analysis and evaluative research.

Section 3. Paragraph (a) of subsection (2) of section 216.251, Florida Statutes, is amended to read:

216.251 Salary appropriations; limitations.—

(2)(a) The salary for each position not specifically indicated in the appropriations acts shall be as provided in one of the following subparagraphs:

1. Within the classification and pay plans provided for in chapter 110.

2. Within the classification and pay plans established by the Board of Trustees for the Florida School for the Deaf and the Blind of the Department of Education and approved by the State Board of Education for academic and academic administrative personnel.

3. Within the classification and pay plan approved and administered by the Board of Governors or the designee of the board for those positions in the State University System.

4. Within the classification and pay plan approved by the President of the Senate and the Speaker of the House of Representatives, as the case may be, for employees of the Legislature.

5. Within the approved classification and pay plan for the judicial branch.

~~6. Within the classification and pay plans established by the Board of Trustees for the Florida School for Competitive Academics of the Department of Education and approved by the State Board of Education for academic and academic administrative personnel.~~

Section 4. Subsection (9) of section 251.001, Florida Statutes, is amended to read:

251.001 Florida State Guard Act.—

(9) REIMBURSEMENT, BENEFIT, AND COMPENSATION.—

(a) The division shall reimburse members of the Florida

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State Guard for per diem and travel expenses incurred to attend required training or in the course of active service as provided in s. 112.061.

(b) Members of the Florida State Guard may be compensated for time spent training or in the course of active service at rates established by the director, subject to appropriation.

(c) A member of the Florida State Guard may not make any purchase or enter into any contract or agreement for purchases or services as a charge against the state without the authority of the director.

(d) As a benefit to the active members of the Florida State Guard, subject to approval by the director of the Division of the State Guard, each state university and Florida College System institution shall waive tuition and fees for active members of the Florida State Guard to enroll for up to 6 credit hours of courses per term on a space-available basis.

Section 5. Subsections (3) and (4) of section 288.036, Florida Statutes, are amended to read:

288.036 Ocean economy development.—

(3) The Office of Ocean Economy shall:

(a) Develop and undertake activities and strategies with a focus on research and development, technological innovation, emerging industries, strategic business recruitment, public and private funding opportunities, and workforce training and education to promote and stimulate the ocean economy.

(b)1. Collaborate ~~Foster relationships~~ and coordinate with state universities, private universities, career centers, and Florida College System institutions, including the College of the Florida Keys, to periodically survey ~~surveying~~ the

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development of academic research relating to the ocean economy across all disciplines and facilitating the transfer of innovative technology into marketable goods and services. ~~The office shall encourage collaboration between state universities and Florida College System institutions that have overlapping areas of academic research.~~

2. Include and update on the office's website information related to:

a. An inventory of current research and current collaborations, including contact information; and

b. Any available resources for research and technology development, including financial opportunities.

(c) Collaborate with relevant industries to identify economic challenges that may be solved through innovation in the ocean economy, including commercializing or otherwise facilitating public access to academic research and resources, removing governmental barriers, strengthening the workforce, and maximizing access to financial or other opportunities for growth and development.

(d) Develop and facilitate a pipeline for innovative ideas and strategies to be created, developed, researched, commercialized, and financed. This includes promotion and coordination of industry collaboration, academic research, accelerator programs, training and technical assistance, and startup or second-stage funding opportunities.

(e) Maintain and update on the office's website:

1. Reports and data on the number, growth, and average wages of jobs included in the ocean economy; the impacts on the number, growth, and development of businesses in the ocean

economy; and the collaboration, transition, or adoption of innovation and research into new, viable ideas employed in the ocean economy.

2. A current inventory of programs related to the ocean economy, an evaluation of additional opportunities to earn credentials, and the institutions or training providers where such credentials may be earned.

(f) Educate other state and local entities on the interests of the ocean economy and how such entities may positively address environmental issues while simultaneously considering the economic impact of their policies.

(g) Communicate the state's role as an integral component of the ocean economy by promoting the state on national and international platforms and other appropriate forums as the premier destination for convening on pertinent subject matters.

(h) Collaborate with public and private educational and industry organizations to make recommendations:

1. For strengthening employment opportunities in:

a. Commercial fishing;

b. Fisheries and aquaculture, marine and freshwater;

c. Processing and preserving fish, crustaceans, and mollusks;

d. Shipbuilding and repair; and

e. Shipping, water transport such as sea and coastal and inland water transportation of both freight and passengers, ports, and related services and support activities.

2. Regarding the expansion of existing maritime programs and the addition of new programs and strategies for a public awareness campaign.

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3. To increase the availability of dual enrollment, preapprenticeship and apprenticeship, and work-study programs at both public and private institutions.

4. For aligning the regulatory framework for fishing and boat operations with the demand for personnel through consultation with the Fish and Wildlife Conservation Commission.

(4) By August 1, 2025, and each August 1 thereafter, the office shall provide to the Board of Governors, the Governor, the President of the Senate, and the Speaker of the House of Representatives and post on its website a detailed report on ~~demonstrating~~ the economic benefits of the office and the development of emerging ocean economy industries. By August 1, 2026, the report must include the recommendations in paragraph (3)(h).

Section 6. Subsection (4) of section 381.853, Florida Statutes, is amended to read:

381.853 Florida Center for Brain Tumor Research.—

(4) There is established within the center a scientific advisory council that includes biomedical researchers, physicians, clinicians, and representatives from public and private universities and hospitals. The council shall meet at least annually.

(a) The council shall consist of members appointed by the President of the University of Florida, in consultation with the dean of the University of Florida College of Medicine:

1. Two members from the Florida Center for Brain Tumor Research within the Evelyn F. and William L. McKnight Brain Institute of the University of Florida ~~appointed by the Governor~~.

2. Two members from The Scripps Research Institute, one of whom must have expertise in basic brain tumor research~~,~~ ~~appointed by the Speaker of the House of Representatives~~.

3. Two members from other public and private universities and institutions directly involved in brain tumor research ~~appointed by the President of the Senate~~.

4. One member from the Mayo Clinic in Jacksonville who is directly involved in the treatment of brain tumor patients or who has expertise in basic brain tumor research ~~appointed by the State Surgeon General~~.

5. Two members from the Cleveland Clinic in Florida who are directly involved in basic brain tumor research ~~appointed by the Governor~~.

6. One member from the H. Lee Moffitt Cancer Center and Research Institute who is directly involved in the treatment of brain tumor patients or who has expertise in basic brain tumor research ~~appointed by the Speaker of the House of Representatives~~.

7. One member from the M. D. Anderson Cancer Center Orlando who is directly involved in the treatment of brain tumor patients or who has expertise in basic brain tumor research ~~appointed by the President of the Senate~~.

(b) Council members shall serve staggered 4-year terms.

(c) Council members shall serve without compensation, and each organization represented shall cover all expenses of its representative.

Section 7. Paragraphs (d) and (f) of subsection (1) of section 413.407, Florida Statutes, are amended to read:

413.407 Assistive Technology Advisory Council.—There is

created the Assistive Technology Advisory Council, responsible for ensuring consumer involvement in the creation, application, and distribution of technology-related assistance to and for persons who have disabilities. The council shall fulfill its responsibilities through statewide policy development, state and federal legislative initiatives, advocacy at the state and federal levels, planning of statewide resource allocations, policy-level management, and reviews of consumer responsiveness and the adequacy of program service delivery and by performing the functions listed in this section.

(1)

(d) Members of the council must be geographically representative of the state and reflect the ~~diversity of the~~ state's population with respect to ~~race, ethnicity, gender, age,~~ type of disability~~,~~ and type of disability-related services and devices received.

(f)1. Each member of the council shall serve for a term of not more than 5 ~~3~~ years, except that a member appointed to fill a vacancy occurring before the expiration of the term for which a predecessor was appointed shall be appointed for the remainder of such term.

2. A member of the council may not serve more than two consecutive terms; however, any appointment under subparagraph 1., if for less than 18 months, is not considered a term for the purposes of this section.

3. A member who has served two consecutive terms and has been retired from the council for at least 3 years may be reappointed to the council on the same basis as a new member.

Section 8. Subsection (3) of section 435.12, Florida

Statutes, is amended to read:

435.12 Care Provider Background Screening Clearinghouse.—

(3)(a) Employees of each district unit under s. 1001.30, special district units under s. 1011.24, the Florida School for the Deaf and the Blind under s. 1002.36, the Florida Virtual School under s. 1002.37, virtual instruction programs under s. 1002.45, charter schools under s. 1002.33, hope operators under s. 1002.333, private schools participating in an educational scholarship program established pursuant to chapter 1002, and alternative schools under s. 1008.341 must be rescreened in compliance with the following schedule:

1. Employees for whom the last screening was conducted on or before June 30, 2021, must be rescreened by December 1 ~~June 30~~, 2025.

2. Employees for whom the last screening was conducted between July 1, 2021, and June 30, 2022, must be rescreened by December 1 ~~June 30~~, 2026.

3. Employees for whom the last screening was conducted between July 1, 2022, and December 31, 2023, must be rescreened by December 1 ~~June 30~~, 2027.

Section 9. Subsection (2) of section 446.032, Florida Statutes, is amended to read:

446.032 General duties of the department for apprenticeship training.—The department shall:

(2) By November 30 ~~September 1~~ of each year, publish an annual report on apprenticeship and preapprenticeship programs. The report must be published on the department's website and, at a minimum, include all of the following:

(a) A list of registered apprenticeship and

preapprenticeship programs, sorted by local educational agency, as defined in s. 1004.02(18), and apprenticeship sponsor, under s. 446.071.

(b) A detailed summary of each local educational agency's expenditure of funds for apprenticeship and preapprenticeship programs, including:

1. The total amount of funds received for apprenticeship and preapprenticeship programs.

2. The total amount of funds allocated by training provider, program, and occupation.

3. The total amount of funds expended for administrative costs by training provider, program, and occupation.

4. The total amount of funds expended for instructional costs by training provider, program, and occupation.

(c) The number of apprentices and preapprentices per trade and occupation.

(d) The percentage of apprentices and preapprentices who complete their respective programs in the appropriate timeframe.

(e) Information and resources related to applications for new apprenticeship programs and technical assistance and requirements for potential applicants.

(f) Documentation of activities conducted by the department to promote apprenticeship and preapprenticeship programs through public engagement, community-based partnerships, and other initiatives and the outcomes of such activities and their impact on establishing or expanding apprenticeship and preapprenticeship programs.

(g) Retention and completion rates of participants disaggregated by training provider, program, and occupation.

(h) Wage progression of participants as demonstrated by starting, exit, and postapprenticeship wages at 1 and 5 years after participants exit the program.

Section 10. Subsection (12) of section 446.041, Florida Statutes, is amended to read:

446.041 Duties of the department.—The department shall:

(12) Ensure that underrepresented groups ~~minority and gender diversity~~ are considered in administering this program.

Section 11. Subsection (2) of section 447.203, Florida Statutes, is amended to read:

447.203 Definitions.—As used in this part:

(2) "Public employer" or "employer" means the state or any county, municipality, or special district or any subdivision or agency thereof which the commission determines has sufficient legal distinctiveness properly to carry out the functions of a public employer. With respect to all public employees determined by the commission as properly belonging to a statewide bargaining unit composed of State Career Service System employees or Selected Professional Service employees, the Governor is deemed to be the public employer; and the Board of Governors of the State University System, or the board's designee, is deemed to be the public employer with respect to all public employees of each constituent state university. The board of trustees of a community college is deemed to be the public employer with respect to all employees of the community college. The district school board is deemed to be the public employer with respect to all employees of the school district. The Board of Trustees of the Florida School for the Deaf and the Blind is deemed to be the public employer with respect to the

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academic and academic administrative personnel of the Florida School for the Deaf and the Blind. ~~The Board of Trustees of the Florida School for Competitive Academics is deemed to be the public employer with respect to the academic and academic administrative personnel of the Florida School for Competitive Academics.~~ The Governor is deemed to be the public employer with respect to all employees in the Correctional Education Program of the Department of Corrections established pursuant to s. 944.801.

Section 12. Subsection (7) of section 1000.04, Florida Statutes, is amended to read:

1000.04 Components for the delivery of public education within the Florida Early Learning-20 education system.—Florida's Early Learning-20 education system provides for the delivery of early learning and public education through publicly supported and controlled K-12 schools, Florida College System institutions, state universities and other postsecondary educational institutions, other educational institutions, and other educational services as provided or authorized by the Constitution and laws of the state.

~~(7) THE FLORIDA SCHOOL FOR COMPETITIVE ACADEMICS.—The Florida School for Competitive Academics is a component of the delivery of public education within Florida's Early Learning-20 education system.~~

Section 13. Subsection (1), paragraph (d) of subsection (2), paragraph (e) of subsection (3), and subsections (5) and (7) of section 1000.05, Florida Statutes, are amended to read:

1000.05 Discrimination against students and employees in the Florida K-20 public education system prohibited; equality of

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access required.—

(1) This section may be cited as the "Florida Educational Equality ~~Equity~~ Act."

(2)

(d) Students may be separated by sex for a single-sex ~~single-gender~~ program, for any portion of a class that deals with human reproduction, or during participation in bodily contact sports. For the purpose of this section, bodily contact sports include wrestling, boxing, rugby, ice hockey, football, basketball, and other sports in which the purpose or major activity involves bodily contact.

(3)

(e) A public school or Florida College System institution may provide separate toilet, locker room, and shower facilities on the basis of sex ~~gender~~, but such facilities shall be comparable to such facilities provided for students of the other sex.

(5) Public schools and Florida College System institutions shall develop and implement methods and strategies to increase the participation of underrepresented students ~~of a particular race, color, national origin, sex, disability, or marital status~~ in programs and courses in which students ~~of that particular race, color, national origin, sex, disability, or marital status~~ have been traditionally underrepresented, including, but not limited to, mathematics, science, computer technology, electronics, communications technology, engineering, and career education.

(7) The functions of the Office of Equal Educational Opportunity of the Department of Education shall include, but

are not limited to:

(a) Requiring all district school boards and Florida College System institution boards of trustees to develop and submit plans for the implementation of this section to the Department of Education.

(b) Conducting periodic reviews of school districts and Florida College System institutions to determine compliance with this section and, after a finding that a school district or a Florida College System institution is not in compliance with this section, notifying the entity of the steps that it must take to attain compliance and performing follow-up ~~followup~~ monitoring.

(c) Providing technical assistance, including assisting school districts or Florida College System institutions in identifying unlawful discrimination and instructing them in remedies for correction and prevention of such discrimination and performing follow-up ~~followup~~ monitoring.

(d) Conducting studies of the effectiveness of methods and strategies designed to increase the participation of students in programs and courses in which students of a particular race, color, national origin, sex, disability, or marital status have been traditionally underrepresented and monitoring the success of students in such programs or courses, including performing follow-up ~~followup~~ monitoring.

(e) Requiring all district school boards and Florida College System institution boards of trustees to submit data and information necessary to determine compliance with this section. The Commissioner of Education shall prescribe the format and the date for submission of such data and any other educational

equity data. If any board does not submit the required compliance data or other required educational equity data by the prescribed date, the commissioner shall notify the board of this fact and, if the board does not take appropriate action to immediately submit the required report, the State Board of Education shall impose monetary sanctions.

(f) Based upon rules of the State Board of Education, developing and implementing enforcement mechanisms with appropriate penalties to ensure that public K-12 schools and Florida College System institutions comply with Title IX of the Education Amendments of 1972 and subsection (3) of this section. However, the State Board of Education may not force a public school or Florida College System institution to conduct, nor penalize such entity for not conducting, a program of athletic activity or athletic scholarship for female athletes unless it is an athletic activity approved for women by a recognized association whose purpose is to promote athletics and a conference or league exists to promote interscholastic or intercollegiate competition for women in that athletic activity.

~~(g) Reporting to The Commissioner of Education any district school board or Florida College System institution board of trustees found to be out of compliance with rules of the State Board of Education adopted as required by paragraph (f) or paragraph (3)(d). To penalize the board, the State Board of Education shall:~~

~~1. Declare the school district or Florida College System institution ineligible for competitive state grants.~~

~~2. Notwithstanding the provisions of s. 216.192, direct the Chief Financial Officer to withhold general revenue funds~~

~~sufficient to obtain compliance from the school district or Florida College System institution.~~

~~The school district or Florida College System institution shall remain ineligible and the funds shall not be paid until the institution comes into compliance or the State Board of Education approves a plan for compliance.~~

The Commissioner of Education and the State Board of Education shall use their authority under s. 1008.32 to enforce compliance with this subsection.

Section 14. Paragraph (j) of subsection (5) of section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida Early Learning-20 Education Code:

(5) "Florida College System institution" except as otherwise specifically provided, includes all of the following public postsecondary educational institutions in the Florida College System and any branch campuses, centers, or other affiliates of the institution:

(j) Hillsborough ~~Community~~ College, which serves Hillsborough County.

Section 15. Paragraph (e) of subsection (4) of section 1001.20, Florida Statutes, is amended to read:

1001.20 Department under direction of state board.—

(4) The Department of Education shall establish the following offices within the Office of the Commissioner of Education which shall coordinate their activities with all other divisions and offices:

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(e) *Office of Inspector General.*—Organized using existing resources and funds and responsible for promoting accountability, efficiency, and effectiveness and detecting fraud and abuse within school districts, the Florida School for the Deaf and the Blind, ~~the Florida School for Competitive Academics,~~ and Florida College System institutions in Florida. If the Commissioner of Education determines that a district school board, the Board of Trustees for the Florida School for the Deaf and the Blind, ~~the Board of Trustees for the Florida School for Competitive Academics,~~ or a Florida College System institution board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the school district, the Florida School for the Deaf and the Blind, ~~the Florida School for Competitive Academics,~~ or the Florida College System institution, the office must conduct, coordinate, or request investigations into such substantiated allegations. The office shall investigate allegations or reports of possible fraud or abuse against a district school board made by any member of the Cabinet; the presiding officer of either house of the Legislature; a chair of a substantive or appropriations committee with jurisdiction; or a member of the board for which an investigation is sought. The office may investigate allegations or reports of suspected violations of a student's, parent's, or teacher's rights. The office shall have access to all information and personnel necessary to perform its duties and shall have all of its current powers, duties, and responsibilities authorized in s. 20.055.

Section 16. Section 1001.325, Florida Statutes, is created

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to read:

1001.325 Prohibited expenditures.—

(1) A public school, charter school, school district, charter school administrator, or direct-support organization may not expend any funds, regardless of source, to purchase membership in, or goods and services from, any organization that discriminates on the basis of race, color, national origin, sex, disability, or religion.

(2) A public school, charter school, school district, charter school administrator, or direct-support organization may not expend any state or federal funds to promote, support, or maintain any programs or campus activities that:

(a) Violate s. 1000.05; or

(b) Advocate, promote, or engage in political or social activism, as defined by the State Board of Education.

Student fees to support student-led organizations are permitted notwithstanding any speech or expressive activity by such organizations which would otherwise violate this subsection, provided that public funds are allocated to student-led organizations pursuant to written policies or regulations of the school or district in which the student is enrolled, as applicable. Use of school or district facilities by student-led organizations is permitted notwithstanding any speech or expressive activity by such organizations which would otherwise violate this subsection, provided that such use is granted to student-led organizations pursuant to written policies or regulations of the school or school district, as applicable.

(3) Subsection (2) does not prohibit programs, campus

activities, or functions required for compliance with general or federal laws or regulations, for obtaining or retaining accreditation, or for continuing to receive state funds with the approval of either the State Board of Education or the department.

(4) The State Board of Education shall adopt rules to implement this section.

Section 17. Paragraph (a) of subsection (1) of section 1001.452, Florida Statutes, is amended to read:

1001.452 District and school advisory councils.—

(1) ESTABLISHMENT.—

(a) The district school board shall establish an advisory council for each school in the district and shall develop procedures for the election and appointment of advisory council members. Each school advisory council shall include in its name the words "school advisory council." The school advisory council shall be the sole body responsible for final decisionmaking at the school relating to implementation of ss. 1001.42(18) and 1008.345. A majority of the members of each school advisory council must be persons who are not employed by the school district. Each advisory council shall be composed of the principal and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils shall include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents

as members. Council members representing teachers, education support employees, students, and parents shall be elected by their respective peer groups at the school in a fair and equitable manner as follows:

1. Teachers shall be elected by teachers.

2. Education support employees shall be elected by education support employees.

3. Students shall be elected by students.

4. Parents shall be elected by parents.

The district school board shall establish procedures to be used by schools in selecting business and community members which ~~that~~ include means of ensuring wide notice of vacancies and of taking input on possible members from local business, chambers of commerce, community and civic organizations and groups, and the public at large. The district school board shall review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board must ~~shall~~ appoint additional members to achieve proper representation. ~~The commissioner shall determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status.~~ Although schools are strongly encouraged to establish school advisory councils, the district school board of any school district that has a student population of 10,000 or less ~~fewer~~ may establish a district advisory council which includes at least one duly elected teacher from each school in the district.

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For the purposes of school advisory councils and district advisory councils, the term "teacher" includes classroom teachers, certified student services personnel, and media specialists. For purposes of this paragraph, the term "education support employee" means any person employed by a school who is not defined as instructional or administrative personnel pursuant to s. 1012.01 and whose duties require 20 or more hours in each normal working week.

Section 18. Section 1001.68, Florida Statutes, is created to read:

1001.68 State college regional consortium service organizations.—In order to create effectiveness and efficiency of small institutions in the Florida College System which serve rural communities:

(1) Colleges with 5,000 or fewer full-time equivalent students may enter into cooperative agreements to form a regional consortium service organization. Each regional consortium service organization shall, at a minimum, provide three of the following services: grant procurement; institutional research and reporting; risk management; professional development for faculty and staff; leadership support; information technology and cybersecurity training; faculty and staff recruitment; workforce development programs; cooperative purchasing; administrative services; or enrollment management services.

(2) Each regional consortium service organization must be governed by a board of directors composed of the presidents of the respective member colleges.

Section 19. Paragraph (d) of subsection (5) of section

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1001.706, Florida Statutes, is amended to read:

1001.706 Powers and duties of the Board of Governors.—

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

(d) The Board of Governors shall annually require a state university prior to registration to provide each enrolled student electronic access to the economic security report of employment and earning outcomes prepared by the Department of Commerce pursuant to s. 445.07. ~~In addition, the Board of Governors shall require a state university to provide each student electronic access to the following information each year prior to registration using the data described in s. 1008.39:~~

~~1. The top 25 percent of degrees reported by the university in terms of highest full-time job placement and highest average annualized earnings in the year after earning the degree.~~

~~2. The bottom 10 percent of degrees reported by the university in terms of lowest full-time job placement and lowest average annualized earnings in the year after earning the degree.~~

Section 20. Paragraph (a) of subsection (2) of section 1001.7065, Florida Statutes, is amended to read:

1001.7065 Preeminent state research universities program.—

(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The following academic and research excellence standards are established for the preeminent state research universities program and shall be reported annually in the Board of Governors Accountability Plan:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1200 or higher on a 1600-point scale or an average ACT score of 25 or higher on

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a 36 score scale, using the latest published national concordance table developed jointly by the College Board and ACT, Inc., or an average Classic Learning Test score of 83 or higher on a 120 score scale, for fall semester incoming freshmen, as reported annually.

Section 21. Paragraph (o) of subsection (3) and paragraph (c) of subsection (4) of section 1002.20, Florida Statutes, are amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(3) HEALTH ISSUES.—

(o) *Emergency opioid antagonist* ~~*Naloxone*~~ *use and supply.*—

1. A public school may purchase a supply of an emergency ~~the~~ opioid antagonist approved by the United States Food and Drug Administration (FDA) ~~naloxone~~ from a wholesale distributor as defined in s. 499.003 or may enter into an arrangement with a wholesale distributor or manufacturer as defined in s. 499.003 for an FDA-approved emergency opioid antagonist ~~naloxone~~ at fair-market, free, or reduced prices for use in the event that a student has an opioid overdose. The FDA-approved emergency opioid antagonist ~~naloxone~~ must be maintained in a secure location on the public school's premises.

2. A school district employee who administers an approved emergency opioid antagonist to a student in compliance with ss. 381.887 and 768.13 is immune from civil liability under s.

768.13.

(4) DISCIPLINE.—

(c) *Corporal punishment.*—

1. In accordance with the provisions of s. 1003.32, corporal punishment of a public school student may only be administered by a teacher or school principal within guidelines of the school principal and according to district school board policy. Another adult must be present and must be informed in the student's presence of the reason for the punishment. Upon request, the teacher or school principal must provide the parent with a written explanation of the reason for the punishment and the name of the other adult who was present.

2. A district school board having a policy authorizing the use of corporal punishment as a form of discipline shall include in such policy a requirement that a parent provide consent for the school to administer corporal punishment. The district school board policy may require such consent for the school year, or before each administration. The district school board shall review its policy on corporal punishment once every 3 years during a district school board meeting held pursuant to s. 1001.372. The district school board shall take public testimony at the board meeting. If such board meeting is not held in accordance with this subparagraph, the portion of the district school board's policy authorizing corporal punishment expires.

Section 22. Paragraph (b) of subsection (16) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(16) EXEMPTION FROM STATUTES.—

(b) Additionally, a charter school shall be in compliance

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with the following statutes:

1. Section 286.011, relating to public meetings and records, public inspection, and criminal and civil penalties.

2. Chapter 119, relating to public records.

3. Section 1003.03, relating to the maximum class size, except that the calculation for compliance pursuant to s. 1003.03 shall be the average at the school level.

4. Section 1012.22(1)(c), relating to compensation and salary schedules.

5. Section 1012.33(5), relating to workforce reductions.

6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011.

7. Section 1012.34, relating to the substantive requirements for performance evaluations for instructional personnel and school administrators.

8. Section 1006.12, relating to safe-school officers.

9. Section 1006.07(7), relating to threat management teams.

10. Section 1006.07(9), relating to School Environmental Safety Incident Reporting.

11. Section 1006.07(10), relating to reporting of involuntary examinations.

12. Section 1006.1493, relating to the Florida Safe Schools Assessment Tool.

13. Section 1006.07(6)(d), relating to adopting an active assailant response plan.

14. Section 943.082(4)(b), relating to the mobile suspicious activity reporting tool.

15. Section 1012.584, relating to youth mental health awareness and assistance training.

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16. Section 1001.42(4)(f)2., relating to middle school and high school start times. A charter school-in-the-workplace is exempt from this requirement.

17. Section 1002.20(4)(c), relating to school corporal punishment.

Section 23. Section 1002.351, Florida Statutes, is repealed.

Section 24. Subsection (6) of section 1002.394, Florida Statutes, is amended to read:

1002.394 The Family Empowerment Scholarship Program.—

(6) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a Family Empowerment Scholarship while he or she is:

(a) Enrolled full time in a public school, including, but not limited to, the Florida School for the Deaf and the Blind, the College-Preparatory Boarding Academy, ~~the Florida School for Competitive Academics,~~ the Florida Virtual School, the Florida Scholars Academy, a developmental research school authorized under s. 1002.32, or a charter school authorized under this chapter. For purposes of this paragraph, a 3- or 4-year-old child who receives services funded through the Florida Education Finance Program is considered to be a student enrolled in a public school;

(b) Enrolled in a school operating for the purpose of providing educational services to youth in a Department of Juvenile Justice commitment program;

(c) Receiving any other educational scholarship pursuant to this chapter. However, an eligible public school student receiving a scholarship under s. 1002.411 may receive a scholarship for transportation pursuant to subparagraph

(4)(a)2.;

(d) Not having regular and direct contact with his or her private school teachers pursuant to s. 1002.421(1)(i), unless he or she is eligible pursuant to paragraph (3)(b) and enrolled in the participating private school's transition-to-work program pursuant to subsection (16) or a home education program pursuant to s. 1002.41;

(e) Participating in a private tutoring program pursuant to s. 1002.43 unless he or she is determined eligible pursuant to paragraph (3)(b); or

(f) Participating in virtual instruction pursuant to s. 1002.455 that receives state funding pursuant to the student's participation.

Section 25. Subsection (4) of section 1002.395, Florida Statutes, is amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

(4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a scholarship while he or she is:

(a) Enrolled full time in a public school, including, but not limited to, the Florida School for the Deaf and the Blind, the College-Preparatory Boarding Academy, ~~the Florida School for Competitive Academics,~~ the Florida Virtual School, the Florida Scholars Academy, a developmental research school authorized under s. 1002.32, or a charter school authorized under this chapter. For purposes of this paragraph, a 3- or 4-year-old child who receives services funded through the Florida Education Finance Program is considered a student enrolled full time in a public school;

(b) Enrolled in a school operating for the purpose of

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providing educational services to youth in a Department of Juvenile Justice commitment program;

(c) Receiving any other educational scholarship pursuant to this chapter. However, an eligible public school student receiving a scholarship under s. 1002.411 may receive a scholarship for transportation pursuant to subparagraph (6)(d)4.;

(d) Not having regular and direct contact with his or her private school teachers pursuant to s. 1002.421(1)(i) unless he or she is enrolled in a personalized education program;

(e) Participating in a home education program as defined in s. 1002.01(1);

(f) Participating in a private tutoring program pursuant to s. 1002.43 unless he or she is enrolled in a personalized education program; or

(g) Participating in virtual instruction pursuant to s. 1002.455 that receives state funding pursuant to the student's participation.

Section 26. Paragraph (c) is added to subsection (19) of section 1002.42, Florida Statutes, to read:

1002.42 Private schools.—

(19) FACILITIES.—

(c) A private school located in a county with four incorporated municipalities may construct new facilities, which may be temporary or permanent, on property purchased from or owned or leased by a library, community service organization, museum, performing arts venue, theater, cinema, or church under s. 170.201, which is or was actively used as such within 5 years of any executed agreement with a private school; any land owned

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by a Florida College System institution or state university; and any land recently used to house a school or child care facility licensed under s. 402.305 under its preexisting zoning and land use designations without rezoning or obtaining a special exception or a land use change and without complying with any mitigation requirements or conditions. The new facility must be located on property used solely for purposes described in this paragraph and must meet applicable state and local health, safety, and welfare laws, codes, and rules, including firesafety and building safety.

Section 27. Paragraph (e) of subsection (4) of section 1002.68, Florida Statutes, is amended to read:

1002.68 Voluntary Prekindergarten Education Program accountability.—

(4)

(e) Subject to an appropriation, the department shall provide for a differential payment to a private prekindergarten provider and public school based on the provider's designation. The maximum differential payment may not exceed a total of 15 percent of the base student allocation per full-time equivalent student under s. 1002.71 attending in the consecutive program year for that program. A private prekindergarten provider or public school may not receive a differential payment if it receives a designation of "proficient" or lower. ~~Before the adoption of the methodology, the department shall confer with the Council for Early Grade Success under s. 1008.2125 before receiving approval from the State Board of Education for the final recommendations on the designation system and differential payments.~~

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Section 28. Subsection (4) of section 1002.71, Florida Statutes, is amended to read:

1002.71 Funding; financial and attendance reporting.—

(4) Notwithstanding s. 1002.53(3) and subsection (2):

(a) A child who~~, for any of the prekindergarten programs listed in s. 1002.53(3),~~ has not completed any of the prekindergarten programs listed in s. 1002.53(3) ~~more than 70 percent of the hours authorized to be reported for funding under subsection (2), or has not expended more than 70 percent of the funds authorized for the child under s. 1002.66,~~ may withdraw from the program for good cause and reenroll in one of the programs. The total funding for a child who reenrolls in one of the programs for good cause may not exceed one full-time equivalent student. Funding for a child who withdraws and reenrolls in one of the programs for good cause must ~~shall~~ be issued in accordance with the department's uniform attendance policy adopted pursuant to paragraph (6)(d).

(b) A child who has not ~~substantially~~ completed any of the prekindergarten programs listed in s. 1002.53(3) may withdraw from the program due to an extreme hardship that is beyond the child's or parent's control, reenroll in one of the summer programs, and be reported for funding purposes as a full-time equivalent student in the summer program for which the child is reenrolled.

A child may reenroll only once in a prekindergarten program under this section. A child who reenrolls in a prekindergarten program under this subsection may not subsequently withdraw from the program and reenroll, unless the child is granted a good

cause exemption under this subsection. The department shall establish criteria specifying whether a good cause exists for a child to withdraw from a program under paragraph (a)~~, whether a child has substantially completed a program under paragraph (b),~~ and whether an extreme hardship exists which is beyond the child's or parent's control under paragraph (b).

Section 29. Paragraph (d) of subsection (4) of section 1002.945, Florida Statutes, is amended to read:

1002.945 Gold Seal Quality Care Program.—

(4) In order to obtain and maintain a designation as a Gold Seal Quality Care provider, a child care facility, large family child care home, or family day care home must meet the following additional criteria:

~~(d) Notwithstanding paragraph (a), if the Department of Education determines through a formal process that a provider has been in business for at least 5 years and has no other class I violations recorded, the department may recommend to the state board that the provider maintain its Gold Seal Quality Care status. The state board's determination regarding such provider's status is final.~~

Section 30. Subsection (3) of section 1003.41, Florida Statutes, is amended to read:

1003.41 State academic standards.—

(3) The Commissioner of Education shall, as deemed necessary, develop and submit proposed revisions to the standards for review and comment by Florida educators, school administrators, representatives of the Florida College System institutions and state universities who have expertise in the content knowledge and skills necessary to prepare a student for

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postsecondary education and careers, a representative from the Department of Commerce, business and industry leaders for in-demand careers, and the public. The commissioner, after considering reviews and comments, shall submit the proposed revisions to the State Board of Education for adoption. New and revised standards documents submitted for approval to the state board must consist only of academic standards and benchmarks. The commissioner shall revise all currently approved standards documents based on the requirements of this subsection and submit all revised standards documents to the state board for approval no later than July 1, 2026.

Section 31. Paragraph (j) of subsection (2) of section 1003.42, Florida Statutes, is amended to read:

1003.42 Required instruction.—

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(j) The elementary principles of agriculture. This component must include, but need not be limited to, the history of agriculture both nationally and specifically to this state, the economic and societal impact of agriculture, and the various agricultural industry sectors. The department, in collaboration with the Department of Agriculture and Consumer Services and the University of Florida's Institute of Food and Agricultural Sciences, shall prepare and offer standards and a curriculum for

the instruction required by this paragraph and may seek input from state or nationally recognized agricultural educational organizations. The department may contract with state or nationally recognized agricultural educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. Instructional programming that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraph (u).

Section 32. Paragraph (a) of subsection (2) of section 1003.4201, Florida Statutes, is amended to read:

1003.4201 Comprehensive system of reading instruction.—Each school district must implement a system of comprehensive reading instruction for students enrolled in prekindergarten through grade 12 and certain students who exhibit a substantial deficiency in early literacy.

(2)(a) Components of the reading instruction plan may include the following:

1. Additional time per day of evidence-based intensive reading instruction for kindergarten through grade 12 students, which may be delivered during or outside of the regular school day.

2. Highly qualified reading coaches, who must be endorsed

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in reading, to specifically support classroom teachers in making instructional decisions based on progress monitoring data collected pursuant to s. 1008.25(9) and improve classroom teacher delivery of effective reading instruction, reading intervention, and reading in the content areas based on student need.

3. Professional learning to help instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program earn a certification, a credential, an endorsement, or an advanced degree in scientifically researched and evidence-based reading instruction.

4. Summer reading camps, using only classroom teachers or other district personnel who possess a micro-credential as specified in s. 1003.485 or are certified or endorsed in reading consistent with s. 1008.25(8)(b)3., for all students in kindergarten through grade 5 exhibiting a reading deficiency as determined by district and state assessments.

5. Intensive reading interventions, which must be delivered by instructional personnel who possess a micro-credential as provided in s. 1003.485 or are certified or endorsed in reading as provided in s. 1012.586 and must incorporate evidence-based strategies identified by the Just Read, Florida! office pursuant to s. 1001.215(7). Instructional personnel who possess a micro-credential as specified in s. 1003.485 and are delivering intensive reading interventions must be supervised by an individual certified or endorsed in reading. For the purposes of this subparagraph, the term "supervised" means that instructional personnel with a micro-credential are able, through telecommunication or in person, to communicate and

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consult with, and receive direction from, certified or endorsed personnel. Incentives for instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program who possess a reading certification or endorsement as specified in s. 1012.586 or micro-credential as specified in s. 1003.485 and provide educational support to improve student literacy.

6. Tutoring in reading.

7. A description of how the district prioritizes the assignment of highly effective teachers, as identified in s. 1012.34(2)(e), from kindergarten to grade 2.

Section 33. Paragraph (h) of subsection (3) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—

(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.—

(h) *One-half credit in personal financial literacy.*— Beginning with students entering grade 9 in the 2023-2024 school year, each student must earn one-half credit in personal financial literacy and money management. This instruction must include discussion of or instruction in all of the following:

1. Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution’s services.

2. Balancing a checkbook.

3. Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.

4. Completing a loan application.

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5. Receiving an inheritance and related implications.
6. Basic principles of personal insurance policies.
7. Computing federal income taxes.
8. Local tax assessments.
9. Computing interest rates by various mechanisms.
10. Simple contracts.
11. Contesting an incorrect billing statement.
12. Types of savings and investments.
13. State and federal laws concerning finance.
14. Costs of postsecondary education, including cost of attendance, completion of the Free Application for Federal Student Aid, scholarships and grants, and student loans.

Section 34. Paragraph (b) of subsection (1) of section 1004.0971, Florida Statutes, is amended to read:

1004.0971 Emergency opioid antagonists in Florida College System institution and state university housing.—

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

(b) "Emergency opioid antagonist" means a ~~naloxone hydrochloride or any similarly acting~~ drug that blocks the effects of opioids administered from outside the body and that is approved by the United States Food and Drug Administration for the treatment of an opioid overdose.

Section 35. Paragraph (b) of subsection (3) and paragraph (b) of subsection (4) of section 1004.933, Florida Statutes, are amended to read:

1004.933 Graduation Alternative to Traditional Education (GATE) Program.—

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

(b) "Institution" means any ~~a~~ school district career center

established under s. 1001.44, a charter technical career center established under s. 1002.34, or a Florida College System institution identified in s. 1000.21. Any such institution may enter into an agreement with an online provider for the adult education or career instruction portion of the program if such provider offers instructional content and services that align with the state career and adult education curriculum frameworks.

(4) PAYMENT WAIVER; ELIGIBILITY.—

(b) To be eligible for participation in the GATE Program, a student must:

1. Not have earned a standard high school diploma pursuant to s. 1003.4282 or a high school equivalency diploma pursuant to s. 1003.435 before enrolling in the GATE Program;

2. Have been withdrawn from high school;

3. Be a resident of this state as defined in s. 1009.21(1);

4. Be at least 16 ~~to 21~~ years of age at the time of initial enrollment, provided that a student who is 16 or 17 years of age has withdrawn from school enrollment pursuant to the requirements and safeguards in s. 1003.21(1)(c);

5. Select the adult secondary education program and career education program of his or her choice at the time of admission to the GATE Program, provided that the career education program is included on the Master Credentials List under s. 445.004(4). The student is not required to enroll in adult secondary and career education program coursework simultaneously. The student may not change the requested pathway after enrollment, except that, if necessary for the student, the student may enroll in an adult basic education program prior to enrolling in the adult secondary education program;

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6. Maintain a 2.0 GPA for career and technical education coursework; and

7. Notwithstanding s. 1003.435(4), complete the programs under subparagraph 5. within 3 years after his or her initial enrollment unless the institution determines that an extension is warranted due to extenuating circumstances.

Section 36. Paragraphs (c) and (f) of subsection (1) of section 1005.06, Florida Statutes, are amended to read:

1005.06 Institutions not under the jurisdiction or purview of the commission.—

(1) Except as otherwise provided in law, the following institutions are not under the jurisdiction or purview of the commission and are not required to obtain licensure:

(c) Any institution that is under the jurisdiction of the Department of Education, eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Grant Program and that is a nonprofit independent college or university located and chartered in this state and accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees, or an institution authorized under s. 1009.521.

(f)1. A nonpublic religious postsecondary educational institution ~~religious college~~ may operate without licensure ~~governmental oversight~~ if the institution ~~college~~ annually verifies by sworn affidavit to the commission each of the following affirmations ~~that~~:

a.~~1.~~ The name of the institution includes a religious modifier or the name of a religious patriarch, saint, person, or symbol of the church.

b. An explanation of the religious modifier, religious name, or religious symbol used in the institution's name.

c.~~2.~~ The institution offers only educational programs that prepare students for religious vocations as ministers, professionals, or laypersons in the categories of ministry, counseling, theology, education, administration, music, fine arts, media communications, or social work.

d.~~3.~~ The titles of degrees issued by the institution cannot be confused with secular degree titles. For this purpose, each degree title must include a religious modifier that immediately precedes, or is included within, any of the following degrees: Associate of Arts, Associate of Science, Bachelor of Arts, Bachelor of Science, Master of Arts, Master of Science, Doctor of Philosophy, and Doctor of Education. The religious modifier must be placed on the title line of the degree, on the transcript, and whenever the title of the degree appears in official school documents or publications.

e. The titles and majors of every degree program offered by the institution as they appear on degrees and transcripts issued by the institution.

f.~~4.~~ The duration of all degree programs offered by the institution is consistent with the standards of the commission.

g.~~5.~~ The institution's consumer practices are consistent with those required by s. 1005.04.

2. If requested by the commission, the institution must submit documentation demonstrating compliance with the requirements of this paragraph and with s. 1005.04. The institution must submit such documentation within 30 days after the request.

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3. The commission shall review for approval or denial, in a public meeting, affidavits submitted pursuant to this paragraph. The commission shall approve an affidavit unless the affidavit is facially invalid, the affidavit is contradicted by the institution's public advertisements or by other evidence, or the institution has failed to comply with the requirements of subparagraph 2. The commission may provide such a religious institution a letter stating that the institution has met the requirements of state law and is not subject to licensure by the commission ~~governmental oversight~~.

a. If a nonpublic religious postsecondary educational institution that has been issued a written notice of exemption from licensure by the commission subsequently fails to comply with the requirements of this paragraph, the commission must revoke its approval of the institution's affidavit in a public meeting.

b. If an affidavit is denied by the commission, the commission may take any of the actions specified in s. 1005.38 unless the institution applies for a license pursuant to s. 1005.31(1)(a), ceases operating in this state, or submits documentation indicating compliance with this paragraph.

c. The commission may adopt rules to administer this paragraph.

Section 37. Subsections (5) and (7) of section 1006.73, Florida Statutes, are amended to read:

1006.73 Florida Postsecondary Academic Library Network.—

(5) REPORTING.—

~~(a)~~ By December 31 each year, the host entity shall submit a report to the Chancellors of the State University System and

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the Florida College System regarding the implementation and operation of all components described in this section, including, but not limited to, all of the following:

(a) ~~1.~~ Usage information collected under paragraph (2)(c).

(b) ~~2.~~ Information and associated costs relating to the services and functions of the program.

(c) ~~3.~~ The implementation and operation of the automated library services.

(d) ~~4.~~ The number and value of grants awarded under paragraph (4)(d) and the distribution of those funds.

~~5. The number and types of courses placed in the Student Open Access Resources Repository.~~

~~6. Information on the utilization of the Student Open Access Resources Repository and utilization of open educational resources in course sections, by Florida College System institution and state university.~~

~~(b) The Chancellors will provide an annual report on the performance of the host entity in delivering the services and any recommendations for changes needed to this section to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Board of Governors, and the State Board of Education. The Board of Governors and the Department of Education shall include any necessary funding increases in their annual legislative budget requests.~~

~~(7) RECOMMENDATION ON OTHER EDUCATIONAL INSTITUTIONS TO BE INCLUDED WITHIN THE FLORIDA POSTSECONDARY ACADEMIC LIBRARY NETWORK.—By June 1, 2022, the Commissioner of Education and the Chancellor of the Board of Governors shall provide a joint recommendation for a process by which school district career~~

~~centers operated under s. 1001.44 and charter technical career centers under s. 1002.34 would access appropriate postsecondary distance learning, student support services and library assets described in this section. The recommendation must include an analysis of the resources necessary to expand access and assets to centers and their students.~~

Section 38. Effective upon becoming a law, paragraph (b) of subsection (1) of section 1007.27, Florida Statutes, is amended, and paragraph (d) is added to subsection (2) of that section, to read:

1007.27 Articulated acceleration mechanisms.—

(1)

(b) The State Board of Education and the Board of Governors shall identify Florida College System institutions, ~~and~~ state universities, and national consortia to develop courses that align with s. 1007.25 for students in secondary education ~~and provide the training required under s. 1007.35(6)~~.

(2)

(d) The department may join or establish a national consortium as an alternative method to develop and implement advanced placement courses that align with s. 1007.25.

Section 39. Paragraph (d) of subsection (5) and paragraph (c) of subsection (7) of section 1007.34, Florida Statutes, are amended to read:

1007.34 College reach-out program.—

(5) In selecting proposals for approval, the State Board of Education shall give preference to:

(d) A program that includes innovative approaches, provides a great variety of activities, and includes a large percentage

of low-income educationally disadvantaged and underrepresented ~~minority~~ students in the college reach-out program.

(7) A proposal must contain the following information:

(c) An identification of existing programs for enhancing the academic performance of ~~minority and~~ low-income educationally disadvantaged and underrepresented students for enrollment in postsecondary education.

Section 40. Section 1007.35, Florida Statutes, is amended to read:

1007.35 Florida Partnership for ~~Minority and~~ Underrepresented Student Achievement.—

(1) This section may be referred to by the popular name the "Florida Partnership for ~~Minority and~~ Underrepresented Student Achievement Act."

(2)(a) The Legislature recognizes the importance of not only access to college but also success in college for all students. It is the intent of the Legislature that every student enrolled in a public secondary school has access to high-quality, rigorous academics, with a particular focus on access to advanced courses. The Legislature also recognizes the importance of other career pathways, such as vocational and trade schools, and the importance of incentivizing the availability of high school programs to prepare students for those career paths.

(b) It is the intent of the Legislature to provide assistance to all public secondary schools, with a primary focus on low-performing middle and high schools.

~~(c) It is the intent of the Legislature that the partnership created in this section accomplish its mission~~

~~primarily through strengthening the content knowledge of teachers and providing instructional resources, including materials and strategies, which enable teachers to provide instruction to students who have diverse learning styles.~~

(3) There is created the Florida Partnership for ~~Minority and~~ Underrepresented Student Achievement. The Department of Education may contract for operation of the partnership.

(4) The mission of the partnership is to prepare, inspire, and connect students to postsecondary success and opportunity~~,~~ with a particular focus on ~~minority students and~~ students who are underrepresented in postsecondary education.

(5) Each public high school, including, but not limited to, schools and alternative sites and centers of the Department of Juvenile Justice, shall provide for the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), CLT10, or ~~the~~ PreACT to all enrolled 10th grade students. However, a written notice must ~~shall~~ be provided to each parent which must include the opportunity to exempt his or her child from taking the PSAT/NMSQT, CLT 10 or ~~the~~ PreACT.

(a) Test results will provide each high school with a database of student assessment data which certified school counselors will use to identify students who are prepared or who need additional work to be prepared to enroll and be successful in advanced high school courses.

(b) Funding for the PSAT/NMSQT, CLT10 or ~~the~~ PreACT for all 10th grade students is ~~shall be~~ contingent upon annual funding in the General Appropriations Act.

(c) Public school districts shall ~~must~~ choose either the PSAT/NMSQT, CLT10 or ~~the~~ PreACT for districtwide administration.

(6) For each enrolled public high school student who has a grade point average of 3.5 or higher and has a score at or above the 75th national percentile or higher on the PSAT/NMSQT, CLT 10 or PreACT administered pursuant to subsection (5), a school district must ensure the student has access to:

(a) Online ACT, CLT, or SAT preparation courses or access to other evidence-based ACT, CLT, or SAT preparation resources. A school district may offer in-person preparation courses.

(b) Information on all eligibility requirements for the Florida Bright Futures Scholarship Program.

1. The resources provided under this paragraph must be accessible to eligible students until such students take the ACT, CLT, or SAT.

2. To remain eligible to access the resources provided under this paragraph, students must maintain a grade point average of 3.5 or higher.

(7) ~~(6)~~ The partnership shall:

(a) ~~Provide teacher training and professional learning to enable teachers of advanced courses to have the necessary content knowledge and instructional skills to prepare students for success on assessments developed pursuant to s. 1007.27(2) and mastery of postsecondary general education core courses.~~

~~(b) Provide to middle school teachers and administrators professional learning that will enable them to educate middle school students at the level necessary to prepare the students to enter high school ready to participate in advanced courses.~~

~~(c) Provide teacher training and materials that are aligned with the state standards and are consistent with best theory and practice regarding multiple learning styles and research on~~

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~~learning, instructional strategies, instructional design, and classroom assessment. Curriculum materials must be based on current, accepted, and essential academic knowledge.~~

~~(d)~~ Provide assessment of individual strengths and weaknesses as related to potential success in advanced courses and readiness for college.

(b) ~~(e)~~ Provide college entrance exam preparation through a variety of means that may include, but are not limited to, training teachers to provide courses at schools; training community organizations to provide courses at community centers, faith-based organizations, and businesses; and providing online courses.

~~(f) Consider ways to incorporate Florida College System institutions in the mission of preparing all students for postsecondary success.~~

(c) ~~(g)~~ Provide a plan for communication and coordination of efforts with the Florida Virtual School's provision of online advanced courses.

(d) ~~(h)~~ Work with school districts to identify ~~minority and~~ underrepresented students for participation in advanced courses.

(e) ~~(i)~~ Work with school districts to provide information to students and parents that explains available opportunities for students to take advanced courses and that explains enrollment procedures that students must follow to enroll in such courses. Such information must also explain the value of such courses as they relate to:

1. Preparing the student for postsecondary level coursework.

2. Enabling the student to gain access to postsecondary

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education opportunities.

3. Qualifying for scholarships and other financial aid opportunities.

(f) ~~(j)~~ Provide information to students, parents, teachers, counselors, administrators, districts, Florida College System institutions, and state universities regarding the PSAT/NMSQT, CLT10 or ~~the~~ PreACT administration, including, but not limited to:

1. Test administration dates and times.

2. That participation in the PSAT/NMSQT, CLT10 or ~~the~~ PreACT is open to all 10th grade students.

3. The value of such tests in providing diagnostic feedback on student skills.

4. The value of student scores in predicting the probability of success on advanced course examinations.

~~(k) Cooperate with the department to provide information to administrators, teachers, and counselors, whenever possible, about partnership activities, opportunities, and priorities.~~

(g) ~~(l)~~ Partner with the Florida College System institutions and state universities identified by the State Board of Education and Board of Governors pursuant to s. 1007.25(3) to develop advanced courses ~~and provide teacher training~~.

(8) ~~(7)~~ By May 31 of each year, the Department of Education shall approve a plan of delivery of services for the subsequent academic year.

(9) ~~(8)~~(a) By September 30 of each year, the partnership shall submit to the department a report that contains an evaluation of the effectiveness of the delivered services and activities. Activities and services must be evaluated on their

effectiveness at raising student achievement and increasing the number of AP or other advanced course examinations in low-performing middle and high schools. Other indicators that must be addressed in the evaluation report include the number of middle and high school teachers trained; the effectiveness of the training; measures of postsecondary readiness of the students affected by the program; levels of participation in the 10th grade PSAT/NMSQT, CLT10, or ~~the~~ PreACT testing; and measures of student, parent, and teacher awareness of and satisfaction with the services of the partnership.

(b) The department shall contribute to the evaluation process by providing access, consistent with s. 119.071(5)(a), to student and teacher information necessary to match against databases containing teacher professional learning data and databases containing assessment data for the PSAT/NMSQT, SAT, ACT, PreACT, CLT, CLT10, AP, and other appropriate measures. The department shall also provide student-level data on student progress from middle school through high school and into college and the workforce, if available, in order to support longitudinal studies. The partnership shall analyze and report student performance data in a manner that protects the rights of students and parents as required in 20 U.S.C. s. 1232g and s. 1002.22.

(10)(a) ~~(9)(a)~~ Funding for the partnership shall be contingent upon annual funding in the General Appropriations Act.

(b) The participating partner, if one is chosen, is required to match at least one-third of the allocation provided to the partnership in the General Appropriations Act in

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materials and services to the program.

(11)~~(10)~~ Nothing in this section shall prohibit any organization from partnering with the state to improve the college readiness of students.

Section 41. Section 1008.2125, Florida Statutes, is repealed.

Section 42. Subsections (1) and (5) of section 1008.36, Florida Statutes, are amended to read:

1008.36 Florida School Recognition Program.—

(1) The Legislature finds that there is a need for a performance incentive program for outstanding instructional personnel ~~faculty and staff~~ in highly productive schools. The Legislature further finds that performance-based incentives are commonplace in the private sector and should be infused into the public sector as a reward for productivity.

(5) School recognition awards must be used for the following:

(a) Nonrecurring bonuses to the instructional personnel as defined in s. 1012.01(2) ~~faculty and staff~~;

(b) Nonrecurring expenditures for educational equipment or materials to assist in maintaining and improving student performance; or

(c) Temporary personnel for the school to assist in maintaining and improving student performance.

Notwithstanding statutory provisions to the contrary, incentive awards are not subject to collective bargaining.

Section 43. Paragraph (c) of subsection (8) of section 1008.365, Florida Statutes, is amended to read:

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1008.365 Reading Achievement Initiative for Scholastic Excellence Act.—

(8) As part of the RAISE Program, the department shall establish a tutoring program and develop training in effective reading tutoring practices and content, based on evidence-based practices grounded in the science of reading and aligned to the English Language Arts standards under s. 1003.41, which prepares eligible high school students to tutor students in kindergarten through grade 3 in schools identified under this section, instilling in those students a love of reading and improving their literacy skills.

(c) Tutoring may be part of a service-learning course adopted pursuant to s. 1003.497. Students may earn up to three elective credits for high school graduation based on the verified number of hours the student spends tutoring under the program. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and an administrator or designee of the school in which the tutoring occurred. The ~~Unpaid~~ hours that a high school student devotes to tutoring may be counted toward meeting community service requirements for high school graduation and community service requirements for participation in the Florida Bright Futures Scholarship Program as provided in s. 1003.497(3)(b). The department shall designate a high school student who provides at least 75 verified hours of tutoring under the program as a New Worlds Scholar and award the student with a pin indicating such designation.

Section 44. Subsection (2) of section 1008.37, Florida Statutes, is amended to read:

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1008.37 Postsecondary feedback of information to high schools.—

(2) The Commissioner of Education shall report, by high school, to the State Board of Education, the Board of Governors, and the Legislature, no later than May 31 ~~April 30~~ of each year, on the number of prior year Florida high school graduates who enrolled for the first time in public postsecondary education in this state during the summer, fall, or spring term of the previous academic year~~, indicating the number of students whose scores on the common placement test indicated the need for developmental education under s. 1008.30 or for applied academics for adult education under s. 1004.91~~.

Section 45. Paragraph (c) of subsection (8) of section 1009.23, Florida Statutes, is amended to read:

1009.23 Florida College System institution student fees.—

(8)

(c) Up to 25 percent or $600,000, whichever is greater, of the financial aid fees collected may be used to assist students who demonstrate academic merit; who participate in athletics, public service, cultural arts, and other extracurricular programs as determined by the institution; or who are identified as members of an underrepresented ~~a targeted gender or ethnic minority~~ population. The financial aid fee revenues allocated for athletic scholarships and any fee exemptions provided to athletes pursuant to s. 1009.25(2) must be distributed equitably as required by s. 1000.05(3)(d). A minimum of 75 percent of the balance of these funds for new awards shall be used to provide financial aid based on absolute need, and the remainder of the funds shall be used for academic merit purposes and other

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purposes approved by the boards of trustees. Such other purposes shall include the payment of child care fees for students with financial need. The State Board of Education shall develop criteria for making financial aid awards. Each college shall report annually to the Department of Education on the revenue collected pursuant to this paragraph, the amount carried forward, the criteria used to make awards, the amount and number of awards for each criterion, and a delineation of the distribution of such awards. The report shall include an assessment by category of the financial need of every student who receives an award, regardless of the purpose for which the award is received. Awards that are based on financial need shall be distributed in accordance with a nationally recognized system of need analysis approved by the State Board of Education. An award for academic merit requires a minimum overall grade point average of 3.0 on a 4.0 scale or the equivalent for both initial receipt of the award and renewal of the award.

Section 46. Paragraphs (a) and (c) of subsection (20) of section 1009.26, Florida Statutes, are amended to read:

1009.26 Fee waivers.—

(20)(a) Beginning with the 2022-2023 academic year, a state university shall waive the out-of-state fee for a student who:

1. Has a grandparent who has established a domicile in this state pursuant to s. 222.17 for at least 5 years preceding an application for the fee waiver ~~is a legal resident as defined in s. 1009.21(1)~~. For purposes of this subsection, the term "grandparent" means a person who has a legal relationship to a student's parent as the natural or adoptive parent or legal guardian of the student's parent.

2. Earns a high school diploma comparable to a Florida standard high school diploma, or its equivalent, or completes a home education program.

3.a. Achieves an SAT combined score no lower than the 89th national percentile on the SAT;

b. Achieves an ACT score concordant to the required SAT score in sub-subparagraph a., using the latest published national concordance table developed jointly by the College Board and ACT, Inc.; or

c. If a state university accepts the Classic Learning Test (CLT) for admission purposes, achieves a CLT score concordant to the required SAT score specified in sub-subparagraph a., using the latest published scoring comparison developed by Classic Learning Initiatives.

4. Beginning with students who initially enroll in the 2022 fall academic term and thereafter, enrolls as a full-time undergraduate student at a state university in the fall academic term immediately following high school graduation.

(c) Before waiving the out-of-state fee, the state university shall require the student or the student's parent, if the student is a dependent child, to provide a written declaration pursuant to s. 92.525(2) attesting to the student's familial relationship to a grandparent who meets the residency requirement of subparagraph (a)1. ~~is a legal resident~~ and any other corroborating documentation required by regulation of the Board of Governors. A state university is not required to independently verify the statements contained in each declaration if the signatory declares it to be true under the penalties of perjury as required by s. 92.525(2). However, the

state university may refer any signed declaration suspected of containing fraudulent representations to law enforcement.

Section 47. Subsection (2) of section 1009.536, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

1009.536 Florida Gold Seal Vocational Scholars and Florida Gold Seal CAPE Scholars awards.—The Florida Gold Seal Vocational Scholars award and the Florida Gold Seal CAPE Scholars award are created within the Florida Bright Futures Scholarship Program to recognize and reward academic achievement and career preparation by high school students who wish to continue their education.

(2) A student is eligible for a Florida Gold Seal CAPE Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program, and the student:

(a) Earns a minimum of 3 ~~5~~ postsecondary credit hours through CAPE industry certifications approved pursuant to s. 1008.44 which articulate for college credit; ~~and~~

(b) Earns a minimum cumulative weighted grade point average of 2.5, as calculated pursuant to s. 1009.531, on all subjects required for a standard high school diploma, excluding elective courses; and

(c) Completes at least 30 hours of volunteer service or, beginning with a high school student graduating in the 2022-2023 academic year and thereafter, 100 hours of paid work, approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students, or 100 hours of a combination of both. Eligible paid work completed on or after June 27, 2022, shall be

included in a student's total required paid work hours. The student may identify a social or civic issue or a professional area that interests him or her and develop a plan for his or her personal involvement in addressing the issue or learning about the area. The student must, through papers or other presentations, evaluate and reflect upon his or her experience. Such volunteer service or paid work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service or paid work must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service or paid work.

(6) Before or within 3 months after completion of the GATE Program as provided in s. 1004.933, a student may apply for the Florida Gold Seal CAPE Scholars award.

Section 48. Paragraph (b) of subsection (3) of section 1009.8962, Florida Statutes, is amended to read:

1009.8962 Linking Industry to Nursing Education (LINE) Fund.—

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

(b) "Institution" means a school district career center under s. 1001.44; a charter technical career center under s. 1002.34; a Florida College System institution; a state university; an independent nonprofit college or university located and chartered in this state and accredited by an agency or association that is recognized by the database created and maintained by the United States Department of Education to grant

baccalaureate degrees; or an independent school, college, or university with an accredited program as defined in s. 464.003 which is located in this state and licensed by the Commission for Independent Education pursuant to s. 1005.31, or an institution authorized under s. 1009.521 which has a nursing education program that meets or exceeds the following:

1. For a certified nursing assistant program, a completion rate of at least 70 percent for the prior year.

2. For a licensed practical nurse, associate of science in nursing, and bachelor of science in nursing program, a first-time passage rate on the National Council of State Boards of Nursing Licensing Examination of at least 75 percent for the prior year based on a minimum of 10 testing participants.

Section 49. Present subsection (4) of section 1009.897, Florida Statutes, is redesignated as subsection (5), and a new subsection (4) is added to that section, to read:

1009.897 Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) Fund.—

(4) Each institution that receives funds through the PIPELINE Fund shall allocate the funds to its health care industry-related programs.

Section 50. Section 1011.58, Florida Statutes, is repealed.

Section 51. Section 1011.59, Florida Statutes, is repealed.

Section 52. Paragraph (b) of subsection (5) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(5) A school district may expend, subject to s. 200.065, up to $200 per unweighted full-time equivalent student from the

revenue generated by the millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), expenses for the following:

(b) Payment of the cost of premiums, as defined in s. 627.403, for property and casualty insurance necessary to insure school district educational and ancillary plants. As used in this paragraph, casualty insurance has the same meaning as in s. 624.605(1)(b), (d), (f), (g), (h), and (m) ~~s. 624.605(1)(d), (f), (g), (h), and (m)~~. Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

Section 53. Subsections (3) and (6) of section 1011.804, Florida Statutes, are amended to read:

1011.804 GATE Startup Grant Program.—

(3) The department may solicit proposals from institutions without programs that meet the requirements of s. 1004.933(2). Such institutions must be located in or serve a rural area of opportunity as designated by the Governor. Additionally, institutions that meet program requirements and are located in or serve a rural area of opportunity may apply for grant funds specifically for marketing and outreach efforts to expand student participation in the GATE Program.

(6) Grant funds may be used for planning activities and other expenses associated with the creation of the GATE Program, such as expenses related to program instruction, instructional equipment, supplies, instructional personnel, ~~and~~ student services, and outreach and marketing efforts to recruit and

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enroll eligible students. Institutions with existing programs that meet the requirements of s. 1004.933(2) and that are located in or serve a rural area of opportunity may apply for grant funds exclusively for marketing and outreach purposes to expand student participation in the GATE Program. Grant funds may not be used for indirect costs. Grant recipients must submit an annual report in a format prescribed by the department. The department shall consolidate such annual reports and include the reports in the report required by s. 1004.933(5).

Section 54. Section 1012.315, Florida Statutes, is amended to read:

1012.315 Screening standards.—

(1) A person is ineligible for educator certification or employment in any position that requires direct contact with students in a district school system, a charter school, or a private school that participates in a state scholarship program under chapter 1002 if the person:

(a) ~~(1)~~ Is on the disqualification list maintained by the department under s. 1001.10(4)(b);

(b) ~~(2)~~ Is registered as a sex offender as described in 42 U.S.C. s. 9858f(c)(1)(C);

(c) ~~(3)~~ Is ineligible based on a security background investigation under s. 435.04(2). Beginning January 1, 2025, or a later date as determined by the Agency for Health Care Administration, the Agency for Health Care Administration shall determine the eligibility of employees in any position that requires direct contact with students in a district school system, a charter school, or a private school that participates in a state scholarship program under chapter 1002;

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(d) ~~(4)~~ Would be ineligible for an exemption under s. 435.07(4)(c); or

(e) ~~(5)~~ Has been convicted or found guilty of, has had adjudication withheld for, or has pled guilty or nolo contendere to:

1. ~~(a)~~ Any criminal act committed in another state or under federal law which, if committed in this state, constitutes a disqualifying offense under s. 435.04(2).

2. ~~(b)~~ Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under s. 943.0435(1)(h)1.d.

(2) Notwithstanding ss. 435.01 and 435.07, a person who undergoes screening pursuant to this chapter or s. 1002.421 may not seek an exemption.

(3) Persons who apply for certification or employment are governed by the law and rules in effect at the time of application for issuance of the initial certificate or employment, provided that continuity of certificates or employment is maintained.

Section 55. Subsections (3), (5), and (6) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.—

(3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of demonstrating mastery of general knowledge are:

(a) Achievement of passing scores on the general knowledge examination required by state board rule;

(b) Documentation of a valid professional standard teaching

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certificate issued by another state;

(c) Documentation of a valid certificate issued by the National Board for Professional Teaching Standards (NBPTS), the American Board for Certification of Teacher Excellence (ABCTE), or a national educator credentialing board approved by the State Board of Education;

(d) Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution of higher education identified by the Department of Education as having a quality program;

(e) Achievement of passing scores, identified in state board rule, on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and quantitative reasoning skills, including, but not limited to, the verbal, analytical writing, and quantitative reasoning portions of the Graduate Record Examination and the SAT, ACT, and Classic Learning Test. Passing scores identified in state board rule must be at approximately the same level of rigor as is required to pass the general knowledge examinations; or

(f) Documentation of receipt of a master's or higher degree from an accredited postsecondary educational institution that the Department of Education has identified as having a quality program resulting in a baccalaureate degree or higher.

A school district that employs an individual who does not achieve passing scores on any subtest of the general knowledge

examination must provide information regarding the availability of state-level and district-level supports and instruction to assist him or her in achieving a passing score. Such information must include, but need not be limited to, state-level test information guides, school district test preparation resources, and preparation courses offered by state universities and Florida College System institutions. The requirement of mastery of general knowledge must ~~shall~~ be waived for an individual who has been provided 3 years of supports and instruction and who has been rated effective or highly effective under s. 1012.34 for each of the last 3 years.

(5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of demonstrating mastery of subject area knowledge are:

(a) For a subject requiring only a baccalaureate degree for which a Florida subject area examination has been developed, achievement of a passing score on the Florida-developed subject area examination specified in state board rule;

(b) For a subject for which a Florida subject area examination has not been developed, achievement of a passing score on a standardized examination specified in state board rule, including, but not limited to, passing scores on both the oral proficiency and written proficiency examinations administered by the American Council on the Teaching of Foreign Languages;

(c) For a subject for which a Florida subject area examination has not been developed or a standardized examination has not been specified in state board rule, completion of the subject area specialization requirements specified in state board rule and verification of the attainment of the essential

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subject matter competencies by the district school superintendent of the employing school district or chief administrative officer of the employing state-supported or private school;

(d) For a subject requiring a master's or higher degree, completion of the subject area specialization requirements specified in state board rule and achievement of a passing score on the Florida-developed subject area examination or a standardized examination that is directly related to the subject specified in state board rule;

(e) Documentation of a valid professional standard teaching certificate issued by another state;

(f) Documentation of a valid certificate issued by the NBPTS, ABCTE, ~~National Board for Professional Teaching Standards~~ or a national educator credentialing board approved by the State Board of Education;

(g) Documentation of successful completion of a United States Defense Language Institute Foreign Language Center program;

(h) Documentation of a passing score on the Defense Language Proficiency Test (DLPT); or

(i) For a subject requiring only a baccalaureate degree for which a Florida subject area examination has been developed, documentation of receipt of a master's or higher degree from an accredited postsecondary educational institution that the Department of Education has identified as having a quality program resulting in a baccalaureate degree or higher in the certificate subject area as identified by state board rule.

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School districts are encouraged to provide mechanisms for middle grades teachers holding only a K-6 teaching certificate to obtain a subject area coverage for middle grades through postsecondary coursework or district add-on certification.

(6) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION COMPETENCE.—Acceptable means of demonstrating mastery of professional preparation and education competence are:

(a) Successful completion of an approved teacher preparation program at a postsecondary educational institution within this state and achievement of a passing score on the professional education competency examination required by state board rule;

(b) Successful completion of a teacher preparation program at a postsecondary educational institution outside Florida and achievement of a passing score on the professional education competency examination required by state board rule;

(c) Documentation of a valid professional standard teaching certificate issued by another state;

(d) Documentation of a valid certificate issued by the NBPTS, ABCTE, ~~National Board for Professional Teaching Standards~~ or a national educator credentialing board approved by the State Board of Education;

(e) Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution of higher education identified by the Department of Education as having a quality program and achievement of a passing score on the professional education

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competency examination required by state board rule;

(f) Successful completion of professional preparation courses as specified in state board rule, successful completion of a professional education competence program pursuant to subsection (9), and documentation of 3 years of being rated effective or highly effective under s. 1012.34 while holding a temporary certificate;

(g) Successful completion of a professional learning certification program, outlined in subsection (8); or

(h) Successful completion of a competency-based certification program pursuant to s. 1004.85 and achievement of a passing score on the professional education competency examination required by rule of the State Board of Education.

The State Board of Education shall adopt rules to implement this subsection, including rules to approve specific teacher preparation programs that are not identified in this subsection which may be used to meet requirements for mastery of professional preparation and education competence.

Section 56. Present subsection (4) of section 1012.77, Florida Statutes, is redesignated as subsection (5), a new subsection (4) is added to that section, and subsection (3) of that section is amended, to read:

1012.77 Christa McAuliffe Ambassador for Education Program.—

(3) The Teacher of the Year shall serve as the Ambassador for Education. If the Teacher of the Year is unable to serve as the Ambassador for Education, the first runner-up must ~~shall~~ serve in his or her place. The Department of Education shall

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establish application and selection procedures for determining an annual teacher of the year. Applications and selection criteria must ~~shall~~ be developed and distributed annually by the Department of Education to all eligible entities identified in subsection (4) ~~school districts~~. The Commissioner of Education shall establish a selection committee which assures representation from teacher organizations, administrators, and parents to select the Teacher of the Year and Ambassador for Education from among the nominated ~~district~~ teachers of the year.

(4) Eligible entities to submit to the Department of Education a nominee for the Teacher of the Year and Ambassador for Education awards include:

(a) Florida school districts, including lab schools as defined in s. 1002.32.

(b) Charter school consortia with at least 30 member schools and an approved professional learning system on file with the department.

Section 57. Subsection (3) of section 1013.30, Florida Statutes, is amended to read:

1013.30 University campus master plans and campus development agreements.—

(3) Each university board of trustees shall prepare and adopt a campus master plan for the university and maintain a copy of the plan on the university's website. The master plan must identify general land uses and address the need for and plans for provision of roads, parking, public transportation, solid waste, drainage, sewer, potable water, and recreation and open space during the coming 10 to 20 years. The plans must

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contain elements relating to future land use, intergovernmental coordination, capital improvements, recreation and open space, general infrastructure, housing, and conservation. Each element must address compatibility with the surrounding community. The master plan must identify specific land uses, general location of structures, densities and intensities of use, and contain standards for onsite development, site design, environmental management, and the preservation of historic and archaeological resources. The transportation element must address reasonable transportation demand management techniques to minimize offsite impacts where possible. Data and analyses on which the elements are based must include, at a minimum: the characteristics of vacant lands; projected impacts of development on onsite and offsite infrastructure, public services, and natural resources; student enrollment projections; student housing needs; and the need for academic and support facilities. Master plans must be updated at least every 10 ~~5~~ years.

Section 58. Paragraph (c) of subsection (1) of section 1013.46, Florida Statutes, is amended to read:

1013.46 Advertising and awarding contracts; prequalification of contractor.—

(1)

~~(c) As an option, any county, municipality, or board may set aside up to 10 percent of the total amount of funds allocated for the purpose of entering into construction capital project contracts with minority business enterprises, as defined in s. 287.094. Such contracts shall be competitively bid only among minority business enterprises. The set-aside shall be used to redress present effects of past discriminatory practices and~~

~~shall be subject to periodic reassessment to account for changing needs and circumstances.~~

Section 59. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2025.

========== 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 education; amending s. 11.45, F.S.; deleting the Florida School for Competitive Academics from the list of entities subject to certain audit requirements; amending s. 11.51, F.S.; authorizing the Office of Program Policy Analysis and Government Accountability to develop contracts or agreements with institutions in the State University System for a specified purpose; amending s. 216.251, F.S.; deleting the Florida School for Competitive Academics from specified classification and pay plans; amending s. 251.001, F.S.; providing tuition assistance to active members of the Florida State Guard; amending s. 288.036, F.S.; revising the duties of the Office of Ocean Economy; amending s. 381.853, F.S.; specifying that the President of the University of Florida appoints the members of the scientific advisory council within the Florida Center for Brain Tumor

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Research; amending s. 413.407, F.S.; revising the qualifications for members of the Assistive Technology Advisory Council; increasing the maximum term length for such members; amending s. 435.12, F.S.; revising the dates for a screening schedule; amending s. 446.032, F.S.; revising the date by which the Department of Education is required to publish an annual report on apprenticeship and preapprenticeship programs; amending s. 446.041, F.S.; requiring the department to take into account underrepresented groups in administering the apprenticeship training program, rather than minority and gender diversity; amending s. 447.203, F.S.; deleting the Florida School for Competitive Academics from the definition of a public employer; amending s. 1000.04, F.S.; deleting the Florida School for Competitive Academics from the components of Florida's Early Learning-20 education system; amending s. 1000.05, F.S.; renaming the Florida Educational Equity Act as the "Florida Educational Equality Act"; changing the term "gender" to "sex"; requiring public schools and Florida College System institutions to develop and implement methods and strategies to increase participation of underrepresented students, rather than students with certain characteristics, in certain programs and courses; requiring the Commissioner of Education and the State Board of Education to utilize their authority to enforce compliance; amending s. 1000.21, F.S.; renaming Hillsborough Community College as

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"Hillsborough College"; amending s. 1001.20, F.S.; deleting oversight of the Florida School for Competitive Academics from the duties of the Office of Inspector General within the department; creating s. 1001.325, F.S.; prohibiting the expenditure of funds by public schools, charter schools, school districts, charter school administrators, or direct-support organizations to purchase membership in, or goods or services from, any organization that discriminates on the basis of race, color, national origin, sex, disability, or religion; prohibiting the expenditure of funds by public schools, charter schools, school districts, charter school administrators, or direct-support organizations to promote, support, or maintain certain programs or activities; authorizing the use of student fees and school or district facilities by student-led organizations under certain circumstances; providing construction; requiring the state board to adopt rules; amending s. 1001.452, F.S.; deleting a provision requiring the Commissioner of Education to determine whether school districts have maximized efforts to include minority persons and persons of lower socioeconomic status on their school advisory councils; creating s. 1001.68, F.S.; authorizing Florida College System institutions with a certain number of full-time equivalent students to enter into cooperative agreements to form a state college regional consortium service organization; requiring such organizations to provide at least a specified

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number of certain services; requiring that regional consortium service organizations be governed by a board of directors consisting of specified members; amending s. 1001.706, F.S.; deleting a requirement that state universities provide student access to certain information; amending s. 1001.7065, F.S.; revising academic standards for the preeminent state research university program to include a specified average Classic Learning Test score; amending s. 1002.20, F.S.; authorizing public schools to purchase or enter into arrangements for certain emergency opioid antagonists, rather than only for naloxone; requiring that district school board policies authorizing corporal punishment include a requirement that parental consent be provided before the administration of corporal punishment; amending s. 1002.33, F.S.; requiring a charter school to comply with statute relating to corporal punishment; repealing s. 1002.351, F.S., relating to the Florida School for Competitive Academics; amending s. 1002.394, F.S.; deleting the Florida School for Competitive Academics from Family Empowerment Scholarship prohibitions; amending s. 1002.395, F.S.; deleting the Florida School for Competitive Academics from Florida Tax Credit Scholarship prohibitions; amending s. 1002.42, F.S.; authorizing certain private schools to construct new facilities on property that meets specified criteria; amending s. 1002.68, F.S.; deleting a provision requiring the department to

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confer with the Council for Early Grade Success before receiving a certain approval; amending s. 1002.71, F.S.; revising the conditions under which a student may withdraw from a prekindergarten program and reenroll in another program; amending s. 1002.945, F.S.; revising the criteria required for a child care facility, large family child care home, or family day care home to obtain and maintain a designation as a Gold Seal Quality Care provider; amending s. 1003.41, F.S.; requiring that certain standards documents contain only academic standards and benchmarks; requiring the Commissioner of Education to revise currently approved standards documents and submit them to the state board by a specified date; amending s. 1003.42, F.S.; revising required instruction on the principles of agriculture; requiring the department to collaborate with specified entities to develop associated standards and a curriculum; authorizing the department to contract with certain agricultural education organizations; amending s. 1003.4201, F.S.; authorizing the inclusion of intensive reading interventions in a school district comprehensive reading instruction plan; requiring that intensive reading interventions be delivered by instructional personnel who possess a micro-credential or are certified or endorsed in reading; requiring that such interventions incorporate certain strategies; requiring that instructional personnel with a micro-credential be supervised by an individual certified or

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endorsed in reading; defining the term "supervised"; authorizing the inclusion in the reading instruction plans of a description of how school districts prioritize the assignment of highly effective teachers; amending s. 1003.4282, F.S.; adding components to required instruction on financial literacy; amending s. 1004.0971, F.S.; revising the definition of the term "emergency opioid antagonist"; amending s. 1004.933, F.S.; authorizing an institution to enter into an agreement with an online provider for the adult education or career instruction portion of the Graduation Alternative to Traditional Education (GATE) Program; deleting the age limit for enrollment in the program; clarifying that students are not required to enroll in adult secondary and career education coursework simultaneously; amending s. 1005.06, F.S.; authorizing certain institutions to operate without licensure; specifying affirmations required as a part of an affidavit; requiring submission of requested documentation in a specified timeframe; requiring the Commission for Independent Education to review such affidavit in a public meeting; specifying commission actions for noncompliance; authorizing the commission to adopt rules; amending s. 1006.73, F.S.; revising reporting requirements relating to the Florida Postsecondary Academic Library Network; amending s. 1007.27, F.S.; requiring the state board to identify national consortia to develop certain courses; authorizing the

department to join or establish a national consortium as an additional alternative method to develop and implement advanced placement courses; conforming a provision to changes made by the act; amending s. 1007.34, F.S.; expanding the scope of the college reach-out program to all low-income educationally disadvantaged and underrepresented students regardless of minority status; amending s. 1007.35, F.S.; revising legislative findings; renaming the Florida Partnership for Minority and Underrepresented Student Achievement as the "Florida Partnership for Underrepresented Student Achievement"; revising the purposes and duties of the partnership to focus on all underrepresented students regardless of minority status; revising duties of the partnership; revising which examinations public high schools are required to administer; revising which examinations a partnership must provide information to specified individuals and entities; revising which examinations the department must provide the learning data from to a certain partnership; deleting duties of the partnership; repealing s. 1008.2125, F.S., relating to the Council for Early Grade Success; amending s. 1008.36, F.S.; specifying the recipients of school recognition bonus funds; amending s. 1008.365, F.S.; revising the types of tutoring hours that may be counted toward meeting the community service requirements for the Bright Futures Scholarship Program; amending s. 1008.37, F.S.; revising the date by which the Commissioner of

Education must deliver a report to specified entities; revising the requirements of the report; amending s. 1009.23, F.S.; authorizing the Florida College System to allocate a portion of financial aid fees to assist underrepresented students, rather than students who are members of a targeted gender or ethnic minority population; amending s. 1009.26, F.S.; revising the residency requirement for a grandparent for an out-of-state fee waiver; revising the residency criteria for a grandparent in a specified attestation; amending s. 1009.536, F.S.; clarifying the required minimum cumulative weighted grade point average for the Florida Gold Seal CAPE Scholars award; authorizing students to apply for a Florida Gold Seal CAPE Scholars award within a specified timeframe before or after completing the GATE Program; amending s. 1009.8962, F.S.; revising the definition of the term "institution"; amending s. 1009.897, F.S.; requiring institutions receiving funds through the Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education Fund to allocate funding to health care-related programs; repealing s. 1011.58, F.S., relating to legislative budget requests of the Florida School for Competitive Academics; repealing s. 1011.59, F.S., relating to funds for the Florida School for Competitive Academics; amending s. 1011.71, F.S.; revising the types of casualty insurance premiums that may be paid by a district school tax; amending s. 1011.804, F.S.;

authorizing certain institutions to apply for and use grant funds under the GATE Startup Grant Program for specified purposes; amending s. 1012.315, F.S.; revising educator certification and certain employment screening standards; making technical changes; amending s. 1012.56, F.S.; authorizing individuals to demonstrate mastery of general knowledge, subject area knowledge, or professional preparation and education competence by providing a school district with documentation of a valid certificate issued by the American Board for Certification of Teacher Excellence; amending s. 1012.77, F.S.; conforming a provision to a change made by the act; specifying entities eligible to submit nominees for the Teacher of the Year and Ambassador for Education awards; amending s. 1013.30, F.S.; revising the timeframe for updates to state university campus master plans; amending s. 1013.46, F.S.; deleting a provision relating to set asides for construction contracts with minority business enterprises; providing effective dates.

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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/09/2025	.	
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	.	

The Committee on Fiscal Policy (Calatayud) recommended the following:

Senate Amendment (with title amendment)

Between lines 802 and 803
insert:

Section 27. Paragraph (b) of subsection (5) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(5) A school district may expend, subject to s. 200.065, up to $200 per unweighted full-time equivalent student from the revenue generated by the millage levy authorized by subsection

459520

(2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), expenses for the following:

(b) Payment of the cost of premiums, as defined in s. 627.403, for property and casualty insurance necessary to insure school district educational and ancillary plants. As used in this paragraph, casualty insurance has the same meaning as in s. 624.605(1)(b), (d), (f), (g), (h), and (m) ~~s. 624.605(1)(d), (f), (g), (h), and (m)~~. Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

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

And the title is amended as follows:

Delete line 107

and insert:

School for Competitive Academics; amending s. 1011.71, F.S.; revising the types of casualty insurance premiums that may be paid by a district school tax; amending s.

By the Appropriations Committee on Pre-K - 12 Education; and
Senator Calatayud

602-02771-25 20251618c1

A bill to be entitled

An act relating to prekindergarten through grade 12 education; amending s. 11.45, F.S.; removing the Florida School for Competitive Academics from audit requirements; amending s. 216.251, F.S.; removing the Florida School for Competitive Academics from specified classification and pay plans; amending s. 447.203, F.S.; removing the Florida School for Competitive Academics from the definition of a public employer; amending s. 1000.04, F.S.; removing the Florida School for Competitive Academics from the components of Florida's Early Learning-20 education system; amending s. 1001.20, F.S.; removing the Florida School for Competitive Academics from the duties of the Office of Inspector General within the Department of Education; creating s. 1001.325, F.S.; prohibiting the expenditure of funds by public schools, charter schools, school districts, charter school administrators, or direct-support organizations to purchase membership in, or goods or services from, any organization that discriminates on the basis of race, color, national origin, sex, disability, or religion; prohibiting the expenditure of funds by public schools, charter schools, school districts, charter school administrators, or direct-support organizations to promote, support, or maintain certain programs or activities; authorizing the use of student fees and school or district facilities by student-led organizations under certain circumstances; providing

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construction; requiring the State Board of Education to adopt rules; amending s. 1001.452, F.S.; deleting a provision requiring the Commissioner of Education to determine whether school districts have maximized efforts to include minority persons and persons of lower socioeconomic status on their school advisory councils; amending s. 1002.20, F.S.; authorizing public schools to purchase or enter into arrangements for certain emergency opioid antagonists, rather than only for naloxone; requiring that district school board policies authorizing corporal punishment include a requirement that parental consent be provided before the administration of corporal punishment; amending s. 1002.33, F.S.; requiring a charter school to comply with statute relating to corporal punishment; repealing s. 1002.351, F.S., relating to the Florida School for Competitive Academics; amending s. 1002.394, F.S.; removing the Florida School for Competitive Academics from Family Empowerment Scholarship prohibitions; amending s. 1002.395, F.S.; removing the Florida School for Competitive Academics from Florida Tax Credit Scholarship prohibitions; amending s. 1002.42, F.S.; authorizing certain private schools to construct new facilities on property that meets specified criteria; amending s. 1002.68, F.S.; deleting a provision requiring the department to confer with the Council for Early Grade Success before receiving a certain approval; amending s. 1002.71, F.S.; revising the conditions under which a student

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may withdraw from a prekindergarten program and reenroll in another program; amending s. 1002.945, F.S.; revising the criteria required for a child care facility, large family child care home, or family day care home to obtain and maintain a designation as a Gold Seal Quality Care provider; amending s. 1003.41, F.S.; requiring that certain standards documents contain only academic standards and benchmarks; requiring the Commissioner of Education to revise currently approved standards documents and submit them to the state board by a specified date; amending s. 1003.42, F.S.; revising required instruction on the principles of agriculture; requiring the department to collaborate with specified entities to develop associated standards and a curriculum; authorizing the department to contract with certain agricultural education organizations; amending s. 1003.4201, F.S.; authorizing the inclusion of intensive reading interventions in a school district comprehensive reading instruction plan; requiring that intensive reading interventions be delivered by instructional personnel who possess a micro-credential or are certified or endorsed in reading; requiring that such interventions incorporate certain strategies; requiring that instructional personnel with a micro-credential be supervised by an individual certified or endorsed in reading; defining the term "supervised"; authorizing the inclusion in the reading instruction plans of a description of how school districts

prioritize the assignment of highly effective teachers; amending s. 1003.4282, F.S.; adding components to required instruction on financial literacy; amending s. 1007.27, F.S.; requiring the state board to identify national consortia to develop certain courses; authorizing the department to join or establish a national consortium as an additional alternative method to develop and implement advanced placement courses; repealing s. 1008.2125, F.S., relating to the Council for Early Grade Success; amending s. 1008.36, F.S.; specifying the recipients of school recognition bonus funds; amending s. 1008.365, F.S.; revising the types of tutoring hours that may be counted toward meeting the community service requirements for the Bright Futures Scholarship Program; repealing s. 1011.58, F.S., relating to legislative budget requests of the Florida School for Competitive Academics; repealing s. 1011.59, F.S., relating to funds for the Florida School for Competitive Academics; amending s. 1012.315, F.S.; revising educator certification and certain employment screening standards; making technical changes; amending s. 1012.56, F.S.; authorizing individuals to demonstrate mastery of general knowledge, subject area knowledge, or professional preparation and education competence by providing a school district with documentation of a valid certificate issued by the American Board for Certification of Teacher Excellence; amending s.

1012.77, F.S.; conforming a provision to a change made by the act; specifying entities eligible to submit nominees for the Teacher of the Year and Ambassador for Education awards; providing effective dates.

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

Section 1. Paragraphs (d) and (f) of subsection (2) of section 11.45, Florida Statutes, are amended to read:

11.45 Definitions; duties; authorities; reports; rules.—

(2) DUTIES.—The Auditor General shall:

(d) Annually conduct financial audits of the accounts and records of all district school boards in counties with populations of less ~~fewer~~ than 150,000, according to the most recent federal decennial statewide census; and the Florida School for the Deaf and the Blind~~; and the Florida School for Competitive Academics~~.

(f) At least every 3 years, conduct operational audits of the accounts and records of state agencies, state universities, state colleges, district school boards, the Florida Clerks of Court Operations Corporation, water management districts, and the Florida School for the Deaf and the Blind~~, and the Florida School for Competitive Academics~~.

The Auditor General shall perform his or her duties independently but under the general policies established by the Legislative Auditing Committee. This subsection does not limit the Auditor General's discretionary authority to conduct other audits or engagements of governmental entities as authorized in

subsection (3).

Section 2. Paragraph (a) of subsection (2) of section 216.251, Florida Statutes, is amended to read:

216.251 Salary appropriations; limitations.—

(2)(a) The salary for each position not specifically indicated in the appropriations acts shall be as provided in one of the following subparagraphs:

1. Within the classification and pay plans provided for in chapter 110.

2. Within the classification and pay plans established by the Board of Trustees for the Florida School for the Deaf and the Blind of the Department of Education and approved by the State Board of Education for academic and academic administrative personnel.

3. Within the classification and pay plan approved and administered by the Board of Governors or the designee of the board for those positions in the State University System.

4. Within the classification and pay plan approved by the President of the Senate and the Speaker of the House of Representatives, as the case may be, for employees of the Legislature.

5. Within the approved classification and pay plan for the judicial branch.

~~6. Within the classification and pay plans established by the Board of Trustees for the Florida School for Competitive Academics of the Department of Education and approved by the State Board of Education for academic and academic administrative personnel.~~

Section 3. Subsection (2) of section 447.203, Florida

Statutes, is amended to read:

447.203 Definitions.—As used in this part:

(2) "Public employer" or "employer" means the state or any county, municipality, or special district or any subdivision or agency thereof which the commission determines has sufficient legal distinctiveness properly to carry out the functions of a public employer. With respect to all public employees determined by the commission as properly belonging to a statewide bargaining unit composed of State Career Service System employees or Selected Professional Service employees, the Governor is deemed to be the public employer; and the Board of Governors of the State University System, or the board's designee, is deemed to be the public employer with respect to all public employees of each constituent state university. The board of trustees of a community college is deemed to be the public employer with respect to all employees of the community college. The district school board is deemed to be the public employer with respect to all employees of the school district. The Board of Trustees of the Florida School for the Deaf and the Blind is deemed to be the public employer with respect to the academic and academic administrative personnel of the Florida School for the Deaf and the Blind. ~~The Board of Trustees of the Florida School for Competitive Academics is deemed to be the public employer with respect to the academic and academic administrative personnel of the Florida School for Competitive Academics.~~ The Governor is deemed to be the public employer with respect to all employees in the Correctional Education Program of the Department of Corrections established pursuant to s. 944.801.

Section 4. Subsection (7) of section 1000.04, Florida Statutes, is amended to read:

1000.04 Components for the delivery of public education within the Florida Early Learning-20 education system.—Florida's Early Learning-20 education system provides for the delivery of early learning and public education through publicly supported and controlled K-12 schools, Florida College System institutions, state universities and other postsecondary educational institutions, other educational institutions, and other educational services as provided or authorized by the Constitution and laws of the state.

~~(7) THE FLORIDA SCHOOL FOR COMPETITIVE ACADEMICS. The Florida School for Competitive Academics is a component of the delivery of public education within Florida's Early Learning-20 education system.~~

Section 5. Paragraph (e) of subsection (4) of section 1001.20, Florida Statutes, is amended to read:

1001.20 Department under direction of state board.—

(4) The Department of Education shall establish the following offices within the Office of the Commissioner of Education which shall coordinate their activities with all other divisions and offices:

(e) *Office of Inspector General.*—Organized using existing resources and funds and responsible for promoting accountability, efficiency, and effectiveness and detecting fraud and abuse within school districts, the Florida School for the Deaf and the Blind, ~~the Florida School for Competitive Academics,~~ and Florida College System institutions in Florida. If the Commissioner of Education determines that a district

school board, the Board of Trustees for the Florida School for the Deaf and the Blind, ~~the Board of Trustees for the Florida School for Competitive Academics,~~ or a Florida College System institution board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the school district, the Florida School for the Deaf and the Blind, ~~the Florida School for Competitive Academics,~~ or the Florida College System institution, the office must conduct, coordinate, or request investigations into such substantiated allegations. The office shall investigate allegations or reports of possible fraud or abuse against a district school board made by any member of the Cabinet; the presiding officer of either house of the Legislature; a chair of a substantive or appropriations committee with jurisdiction; or a member of the board for which an investigation is sought. The office may investigate allegations or reports of suspected violations of a student's, parent's, or teacher's rights. The office shall have access to all information and personnel necessary to perform its duties and shall have all of its current powers, duties, and responsibilities authorized in s. 20.055.

Section 6. Section 1001.325, Florida Statutes, is created to read:

1001.325 Prohibited expenditures.—

(1) A public school, charter school, school district, charter school administrator, or direct-support organization may not expend any funds, regardless of source, to purchase membership in, or goods and services from, any organization that discriminates on the basis of race, color, national origin, sex,

disability, or religion.

(2) A public school, charter school, school district, charter school administrator, or direct-support organization may not expend any state or federal funds to promote, support, or maintain any programs or campus activities that:

(a) Violate s. 1000.05; or

(b) Advocate, promote, or engage in political or social activism, as defined by the State Board of Education.

Student fees to support student-led organizations are permitted notwithstanding any speech or expressive activity by such organizations which would otherwise violate this subsection, provided that public funds are allocated to student-led organizations pursuant to written policies or regulations of the school or district in which the student is enrolled, as applicable. Use of school or district facilities by student-led organizations is permitted notwithstanding any speech or expressive activity by such organizations which would otherwise violate this subsection, provided that such use is granted to student-led organizations pursuant to written policies or regulations of the school or school district, as applicable.

(3) Subsection (2) does not prohibit programs, campus activities, or functions required for compliance with general or federal laws or regulations, for obtaining or retaining accreditation, or for continuing to receive state funds with the approval of either the State Board of Education or the department.

(4) The State Board of Education shall adopt rules to implement this section.

Section 7. Paragraph (a) of subsection (1) of section 1001.452, Florida Statutes, is amended to read:

1001.452 District and school advisory councils.—

(1) ESTABLISHMENT.—

(a) The district school board shall establish an advisory council for each school in the district and shall develop procedures for the election and appointment of advisory council members. Each school advisory council shall include in its name the words "school advisory council." The school advisory council shall be the sole body responsible for final decisionmaking at the school relating to implementation of ss. 1001.42(18) and 1008.345. A majority of the members of each school advisory council must be persons who are not employed by the school district. Each advisory council shall be composed of the principal and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils shall include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents shall be elected by their respective peer groups at the school in a fair and equitable manner as follows:

1. Teachers shall be elected by teachers.

2. Education support employees shall be elected by education support employees.

3. Students shall be elected by students.

4. Parents shall be elected by parents.

The district school board shall establish procedures to be used by schools in selecting business and community members which ~~that~~ include means of ensuring wide notice of vacancies and of taking input on possible members from local business, chambers of commerce, community and civic organizations and groups, and the public at large. The district school board shall review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board must ~~shall~~ appoint additional members to achieve proper representation. ~~The commissioner shall determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status.~~ Although schools are strongly encouraged to establish school advisory councils, the district school board of any school district that has a student population of 10,000 or less ~~fewer~~ may establish a district advisory council which includes at least one duly elected teacher from each school in the district. For the purposes of school advisory councils and district advisory councils, the term "teacher" includes classroom teachers, certified student services personnel, and media specialists. For purposes of this paragraph, "education support employee" means any person employed by a school who is not defined as instructional or administrative personnel pursuant to s. 1012.01 and whose duties require 20 or more hours in each

normal working week.

Section 8. Paragraph (o) of subsection (3) and paragraph (c) of subsection (4) of section 1002.20, Florida Statutes, are amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(3) HEALTH ISSUES.—

(o) *Emergency opioid antagonist* ~~*Naloxone*~~ *use and supply.*—

1. A public school may purchase a supply of an emergency ~~the~~ opioid antagonist approved by the United States Food and Drug Administration (FDA) ~~naloxone~~ from a wholesale distributor as defined in s. 499.003 or may enter into an arrangement with a wholesale distributor or manufacturer as defined in s. 499.003 for an FDA-approved emergency opioid antagonist ~~naloxone~~ at fair-market, free, or reduced prices for use in the event that a student has an opioid overdose. The FDA-approved emergency opioid antagonist ~~naloxone~~ must be maintained in a secure location on the public school's premises.

2. A school district employee who administers an approved emergency opioid antagonist to a student in compliance with ss. 381.887 and 768.13 is immune from civil liability under s. 768.13.

(4) DISCIPLINE.—

(c) *Corporal punishment.*—

1. In accordance with the provisions of s. 1003.32,

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corporal punishment of a public school student may only be administered by a teacher or school principal within guidelines of the school principal and according to district school board policy. Another adult must be present and must be informed in the student's presence of the reason for the punishment. Upon request, the teacher or school principal must provide the parent with a written explanation of the reason for the punishment and the name of the other adult who was present.

2. A district school board having a policy authorizing the use of corporal punishment as a form of discipline shall include in such policy a requirement that a parent provide consent for the school to administer corporal punishment. The district school board policy may require such consent for the school year, or before each administration. The district school board shall review its policy on corporal punishment once every 3 years during a district school board meeting held pursuant to s. 1001.372. The district school board shall take public testimony at the board meeting. If such board meeting is not held in accordance with this subparagraph, the portion of the district school board's policy authorizing corporal punishment expires.

Section 9. Paragraph (b) of subsection (16) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(16) EXEMPTION FROM STATUTES.—

(b) Additionally, a charter school shall be in compliance with the following statutes:

1. Section 286.011, relating to public meetings and records, public inspection, and criminal and civil penalties.

2. Chapter 119, relating to public records.

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3. Section 1003.03, relating to the maximum class size, except that the calculation for compliance pursuant to s. 1003.03 shall be the average at the school level.

4. Section 1012.22(1)(c), relating to compensation and salary schedules.

5. Section 1012.33(5), relating to workforce reductions.

6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011.

7. Section 1012.34, relating to the substantive requirements for performance evaluations for instructional personnel and school administrators.

8. Section 1006.12, relating to safe-school officers.

9. Section 1006.07(7), relating to threat management teams.

10. Section 1006.07(9), relating to School Environmental Safety Incident Reporting.

11. Section 1006.07(10), relating to reporting of involuntary examinations.

12. Section 1006.1493, relating to the Florida Safe Schools Assessment Tool.

13. Section 1006.07(6)(d), relating to adopting an active assailant response plan.

14. Section 943.082(4)(b), relating to the mobile suspicious activity reporting tool.

15. Section 1012.584, relating to youth mental health awareness and assistance training.

16. Section 1001.42(4)(f)2., relating to middle school and high school start times. A charter school-in-the-workplace is exempt from this requirement.

17. Section 1002.20(4)(c), relating to school corporal

punishment.

Section 10. Section 1002.351, Florida Statutes, is repealed.

Section 11. Subsection (6) of section 1002.394, Florida Statutes, is amended to read:

1002.394 The Family Empowerment Scholarship Program.—

(6) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a Family Empowerment Scholarship while he or she is:

(a) Enrolled full time in a public school, including, but not limited to, the Florida School for the Deaf and the Blind, the College-Preparatory Boarding Academy, ~~the Florida School for Competitive Academics,~~ the Florida Virtual School, the Florida Scholars Academy, a developmental research school authorized under s. 1002.32, or a charter school authorized under this chapter. For purposes of this paragraph, a 3- or 4-year-old child who receives services funded through the Florida Education Finance Program is considered to be a student enrolled in a public school;

(b) Enrolled in a school operating for the purpose of providing educational services to youth in a Department of Juvenile Justice commitment program;

(c) Receiving any other educational scholarship pursuant to this chapter. However, an eligible public school student receiving a scholarship under s. 1002.411 may receive a scholarship for transportation pursuant to subparagraph (4)(a)2.;

(d) Not having regular and direct contact with his or her private school teachers pursuant to s. 1002.421(1)(i), unless he or she is eligible pursuant to paragraph (3)(b) and enrolled in

the participating private school's transition-to-work program pursuant to subsection (16) or a home education program pursuant to s. 1002.41;

(e) Participating in a private tutoring program pursuant to s. 1002.43 unless he or she is determined eligible pursuant to paragraph (3)(b); or

(f) Participating in virtual instruction pursuant to s. 1002.455 that receives state funding pursuant to the student's participation.

Section 12. Subsection (4) of section 1002.395, Florida Statutes, is amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

(4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a scholarship while he or she is:

(a) Enrolled full time in a public school, including, but not limited to, the Florida School for the Deaf and the Blind, the College-Preparatory Boarding Academy, ~~the Florida School for Competitive Academics,~~ the Florida Virtual School, the Florida Scholars Academy, a developmental research school authorized under s. 1002.32, or a charter school authorized under this chapter. For purposes of this paragraph, a 3- or 4-year-old child who receives services funded through the Florida Education Finance Program is considered a student enrolled full time in a public school;

(b) Enrolled in a school operating for the purpose of providing educational services to youth in a Department of Juvenile Justice commitment program;

(c) Receiving any other educational scholarship pursuant to this chapter. However, an eligible public school student

receiving a scholarship under s. 1002.411 may receive a scholarship for transportation pursuant to subparagraph (6)(d)4.;

(d) Not having regular and direct contact with his or her private school teachers pursuant to s. 1002.421(1)(i) unless he or she is enrolled in a personalized education program;

(e) Participating in a home education program as defined in s. 1002.01(1);

(f) Participating in a private tutoring program pursuant to s. 1002.43 unless he or she is enrolled in a personalized education program; or

(g) Participating in virtual instruction pursuant to s. 1002.455 that receives state funding pursuant to the student's participation.

Section 13. Paragraph (c) is added to subsection (19) of section 1002.42, Florida Statutes, to read:

1002.42 Private schools.—

(19) FACILITIES.—

(c) A private school located in a county with four incorporated municipalities may construct new facilities, which may be temporary or permanent, on property purchased from or owned or leased by a library, community service organization, museum, performing arts venue, theater, cinema, or church under s. 170.201, which is or was actively used as such within 5 years of any executed agreement with a private school; any land owned by a Florida College System institution or state university; and any land recently used to house a school or child care facility licensed under s. 402.305 under its preexisting zoning and land use designations without rezoning or obtaining a special

exception or a land use change and without complying with any mitigation requirements or conditions. The new facility must be located on property used solely for purposes described in this paragraph and must meet applicable state and local health, safety, and welfare laws, codes, and rules, including firesafety and building safety.

Section 14. Paragraph (e) of subsection (4) of section 1002.68, Florida Statutes, is amended to read:

1002.68 Voluntary Prekindergarten Education Program accountability.—

(4)

(e) Subject to an appropriation, the department shall provide for a differential payment to a private prekindergarten provider and public school based on the provider's designation. The maximum differential payment may not exceed a total of 15 percent of the base student allocation per full-time equivalent student under s. 1002.71 attending in the consecutive program year for that program. A private prekindergarten provider or public school may not receive a differential payment if it receives a designation of "proficient" or lower. ~~Before the adoption of the methodology, the department shall confer with the Council for Early Grade Success under s. 1008.2125 before receiving approval from the State Board of Education for the final recommendations on the designation system and differential payments.~~

Section 15. Subsection (4) of section 1002.71, Florida Statutes, is amended to read:

1002.71 Funding; financial and attendance reporting.—

(4) Notwithstanding s. 1002.53(3) and subsection (2):

(a) A child who~~, for any of the prekindergarten programs listed in s. 1002.53(3),~~ has not completed any of the prekindergarten programs listed in s. 1002.53(3) ~~more than 70 percent of the hours authorized to be reported for funding under subsection (2), or has not expended more than 70 percent of the funds authorized for the child under s. 1002.66,~~ may withdraw from the program for good cause and reenroll in one of the programs. The total funding for a child who reenrolls in one of the programs for good cause may not exceed one full-time equivalent student. Funding for a child who withdraws and reenrolls in one of the programs for good cause must ~~shall~~ be issued in accordance with the department's uniform attendance policy adopted pursuant to paragraph (6)(d).

(b) A child who has not ~~substantially~~ completed any of the prekindergarten programs listed in s. 1002.53(3) may withdraw from the program due to an extreme hardship that is beyond the child's or parent's control, reenroll in one of the summer programs, and be reported for funding purposes as a full-time equivalent student in the summer program for which the child is reenrolled.

A child may reenroll only once in a prekindergarten program under this section. A child who reenrolls in a prekindergarten program under this subsection may not subsequently withdraw from the program and reenroll, unless the child is granted a good cause exemption under this subsection. The department shall establish criteria specifying whether a good cause exists for a child to withdraw from a program under paragraph (a)~~, whether a child has substantially completed a program under paragraph (b),~~

and whether an extreme hardship exists which is beyond the child's or parent's control under paragraph (b).

Section 16. Paragraph (d) of subsection (4) of section 1002.945, Florida Statutes, is amended to read:

1002.945 Gold Seal Quality Care Program.—

(4) In order to obtain and maintain a designation as a Gold Seal Quality Care provider, a child care facility, large family child care home, or family day care home must meet the following additional criteria:

~~(d) Notwithstanding paragraph (a), if the Department of Education determines through a formal process that a provider has been in business for at least 5 years and has no other class I violations recorded, the department may recommend to the state board that the provider maintain its Gold Seal Quality Care status. The state board's determination regarding such provider's status is final.~~

Section 17. Subsection (3) of section 1003.41, Florida Statutes, is amended to read:

1003.41 State academic standards.—

(3) The Commissioner of Education shall, as deemed necessary, develop and submit proposed revisions to the standards for review and comment by Florida educators, school administrators, representatives of the Florida College System institutions and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education and careers, a representative from the Department of Commerce, business and industry leaders for in-demand careers, and the public. The commissioner, after considering reviews and comments, shall submit the proposed

revisions to the State Board of Education for adoption. New and revised standards documents submitted for approval to the state board must consist only of academic standards and benchmarks. The commissioner shall revise all currently approved standards documents based on the requirements of this subsection and submit all revised standards documents to the state board for approval no later than July 1, 2026.

Section 18. Paragraph (j) of subsection (2) of section 1003.42, Florida Statutes, is amended to read:

1003.42 Required instruction.—

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(j) The elementary principles of agriculture. This component must include, but need not be limited to, the history of agriculture both nationally and specifically to this state, the economic and societal impact of agriculture, and the various agricultural industry sectors. The department, in collaboration with the Department of Agriculture and Consumer Services and the University of Florida's Institute of Food and Agricultural Sciences, shall prepare and offer standards and a curriculum for the instruction required by this paragraph and may seek input from state or nationally recognized agricultural educational organizations. The department may contract with state or nationally recognized agricultural educational organizations to

develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. Instructional programming that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraph (u).

Section 19. Paragraph (a) of subsection (2) of section 1003.4201, Florida Statutes, is amended to read:

1003.4201 Comprehensive system of reading instruction.—Each school district must implement a system of comprehensive reading instruction for students enrolled in prekindergarten through grade 12 and certain students who exhibit a substantial deficiency in early literacy.

(2)(a) Components of the reading instruction plan may include the following:

1. Additional time per day of evidence-based intensive reading instruction for kindergarten through grade 12 students, which may be delivered during or outside of the regular school day.

2. Highly qualified reading coaches, who must be endorsed in reading, to specifically support classroom teachers in making instructional decisions based on progress monitoring data collected pursuant to s. 1008.25(9) and improve classroom teacher delivery of effective reading instruction, reading

intervention, and reading in the content areas based on student need.

3. Professional learning to help instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program earn a certification, a credential, an endorsement, or an advanced degree in scientifically researched and evidence-based reading instruction.

4. Summer reading camps, using only classroom teachers or other district personnel who possess a micro-credential as specified in s. 1003.485 or are certified or endorsed in reading consistent with s. 1008.25(8)(b)3., for all students in kindergarten through grade 5 exhibiting a reading deficiency as determined by district and state assessments.

5. Intensive reading interventions, which must be delivered by instructional personnel who possess a micro-credential as provided in s. 1003.485 or are certified or endorsed in reading as provided in s. 1012.586 and must incorporate evidence-based strategies identified by the Just Read, Florida! office pursuant to s. 1001.215(7). Instructional personnel who possess a micro-credential as specified in s. 1003.485 and are delivering intensive reading interventions must be supervised by an individual certified or endorsed in reading. For the purposes of this subparagraph, the term "supervised" means that instructional personnel with a micro-credential are able, through telecommunication or in person, to communicate and consult with, and receive direction from, certified or endorsed personnel. Incentives for instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program who possess a reading certification or endorsement as

specified in s. 1012.586 or micro-credential as specified in s. 1003.485 and provide educational support to improve student literacy.

6. Tutoring in reading.

7. A description of how the district prioritizes the assignment of highly effective teachers, as identified in s. 1012.34(2)(e), from kindergarten to grade 2.

Section 20. Paragraph (h) of subsection (3) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—

(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.—

(h) *One-half credit in personal financial literacy.*— Beginning with students entering grade 9 in the 2023-2024 school year, each student must earn one-half credit in personal financial literacy and money management. This instruction must include discussion of or instruction in all of the following:

1. Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution's services.

2. Balancing a checkbook.

3. Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.

4. Completing a loan application.

5. Receiving an inheritance and related implications.

6. Basic principles of personal insurance policies.

7. Computing federal income taxes.

8. Local tax assessments.

9. Computing interest rates by various mechanisms.

10. Simple contracts.

11. Contesting an incorrect billing statement.

12. Types of savings and investments.

13. State and federal laws concerning finance.

14. Costs of postsecondary education, including cost of attendance, completion of the Free Application for Federal Student Aid, scholarships and grants, and student loans.

Section 21. Effective upon becoming a law, paragraph (b) of subsection (1) of section 1007.27, Florida Statutes, is amended, and paragraph (d) is added to subsection (2) of that section, to read:

1007.27 Articulated acceleration mechanisms.—

(1)

(b) The State Board of Education and the Board of Governors shall identify Florida College System institutions, ~~and~~ state universities, and national consortia to develop courses that align with s. 1007.25 for students in secondary education and provide the training required under s. 1007.35(6).

(2)

(d) The department may join or establish a national consortium as an alternative method to develop and implement advanced placement courses that align with s. 1007.25.

Section 22. Section 1008.2125, Florida Statutes, is repealed.

Section 23. Subsections (1) and (5) of section 1008.36, Florida Statutes, are amended to read:

1008.36 Florida School Recognition Program.—

(1) The Legislature finds that there is a need for a

performance incentive program for outstanding instructional personnel ~~faculty and staff~~ in highly productive schools. The Legislature further finds that performance-based incentives are commonplace in the private sector and should be infused into the public sector as a reward for productivity.

(5) School recognition awards must be used for the following:

(a) Nonrecurring bonuses to the instructional personnel as defined in s. 1012.01(2) ~~faculty and staff~~;

(b) Nonrecurring expenditures for educational equipment or materials to assist in maintaining and improving student performance; or

(c) Temporary personnel for the school to assist in maintaining and improving student performance.

Notwithstanding statutory provisions to the contrary, incentive awards are not subject to collective bargaining.

Section 24. Paragraph (c) of subsection (8) of section 1008.365, Florida Statutes, is amended to read:

1008.365 Reading Achievement Initiative for Scholastic Excellence Act.—

(8) As part of the RAISE Program, the department shall establish a tutoring program and develop training in effective reading tutoring practices and content, based on evidence-based practices grounded in the science of reading and aligned to the English Language Arts standards under s. 1003.41, which prepares eligible high school students to tutor students in kindergarten through grade 3 in schools identified under this section, instilling in those students a love of reading and improving

their literacy skills.

(c) Tutoring may be part of a service-learning course adopted pursuant to s. 1003.497. Students may earn up to three elective credits for high school graduation based on the verified number of hours the student spends tutoring under the program. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and an administrator or designee of the school in which the tutoring occurred. The ~~Unpaid~~ hours that a high school student devotes to tutoring may be counted toward meeting community service requirements for high school graduation and community service requirements for participation in the Florida Bright Futures Scholarship Program as provided in s. 1003.497(3)(b). The department shall designate a high school student who provides at least 75 verified hours of tutoring under the program as a New Worlds Scholar and award the student with a pin indicating such designation.

Section 25. Section 1011.58, Florida Statutes, is repealed.

Section 26. Section 1011.59, Florida Statutes, is repealed.

Section 27. Section 1012.315, Florida Statutes, is amended to read:

1012.315 Screening standards.—

(1) A person is ineligible for educator certification or employment in any position that requires direct contact with students in a district school system, a charter school, or a private school that participates in a state scholarship program under chapter 1002 if the person:

(a) ~~(1)~~ Is on the disqualification list maintained by the department under s. 1001.10(4)(b);

(b) ~~(2)~~ Is registered as a sex offender as described in 42 U.S.C. s. 9858f(c)(1)(C);

(c) ~~(3)~~ Is ineligible based on a security background investigation under s. 435.04(2). Beginning January 1, 2025, or a later date as determined by the Agency for Health Care Administration, the Agency for Health Care Administration shall determine the eligibility of employees in any position that requires direct contact with students in a district school system, a charter school, or a private school that participates in a state scholarship program under chapter 1002;

(d) ~~(4)~~ Would be ineligible for an exemption under s. 435.07(4)(c); or

(e) ~~(5)~~ Has been convicted or found guilty of, has had adjudication withheld for, or has pled guilty or nolo contendere to:

1. ~~(a)~~ Any criminal act committed in another state or under federal law which, if committed in this state, constitutes a disqualifying offense under s. 435.04(2).

2. ~~(b)~~ Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under s. 943.0435(1)(h)1.d.

(2) Notwithstanding ss. 435.01 and 435.07, a person who undergoes screening pursuant to this chapter or s. 1002.421 may not seek an exemption.

(3) Persons who apply for certification or employment are governed by the law and rules in effect at the time of application for issuance of the initial certificate or

employment, provided that continuity of certificates or employment is maintained.

Section 28. Subsections (3), (5), and (6) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.—

(3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of demonstrating mastery of general knowledge are:

(a) Achievement of passing scores on the general knowledge examination required by state board rule;

(b) Documentation of a valid professional standard teaching certificate issued by another state;

(c) Documentation of a valid certificate issued by the National Board for Professional Teaching Standards (NBPTS), the American Board for Certification of Teacher Excellence (ABCTE), or a national educator credentialing board approved by the State Board of Education;

(d) Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution of higher education identified by the Department of Education as having a quality program;

(e) Achievement of passing scores, identified in state board rule, on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and quantitative reasoning skills, including, but not limited to, the verbal, analytical writing, and quantitative reasoning portions of the Graduate Record Examination and the SAT, ACT, and Classic Learning Test. Passing scores identified

in state board rule must be at approximately the same level of rigor as is required to pass the general knowledge examinations; or

(f) Documentation of receipt of a master's or higher degree from an accredited postsecondary educational institution that the Department of Education has identified as having a quality program resulting in a baccalaureate degree or higher.

A school district that employs an individual who does not achieve passing scores on any subtest of the general knowledge examination must provide information regarding the availability of state-level and district-level supports and instruction to assist him or her in achieving a passing score. Such information must include, but need not be limited to, state-level test information guides, school district test preparation resources, and preparation courses offered by state universities and Florida College System institutions. The requirement of mastery of general knowledge must ~~shall~~ be waived for an individual who has been provided 3 years of supports and instruction and who has been rated effective or highly effective under s. 1012.34 for each of the last 3 years.

(5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of demonstrating mastery of subject area knowledge are:

(a) For a subject requiring only a baccalaureate degree for which a Florida subject area examination has been developed, achievement of a passing score on the Florida-developed subject area examination specified in state board rule;

(b) For a subject for which a Florida subject area examination has not been developed, achievement of a passing

score on a standardized examination specified in state board rule, including, but not limited to, passing scores on both the oral proficiency and written proficiency examinations administered by the American Council on the Teaching of Foreign Languages;

(c) For a subject for which a Florida subject area examination has not been developed or a standardized examination has not been specified in state board rule, completion of the subject area specialization requirements specified in state board rule and verification of the attainment of the essential subject matter competencies by the district school superintendent of the employing school district or chief administrative officer of the employing state-supported or private school;

(d) For a subject requiring a master's or higher degree, completion of the subject area specialization requirements specified in state board rule and achievement of a passing score on the Florida-developed subject area examination or a standardized examination that is directly related to the subject specified in state board rule;

(e) Documentation of a valid professional standard teaching certificate issued by another state;

(f) Documentation of a valid certificate issued by the NBPTS, ABCTE, ~~National Board for Professional Teaching Standards~~ or a national educator credentialing board approved by the State Board of Education;

(g) Documentation of successful completion of a United States Defense Language Institute Foreign Language Center program;

(h) Documentation of a passing score on the Defense Language Proficiency Test (DLPT); or

(i) For a subject requiring only a baccalaureate degree for which a Florida subject area examination has been developed, documentation of receipt of a master's or higher degree from an accredited postsecondary educational institution that the Department of Education has identified as having a quality program resulting in a baccalaureate degree or higher in the certificate subject area as identified by state board rule.

School districts are encouraged to provide mechanisms for middle grades teachers holding only a K-6 teaching certificate to obtain a subject area coverage for middle grades through postsecondary coursework or district add-on certification.

(6) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION COMPETENCE.—Acceptable means of demonstrating mastery of professional preparation and education competence are:

(a) Successful completion of an approved teacher preparation program at a postsecondary educational institution within this state and achievement of a passing score on the professional education competency examination required by state board rule;

(b) Successful completion of a teacher preparation program at a postsecondary educational institution outside Florida and achievement of a passing score on the professional education competency examination required by state board rule;

(c) Documentation of a valid professional standard teaching certificate issued by another state;

(d) Documentation of a valid certificate issued by the

NBPTS, ABCTE, ~~National Board for Professional Teaching Standards~~ or a national educator credentialing board approved by the State Board of Education;

(e) Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution of higher education identified by the Department of Education as having a quality program and achievement of a passing score on the professional education competency examination required by state board rule;

(f) Successful completion of professional preparation courses as specified in state board rule, successful completion of a professional education competence program pursuant to subsection (9), and documentation of 3 years of being rated effective or highly effective under s. 1012.34 while holding a temporary certificate;

(g) Successful completion of a professional learning certification program, outlined in subsection (8); or

(h) Successful completion of a competency-based certification program pursuant to s. 1004.85 and achievement of a passing score on the professional education competency examination required by rule of the State Board of Education.

The State Board of Education shall adopt rules to implement this subsection, including rules to approve specific teacher preparation programs that are not identified in this subsection which may be used to meet requirements for mastery of professional preparation and education competence.

Section 29. Present subsection (4) of section 1012.77, Florida Statutes, is redesignated as subsection (5), a new subsection (4) is added to that section, and subsection (3) of that section is amended, to read:

1012.77 Christa McAuliffe Ambassador for Education Program.—

(3) The Teacher of the Year shall serve as the Ambassador for Education. If the Teacher of the Year is unable to serve as the Ambassador for Education, the first runner-up must ~~shall~~ serve in his or her place. The Department of Education shall establish application and selection procedures for determining an annual teacher of the year. Applications and selection criteria must ~~shall~~ be developed and distributed annually by the Department of Education to all eligible entities identified in subsection (4) ~~school districts~~. The Commissioner of Education shall establish a selection committee which assures representation from teacher organizations, administrators, and parents to select the Teacher of the Year and Ambassador for Education from among the nominated ~~district~~ teachers of the year.

(4) Eligible entities to submit to the Department of Education a nominee for the Teacher of the Year and Ambassador for Education awards include:

(a) Florida school districts, including lab schools as defined in s. 1002.32.

(b) Charter school consortia with at least 30 member schools and an approved professional learning system on file with the department.

Section 30. Except as otherwise expressly provided in this

act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2025.

The Florida Senate

APPEARANCE RECORD

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4/8/25
Meeting Date

Fiscal Policy
Committee

1618
Bill Number or Topic

329394
Amendment Barcode (if applicable)

Name Mark Anderson

Phone 813-205-0658

Address 110 S. Monroe
Street

Tallahassee FL 32301
City State Zip

Email Mark@ConsultAnderson.com

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☑ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing:
South College
FL Council of Private Colleges

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

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4/8/25
Meeting Date

Fiscal Policy
Committee

SB 1618
Bill Number or Topic

329394
Amendment Barcode (if applicable)

Name Nancy Lawther, PhD.

Phone 305 607-3837

Address 9140 SW 59 Ave
Street

Email nllawther@gmail.com

Miami FL 33156
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

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4.8.25
Meeting Date

Fiscal Policy
Committee

SB 1618
Bill Number or Topic

Amendment Barcode (if applicable)

Name Kara Gross

Phone 786-363-4436

Address 4343 West Flagler St
Street

Email kgross@aclufl.org

Miami FL 33134
City *State* *Zip*

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing:
American Civil Liberties Union of Florida

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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1618
Bill Number or Topic

fiscal
Committee

Amendment Barcode (if applicable)

Name Emer Roy

Phone 571 209 7659

Address Albian Ave

Email eroy823@gmail.com

Street

Orlando FL 32833

City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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4/8/25
Meeting Date

S. Fiscal Policy
Committee

SB 1618
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jon Harris Maurer Phone

Address 201 E. Park Ave, Ste. 200A Email
Street

TLH FL 32301
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:

Equality Florida

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

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4/8/2025
Meeting Date

Fiscal Policy
Committee

SB 1618
Bill Number or Topic

Amendment Barcode (if applicable)

Name Lee Robertson

Phone 239-628-9258

Address 4246 Augustus Oak Ct
Street

Email robertson@psy.fsu.edu

Tallahassee FL 32303
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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04108/2025
Meeting Date

Fiscal Policy
Committee

1618
Bill Number or Topic

Amendment Barcode (if applicable)

Name Tessa Barber

Phone 727 409 3562

Address 2882 Sandpiper PL
Street

Email tessaabarber@gmail.com

Clearwater FL 33762
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

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 Fiscal Policy

BILL:	CS/SB 7016
INTRODUCER:	Fiscal Policy Committee; Ethics and Elections Committee and others
SUBJECT:	Initiative Petitions Proposing an Amendment to the State Constitution
DATE:	April 10, 2025
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Biehl	Roberts		**EE Submitted as Comm. Bill/Fav**
2.	Biehl	Siples	FP	**Fav/CS**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 7016 makes the following changes to provisions governing initiative petitions proposing an amendment to the Florida Constitution:

- Limits the number of cycles a petition sponsor can remain active without achieving the signature threshold for Supreme Court review to three general elections and limits sponsorship of initiative petitions to one per political committee.
- Creates font size and page length requirements for initiative petitions.
- Requires additional personal identifying information for voters signing petition forms and for applicants for petition circulators.
- Prohibits certain felons, non-Florida residents, and noncitizens from acting as petition circulators.
- Requires a person who collects more petition forms than his or her own, those of his or her immediate family members, plus two more to register as a petition circulator.
- Requires training for petition circulators.
- Increases fines for late submission or nonsubmission of petition forms.
- Requires supervisors of elections to notify voters whose signatures are verified and provide an opportunity for such persons to report that their signatures were forged or misrepresented.
- Revises petition form retention and transmittal requirements.
- Clarifies processes for certification of and challenge of constitutional amendments.
- Provides for inclusion of the financial impact statement on the petition form and adds the financial impact statement to the issues subject to automatic Supreme Court review.

- Provides additional civil and criminal penalties for violations of laws governing citizens' initiatives.
- Prohibits the use of public funds to advocate for or against any issue that is the subject of a proposed constitutional amendment.

The bill also prescribes timelines for implementation. Except as otherwise specified, the bill takes effect upon becoming a law.

II. Present Situation:

Political Committees

Florida law defines "political committee" to mean:

- A combination of two or more individuals, or a person other than an individual, that, in an aggregate amount in excess of $500 during a single calendar year:
  - Accepts contributions for the purpose of making contributions[1] to any candidate,[2] political committee, affiliated party committee, or political party;
  - Accepts contributions for the purpose of expressly advocating the election or defeat of a candidate or the passage or defeat of an issue;
  - Makes expenditures[3] that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue; or
  - Makes contributions to a common fund, other than a joint checking account between spouses, from which contributions are made to any candidate, political committee, affiliated party committee, or political party.
  - The sponsor of a proposed constitutional amendment by initiative who intends to seek the signatures of registered electors.[4]

[1] Section 106.011(5)(a), F.S., defines "contribution" to mean (a) a gift, subscription, conveyance, deposit, loan, payment, or distribution of money or anything of value, including contributions in kind having an attributable monetary value in any form, made for the purpose of influencing the results of an election or making an electioneering communication; (b) a transfer of funds between political committees, between electioneering communications organizations, or between any combination of these groups; (c) the payment, by a person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to a candidate or political committee without charge to the candidate or committee for such services; or (d) the transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit; and the term includes interest earned on such account or certificate.

[2] Section 106.011(3), F.S., defines "candidate" to mean a person to whom any of the following applies: 1) a person who seeks to qualify for nomination or election by means of the petitioning process; 2) a person who seeks to qualify for election as a write-in candidate; 3) a person who receives contributions or makes expenditures, or consents for any other person to receive contributions or make expenditures, with a view to bring about his or her nomination or election to, or retention in, public office; 4) a person who appoints a treasurer and designates a primary depository; or 5) a person who files qualification papers and subscribes to a candidate's oath as required by law. The definition excludes any candidate for a political party executive committee.

[3] Section 106.011(10)(a), F.S., defines "expenditure" to mean a purchase, payment, distribution, loan, advance, transfer of funds by a campaign manager or deputy campaign treasurer between a primary deposit and a separate interest-bearing account or certificate of deposit, or gift of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication.

[4] Section 106.011(16)(a), F.S. The following entities are not considered political committees: 1) national political parties, the state and county executive committees of political parties, and affiliated party committees; 2) corporations or other business entities formed for purposes other than to support or oppose issues or candidates, if their political activities are limited to contributions to candidates, political parties, affiliated party committees, or political committees or expenditures in support of

Each political committee must:

- File a statement of organization within 10 days after its organization.[5]
- Through a designated campaign treasurer, file regular reports of all contributions received, and all expenditures made, by or on behalf of the political committee.[6]

Proposed Constitutional Amendments, Generally

Amendments to the Florida Constitution can be proposed by five distinct methods: 1) joint legislative resolution, 2) the Constitutional Revision Commission, 3) citizens' initiative, 4) a constitutional convention, or 5) the Taxation and Budget Reform Commission.[7] Depending on the method, all proposed amendments or revisions to the Florida Constitution must be submitted to the electors at the next general election held more than 90 days after the joint resolution or report of revision commission, constitutional convention or taxation and budget reform commission proposing it is filed with the custodian of state records, or for citizen initiatives, if all the required signatures were submitted prior to February 1 of the year in which the general election will be held.[8]

The Florida Constitution mandates that all proposed amendments or revisions[9] be adopted by at least a 60 percent affirmative vote of those electors voting on the measure.

Citizens' Initiatives

The Florida Constitution provides citizens with the right to propose constitutional amendments through an initiative petition process.[10] The process includes the following signature requirements:

- The total number of signatures must be equal to at least eight percent of the number of voters in the last presidential election.
- The signatures must come from voters in at least one-half of the congressional districts of the state.[11]

The steps in the citizens' initiative petition process are as follows:

---

or opposition to an issue from corporate or business funds and if no contributions are received by such corporations or business entities; or 3) electioneering communications organizations (s. 106.011(16)(b), F.S.).

[5] Section 106.03(1)(a), F.S. A political committee which is organized to support or oppose statewide, legislative, or multicounty candidates or issues to be voted upon on a statewide or multicounty basis must file its statement of organization with the Department of State's Division of Elections (s. 106.03(3)(a), F.S.).

[6] Section 106.07(1), F.S. Generally, such reports must include a list of specified information, including, but not limited to, the full name, address, and occupation, if any, of each person who made one or more contributions to or for such committee within the reporting period, together with the amount and date of such contributions (s. 106.07(4)(a), F.S.).

[7] *See* FLA. CONST. art XI, ss. 1-4 and 6.

[8] *See* FLA. CONST. art XI, s. 5.

[9] When the Florida Constitution uses the word 'amendment' it is in reference to a section of the constitution, while the word 'revision' relates to one or more articles or the whole constitution. *See* FLA. CONST. art. XI, s. 1.

[10] FLA. CONST. art. XI, s. 3.

[11] FLA. CONST. art. XI, s. 3.

- The individual or group wishing to propose an amendment must register as a political committee with the Department of State's Division of Elections (Division).[12]
- The sponsoring political committee must submit its initiative petition form to the Division for approval of its format.[13]
- After the Division approves the format of a petition form, the Division assigns a serial number to the initiative petition.[14]
- After assignment of a serial number, the sponsoring political committee may begin circulating petitions for signature by registered Florida voters.[15]
- Each signed initiative petition form must be submitted by the sponsoring political committee to the supervisor of elections' office in the county of residence of the signee for signature verification.[16]
- When the sponsoring political committee has obtained specified thresholds for verified signatures,[17] the Secretary of State (Secretary) sends the petition to the Attorney General,[18] who must within 30 days of receipt petition the Florida Supreme Court (Court) for an advisory opinion as to whether the text of the proposed amendment complies with state constitutional requirements[19], whether the proposed amendment is facially invalid under the United States Constitution, and whether the proposed ballot title and substance comply with statutory requirements[20].[21] The Secretary concurrently sends a copy of the petition to the Financial Impact Estimating Conference, which completes and submits to the Secretary and Attorney General a financial impact statement for the proposed amendment.[22]
- By February 1 of the year of the general election, the Secretary determines whether the required number and distribution of signatures has been met.[23] If so, the Secretary issues a

[12] Section 100.371(2), F.S. There is currently no limit on the number of initiatives each political committee may sponsor or on the number of cycles a political committee sponsoring an initiative may stay active without reaching the signature threshold required for Florida Supreme Court review.
[13] Rule 1S-2.009 (Constitutional Amendment by Initiative Petition), F.A.C. The form must include the amendment title and summary; sponsor information; the voter's name, address, voter registration number, and date of birth; the voter's signature and the date signed; the petition circulator's information, if applicable; and notice that the form becomes public record once filed, that it is a first-degree misdemeanor to knowingly sign the same petition more than once, and that an improperly completed form will not be validated. In addition, petition forms collected by paid petition circulators must contain an affirmation by the circulator that the petition was signed in the circulator's presence (s. 100.371(5)(b), F.S.).
[14] *Id*.
[15] *See id*. and s. 100.371(2), F.S.
[16] Section 100.371(11)(a), F.S. Each signature must be verified by the relevant supervisor of elections.
[17] The verified signatures on petitions must be equal to at least 25% of the number of signatures required statewide and in at least one-half of Florida's congressional districts.
[18] Section 15.21, F.S.
[19] FLA. CONST. art. XI, s. 3, in part limits citizens' initiatives (except those limiting the power of government to raise revenue) to a single subject.
[20] Section 101.161, F.S., provides format and content requirements for ballot titles and summaries. The ballot summary must be an explanatory statement, not exceeding 75 words in length, of the chief purpose of the measure. The ballot title must consist of a caption, not exceeding 15 words in length, by which the measure is commonly referred to or spoken of. However, those requirements do not apply to amendments or revisions proposed by joint resolution of the Legislature. All proposals are subject to requirements pertaining to a financial impact statement that must be included in the ballot summary.
[21] Section 16.061(1), F.S.
[22] Section 100.371(13), F.S.
[23] Section 100.371(1), F.S.

certificate of ballot position to the sponsoring political committee.[24] No later than the next day, the Division director assigns the designated number for the proposed amendment.[25]

Additional details about the current citizens' initiative process are provided under the subheadings below.

Petition Circulators

A person may not collect signatures or initiative petitions for compensation without first registering as a petition circulator with the Department of State (DOS).[26] Compensating a petition circulator based on the number of petition forms gathered is a third-degree felony.[27]

Signature Verification

Each signed initiative petition form must be submitted within 30 days[28] by the sponsoring political committee to the supervisor of elections' office in the county of residence of the signee for signature verification.[29] If a petition form collected by any petition circulator is not promptly delivered to the supervisor, the sponsor is liable for the following fines:

- $50 for each petition received by the supervisor more than 30 days after the elector signed the petition form, or $250 per petition form if the sponsor or petition circulator acted willfully.
- $500 for each petition form collected but not submitted, or $1,000 per petition form if the sponsor or petition circulator acted willfully.[30]

Each supervisor must verify signatures within 60 days after receipt of the petition forms and payment by the sponsor of the actual cost[31] of signature verification, unless the petition forms are submitted less than 60 days before February 1 of an even-numbered year, in which case the supervisor must verify the signatures within 30 days after receipt and payment.[32]

There is currently no requirement that a voter be notified if his or her signature is verified as having signed a petition.

Record Retention and Reporting

A supervisor must retain all signature forms for at least one year following the election for which the petition was circulated, separating forms verified as valid from those deemed invalid.[33]

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[24] Section 100.371(12), F.S.
[25] Rule 1S-2.0011 (Constitutional Amendment Ballot Position), F.A.C.
[26] Section 100.371(3)(a), F.S. There are currently no restrictions on who may register as a petition circulator. Applicants for petition circulator must provide name; permanent address; temporary address, if applicable; and date of birth.
[27] Section 104.86, F.S.
[28] An initiative petition sponsor is liable for a fine of $50 for each day late, per petition, and for a $2,500 fine if willful. There is no penalty for delivery completed petition forms after the deadline.
[29] Section 100.371(11)(a), F.S. Each signature must be verified by the relevant supervisor of elections. The sponsoring political committee must pay the actual cost of verification to the supervisor of elections.
[30] Section 100.371(7)(a), F.S.
[31] Each supervisor must post the actual cost of signature verification on his or her website and may increase such cost, as necessary, on February 2 of each even-numbered year (s. 100.371(11)(b), F.S.).
[32] Section 100.371(11)(a), F.S.
[33] *Id*.

On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor must post on his or her website, for each initiative:

- The total number of signatures submitted, invalid signatures, and signatures processed, and the aggregate number of verified valid signatures and the distribution of such signatures by congressional district.
- Specific to the reporting period, the total number of signed petition forms received and verified, the distribution of verified valid signatures by congressional district, and the total number of verified petition forms forwarded to the Secretary.[34]

Financial Impact Estimating Conference and Financial Impact Statement

The Financial Impact Estimating Conference (FIEC) is established to review, analyze, and estimate the financial impact of amendments to or revisions of the State Constitution proposed by initiative. It consists of four principals:

- One person from the Executive Office of the Governor;
- The coordinator of the Office of Economic and Demographic, or his or her designee;
- One person from the professional staff of the Senate; and
- One person from the professional staff of the House of Representatives.[35]

A FIEC may be appointed for each initiative. The President of the Senate and the Speaker of the House of Representatives, jointly, are the sole judge for the interpretation, implementation, and enforcement of the FIEC process. [36]

After the Secretary submits to the FIEC an initiative petition that has received the required number of verified signatures, the FIEC has 75 days to complete an analysis and financial impact statement to be placed on the ballot of the estimated increase or decrease in any revenues or costs to state or local governments and the overall impact to the state budget resulting from the proposed initiative.[37] If the FIEC fails to reach consensus, the impact is listed as indeterminate.[38]

The financial impact statement does not currently get added to the petition form that is signed by voters.

[34] Section 100.371(11)(c), F.S.
[35] Section 100.371(13)(c), F.S.
[36] *Id*.
[37] Section 100.371(13)(a), F.S.
[38] Section 100.371(13)(d)3., F.S.

Fraud in Citizens' Initiatives

In October 2024, the Office of Election Crimes and Security[39] (OECS) issued a report on investigations concerning initiative petition fraud.[40] Investigated allegations included reports of petition circulators signing petition forms on behalf of deceased individuals, forging or misrepresenting elector signatures on petition forms, using electors' personal identifying information without consent, and perjury/false swearing. The OECS reported nearly all of the investigations had been referred to law enforcement for further investigation and prosecution.[41]

Certification and Challenge of Election Results

The state Elections Canvassing Commission certifies the returns of the election for each federal, state, and multicounty office.[42] Each county canvassing board must provide unofficial returns to the DOS for each federal, statewide, or multicounty office or ballot measure.[43]

The certification of election or nomination of any person to office, or of the result on any question submitted by referendum, may be contested in the circuit court by any unsuccessful candidate for such office or nomination thereto or by any elector qualified to vote in the election related to such candidacy, or by any taxpayer. The grounds for contesting an election are:

- Misconduct, fraud, or corruption on the part of any election official or any member of the canvassing board sufficient to change or place in doubt the result of the election.
- Ineligibility of the successful candidate for the nomination or office in dispute.
- Receipt of a number of illegal votes or rejection of a number of legal votes sufficient to change or place in doubt the result of the election.
- Proof that any elector, election official, or canvassing board member was given or offered a bribe or reward for the purpose of procuring the successful candidate's nomination or election or determining the result on any question submitted by referendum.[44]

Restrictions on Use of Public Funds in Elections

Any political committee that accepts the use of public funds, equipment, personnel, or other resources to collect dues from its members may not make independent expenditures in support of or opposition to a candidate or elected public official.[45] A political committee that violates this provision is liable for a civil fine of up to $5,000 to be determined by the Florida Elections Commission or the entire amount of the expenditures, whichever is greater.[46]

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[39] The Office of Election Crimes and Security is created within the DOS to aid the Secretary in completion of his or her duties by conducting preliminary investigations into allegations of election law violations, both by initiating independent inquiries and by receiving complaints (s. 97.022, F.S.).
[40] Florida Department of State Office of Election Crimes and Security, *Interim Report to Legislature on Initiative Petition Fraud Related to the Abortion Initiative (23-07)*, October 11, 2024 (on file with the Senate Committee on Ethics and Elections).
[41] *Id*.
[42] Section 102.111(2), F.S.
[43] Section 102.141(7)(c), F.S.
[44] Section 102.168, F.S.
[45] However, expenditures may be made for the sole purpose of jointly endorsing three or more candidates (s. 106.087(2)(a), F.S.).
[46] Section 106.087(2), F.S.

In addition, a local government may not expend, and a person or group may not accept, public funds for a political advertisement or any other communication sent to electors concerning an issue, referendum, or amendment, including any state question, that is subject to a vote of the electors.[47]

Voting-Related Public Records Exemptions

The following information held by an agency[48] and obtained for the purpose of voter registration is confidential and exempt[49] from public record disclosure requirements:

- All declinations to register to vote.
- Information relating to the place where a person registered to vote or where a person updated a voter registration.
- The social security number, driver license number, and Florida identification number of a voter registration applicant or voter.
- All information concerning preregistered voter registration applicants who are 16 or 17 years of age.[50]

In addition, the signature of a voter registration applicant or a voter is exempt from copy requirements.[51]

Current law also provides general public records exemptions for motor vehicle records[52] and social security numbers[53].

III. Effect of Proposed Changes:

CS/SB 7016 contains whereas clauses related to fraud in signature gathering for citizens' initiatives and provides related legislative findings and legislative intent. The bill accordingly makes significant changes to provisions governing citizens' initiatives, as follows.

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[47] Section 106.113(2), F.S. "Public funds" means all moneys under the jurisdiction or control of the local government (s. 106.113(1)(b), F.S.).

[48] Section 119.011(2), F.S., defines "agency" to mean any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of ch. 119, F.S., the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.

[49] There is a difference between records the Legislature has determined to be exempt from the Public Records Act and those which the Legislature has determined to be exempt *and confidential*. Records designated as "confidential and exempt" are not subject to inspection by the public and may only be released under the circumstances defined by statute (*WFTV, Inc., v. The Sch. Bd. Of Seminole County*, 874 So.2d 48 (Fla. 5th DCA 2004)). Records designated as "exempt" may be released at the discretion of the records custodian under certain circumstances (*Williams v. City of Minneola*, 575 So.2d 683 (Fla. 5th DCA 1991)).

[50] Section 97.085(1), F.S.

[51] Section 97.0585(2), F.S.

[52] Section 119.0712(2)(b), F.S., provides that personal information, including highly restricted personal information as defined in 18 U.S.C. s. 2725, contained in a motor vehicle record is confidential pursuant to the federal Driver's Privacy Protection Act of 1994. Such information may be released only as authorized by that act. The term "motor vehicle record" is defined to mean any record that pertains to a motor vehicle operator's permit, motor vehicle title, motor vehicle registration, or identification card issued by the Department of Highway Safety and Motor Vehicles.

[53] Section 119.071(5)(a)5., F.S.

Sponsors of Initiative Petitions (section 6)

The bill limits sponsorship of initiative petitions to one initiative per political committee.

The bill also limits the number of cycles a sponsor can remain active without achieving the signature threshold for Court review to three general elections. Proposed amendments filed before February 1, 2022, must be refiled after February 2, 2026, to remain active. A proposed amendment that expires under this provision may be refiled as a new initiative.

Petition Forms (section 6)

The bill adds to the petition form that is signed by voters a requirement that a voter provide his or her Florida driver license or identification card number, or the last four digits of his or her social security number.

It also:
- Directs the division to create two petition forms, one for circulators and one for personal use.
- Expands the petition circulator affidavit to specify that that the petition was *completed and* signed *by the voter* in the circulator's presence, and to affirm that if the circulator was paid to collect the petition, payment was not on a per signature basis.
- Requires the financial impact statement provided by the FIEC to be added to the petition form once complete.
- Requires petition forms to be in a type of at least 10 points and limits the length of a petition form to one page, front and back. The full text of the amendment may be in a type not less than 6 points if 10-point type would cause the length of the petition form to exceed the page limit.

Petition Circulators (sections 4 and 6)

The bill limits the number of signed petition forms a person may collect before he or she must register as a petition circulator. Specifically, a person may not distribute, collect, deliver, or otherwise physically collect more than two signed petition forms in addition to his or her own petition form or a signed petition form belonging to an immediate family member.[54] This change expands the definition of petition circulators to include both paid and unpaid persons.

The bill prohibits the following persons from registering as petition circulators:
- A person who has been convicted of a felony violation and has not had his or her right to vote restored.
- A person who is not a U.S. citizen.
- A person who is not a Florida resident.

The bill requires any signed petition form submitted by an ineligible or unregistered petition circulator to be invalidated.

[54] An immediate family member is a person's spouse, or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse.

The bill also:
- Authorizes the Division to revoke a petition circulator's registration at the written request of the sponsor or if the circulator violates statutory requirements.
- Adds to the petition circulator application a requirement that the applicant provide a copy of his or her driver license or identification card and the last four digits of his or her social security number.
- Creates a training requirement for petition circulators.

Signature Verification (section 6)

The bill reduces the number of days a sponsor has to submit signed petition forms to the appropriate supervisor of elections to 10 from 30.

Regarding payment for verification, the bill:
- Clarifies that signatures may not be verified until payment has been received and processed by the supervisor.
- Allows supervisors to include operational and personnel costs in the verification fee, along with other costs associated with signature verification.
- Allows supervisors to update costs no later than October 1, 2025, and annually on March 1 thereafter.
- Allows supervisors to post two costs, one for petition forms received more than 60 days before February 1 of an even-numbered year, and one for petition forms received less than 60 days before that date.

Regarding notification to voters, the bill:
- Requires each supervisor to, upon verifying a signature, mail a notice of such to the voter, pursuant to a prescribed process.
- Allows a voter who believes his or her signature was misrepresented or forged to notify the OECS and have that petition invalidated.

The bill also, for any reporting period in which the percentage of invalid signatures exceeds 25 percent, requires the supervisor to notify the OECS, and requires the OECS to investigate the potential fraud of sponsors and/or circulators.

Record Retention and Transmittal (section 6)

The bill eliminates the requirement that supervisors retain received petition forms for one year and revises the requirement that supervisors separate valid from invalid forms to instead require that supervisors *identify* forms as valid or invalid, to facilitate supervisors' business practices. The bill also requires supervisors to electronically transmit received petition forms to the Division at the same intervals they are required to post reports online. As soon as practicable following the processing of the last timely submitted petition form, each supervisor must deliver the physical forms to the Division, which must retain all petition forms for one year following the election for which the petition was circulated.

Penalties (sections 6, 12, 13, 14, 15, and 19)

The bill revises fines regarding late- or not-submitted signed petition forms to the supervisor of elections to:

- Increase fines for late-submitted petition forms to $50 *per each day late,* and to $2,500 for each petition form if the sponsor or petition circulator acted willfully.
- Increase fines for non-submitted petition forms to $5,000 if the sponsor or petition circulator acted willfully.
- Create a new fine for submission of a signed petition form after the deadline, specifically $100 per each day late, up to a maximum of $5,000, for each petition form, or $5,000 for each petition form if the sponsor or petition circulator acted willfully.

The bill creates a substantive prohibition against basing any kind of compensation for petition circulators on the number of petition forms gathered. A person who violates the prohibition will be subject to an existing third-degree felony.

The bill expands:

- The existing third-degree felony for signing another person's name or a fictitious name to a petition form to also prohibit filling in missing information on a form.
- The existing racketeering provision to include a violation of the Election Code relating to irregularities or fraud involving issue petition activities.

The bill creates the following new prohibitions and penalties:

- A third-degree felony for a person collecting forms on behalf of a sponsor to copy or retain a voter's personal identifying information for any reason other than to provide such information to the sponsor.
- If a person collecting petition forms on behalf of a sponsor signs another person's name or a fictitious name or fills in missing information, the sponsor is liable for a $5,000 fine for each such petition.
- Prohibit a sponsor, or a person collecting forms on behalf of a sponsor, from mailing or otherwise providing a petition form with a voter's information prefilled, and specify a fine of $50 for each such petition.
- A third-degree felony for a person who violates the new limit on collecting signed petition forms.

FIEC and Financial Impact Statement (sections 2, 3, and 8)

The bill adds compliance of the financial impact statement with statutory requirements to the subjects the Court must review regarding the initiative petition.[55] It also requires the financial impact statement to be added to the petition form once completed.

The bill specifies that:

[55] The Court has previously declined jurisdiction to review the fiscal impact statement as part of the automatic initiative review process because it was not part of the petition (*see Floridians Protecting Freedom, Inc., et al., v. Passidomo*, 392 So.3d 777 (Fla. 2024).

- The FIEC may be convened only by the President of the Senate and the Speaker of the House of Representatives, jointly.
- The FIEC principals are professional staff of the Governor or an executive branch agency and the Legislature and not outside entities.

Certification and Challenge of Election Results (sections 6, 9, 10, and 11)

The bill:
- Directs the Secretary to rescind a petition initiative's certificate of ballot position if an advisory opinion issued by the Court pursuant to the automatic initiative review process deems the initiative petition invalid.
- Adds constitutional amendments to the types of elections the state Elections Canvassing Commission must certify.
- Adds to the existing contest of elections statute the ability to challenge a constitutional amendment under specified circumstances.

Use of Public Funds to Advocate Regarding a Proposed Amendment (section 16)

The bill defines "public funds" to mean all moneys under the jurisdiction or control of the state government. Similar to the existing restrictions on local governments, the bill specifies that the state government or any person acting on behalf of the state government may not expend or authorize the expenditure of, and a person or group may not accept, public funds for a political advertisement or any other communication sent to electors concerning any proposed constitutional amendment or revision that is subject to a vote of the electors. The prohibition applies to a communication initiated by the state government or a person acting on behalf of the state government, irrespective of whether the communication is limited to factual information or advocates for the passage or defeat of a proposed amendment.

The prohibition does not preclude:
- The state government or a person acting on behalf of the state government from reporting on official actions of the state government in an accurate, fair, and impartial manner; posting factual information on a government website or in printed materials; hosting and providing information at a public forum; providing factual information in response to an inquiry; or providing information as otherwise authorized or required by law.
- An elected official of the state government from expressing an opinion on any issue at any time.

Implementation/Effective Dates (sections 7 and 20)

The bill "grandfathers" in initiative petitions filed with the Secretary prior to the bill's effective date, so no verified petitions are impacted. By July 1, 2025, the DOS must update petition forms for existing initiatives to include the newly required fields.

By June 1, 2025, the DOS must make available a new petition circulator application. Existing circulator registrations will expire on July 1. No later than 7 days after the bill becomes law, the

DOS must notify each circulator that his or her registration will expire on July 1, and that he or she may reregister by completing the new application.

By June 1, 2025, the Department must develop the petition circulator training required by the bill.

Supervisors must pause verification of signatures between July 1, 2025, and September 1, 2025, to allow for implementation of new provisions. They must continue to accept signed petitions during that time.

The financial impact statement must be included on petitions filed after the bill becomes law.

Except as otherwise provided, the bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, s. 18 of the Florida Constitution exempts election laws from the county/municipality "mandates" provision within that section.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

The United States Supreme Court has issued numerous opinions defining First Amendment freedom of speech limits on election laws, including some specifically related to ballot-initiative petitions.

The Court has concluded that the circulation of such petitions represents core political speech and merits the highest level of protection.[56] However, the Court also has recognized that regulation of elections is necessary to ensure fairness and order.[57] States allowing ballot initiatives have considerable leeway to protect the integrity and reliability of the initiative process, as they have with respect to election processes generally.[58] So,

[56] *Meyer v. Grant*, 486 U.S. 414 (1988).
[57] *Storer v. Brown*, 415 U.S. 724 (1974); see *Timmons v. Twin Cities Area New Party*, 520 U.S. 351 (1997); *Anderson v. Celebrezze*, 460 U.S. 780 (1983).
[58] *Biddulph v. Mortham*, 89 F.3d 1491 (11th Cir. 1996).

restrictions on an initiative process will be upheld against a First Amendment challenge if such restrictions "protect the integrity and reliability of the initiative process" and do not "unjustifiably inhibit the circulation of ballot-initiative petitions."[59]

In First Amendment challenges to laws governing initiative petitions, the Court has analyzed whether the restrictions in question significantly inhibit communication with voters about proposed political change and, if so, whether they are warranted by the state interests alleged to justify those restrictions.[60] A key factor considered by the Court in this context is whether the effect of the law will limit the number of persons who carry the initiative proponents' message, and, consequently, reduce the size of the audience initiative proponents can reach.[61] In striking down a ban on paid petition circulators, the Court held that the challenged restriction reduced the chances that initiative proponents would gather signatures sufficient in number to qualify for the ballot, and thus limited proponents' ability to make the matter the focus of statewide discussion; the restriction imposed a burden on political expression that the state failed to justify.[62]

Additional examples of initiative petition restrictions struck down by the Court include:

- A requirement that petition circulators be registered voters.[63]
- A requirement that petition circulators wear a name badge.[64]
- A requirement that initiative sponsors disclose specified information about all petition circulators.[65]
- A $250 limit on contributions to committees formed to support or oppose ballot measure referenda.[66]

Examples of initiative petition restrictions upheld by the courts include:

- A minimum age requirement for petition circulators.[67]
- A six-month limit on the time period in which petitions can be circulated.[68]
- A requirement that a circulator attach to each petition section an affidavit containing the circulator's identifying information and a statement that he or she has read and understands the laws governing the circulation of petitions.[69]
- Single subject and unambiguous title requirements.[70]

[59] *Buckley v. American Constitutional Law Found., Inc.*, 525 U.S. 182 (1999).
[60] *Meyer*, 486 U.S. 414; *Buckley*, 525 U.S. 182 at 192.
[61] *Meyer*, 486 U.S. 414 at 422-423.
[62] *Meyer*, 486 U.S. 414 at 423-425.
[63] *Buckley*, 525 U.S. 182 at 197.
[64] *Buckley*, 525 U.S. 182 at 200.
[65] *Buckley*, 525 U.S. 182 at 204.
[66] *Citizens Against Rent Control/Coalition for Fair Housing v. City of Berkeley, California*, 102 U.S. 434 (1981). In this case, the Court determined that the restraint imposed by the ordinance on rights of association and in turn on individual and collective rights of expression contravened both the right of association and the speech guarantees of the First Amendment.
[67] *American Constitutional Law Found., Inc., v. Meyer*, 120 F.3d 1092 (10th Cir. 1997).
[68] *Id*. at 1099.
[69] *American Constitutional Law Found., Inc.*, 120 F.3d 1092 at 1100.
[70] *Biddulph*, 89 F.3d 1491.

- A requirement that the names of contributors and the amounts contributed be disclosed.[71]
- A prohibition against persons convicted of certain felonies related to elections or fraud from collecting completed voter registration applications on behalf of a third-party voter registration organization.[72]

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Sponsors of initiative amendments may incur indeterminate costs related to the new limits on sponsors and increased fines.

C. Government Sector Impact:

The supervisors of elections will incur costs associated with implementation of the new voter notification requirement. Annual cost estimates provided by supervisors range from $9,927 for a small county to $301,445 for a large county.[73] Supervisors may also incur costs to comply with the new requirement that they send signed petition forms to the division. The authorization for supervisors to adjust costs for signature verification annually and to post two costs, as well as to include costs related to the voter notification requirement, is likely to offset much of the cost increases resulting from the bill.

The DOS may incur costs related to implementation of the bill's provisions. Any such costs are likely to be managed within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

[71] *American Constitutional Law Found., Inc.*, 120 F.3d 1092 at 1104-1105. Specifically, the court held that disclosure of the names of initiative sponsors, and of the amounts they had spent gathering support for their initiatives, responded to a substantial state interest in maintaining a check on domination of the initiative process by affluent special interest groups.
[72] *Hispanic Federation, et al., v. Cord Byrd*, 719 F.Supp.3d 1236, United States District Court, N.D. Florida, March 2024. The same order ruled against a prohibition against noncitizens from collecting completed voter registration applications. The issue is on appeal in the 11th Circuit.
[73]Email from Florida Supervisors of Elections, March 6, 2025 (on file with the Senate Committee on Ethics and Elections).

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 15.21, 16.061, 97.021, 99.097, 100.371, 101.161, 102.111, 102.121, 102.168, 104.185, 104.186, 104.187, 106.19, 212.055, and 895.02.

This bill creates the following sections of the Florida Statutes: 104.188 and 106.151.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Fiscal Policy on April 8, 2025:
The committee substitute:

- Revises the title to conform to the bill content.
- Clarifies the new provisions limiting possession of signed petition forms.
- Requires Florida residency for petition circulators.
- Removes the requirement for a $1 million bond.
- Expands the authorization for the Division to revoke a circulator's registration to also allow revocation at the written request of the sponsor.
- Removes the requirement that initiative sponsors keep a deposit on balance with supervisors of elections for the purpose of paying for signature verification.
- Requires, instead of authorizes, the new petition circulator training to be available online.
- Directs the Division to create two petition forms, one for petition circulators and one for personal use.
- Revises the new font size and page length requirements for petition forms to permit printing of the full text of the amendment in no smaller than 6-point font size if a larger size would not fit on a single page, front and back.
- Revises the new provision triggering an OECS investigation to clarify that such an investigation is into the activities of the initiative sponsor and/or petition circulators.
- Clarifies that all postage costs, including return postage on signature verification notices, may be included in the actual cost of verification.
- Provides for return of a fraudulent signature notice directly to the OECS instead of to the supervisor of elections.
- Revises fields required on the return notice to facilitate implementation.
- Revises the prohibition on the use of public funds to advocate for or against a constitutional amendment.
- Expands the addition to racketeering offenses of petition-related fraud.
- Makes technical changes to improve consistency and clarity.
- Revises implementation dates.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/09/2025	.	
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The Committee on Fiscal Policy (Gaetz and Grall) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. (1) The Legislature finds that the power to propose an amendment to the State Constitution is reserved to the people of Florida consistent with s. 3, Article XI of the State Constitution. Evidence of fraud related to the process of gathering signatures on petitions for constitutional amendments compels the Legislature to act to protect the integrity of the

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ballot, ensure a valid election process, and protect the constitutionally provided initiative process.

(2) It is the intent of the Legislature to update the reasonable regulations in place for petition circulators, increase transparency and accountability for sponsors of initiative petitions, provide prospective signatories with objective information regarding the impact of a proposed amendment, and deter, prevent, and penalize fraudulent activities related to initiative petitions.

Section 2. Subsections (1) and (2) of section 15.21, Florida Statutes, are amended to read:

15.21 Initiative petitions; s. 3, Art. XI, State Constitution.—

(1) The Secretary of State shall immediately submit an initiative petition to the Attorney General if the sponsor has:

(a) Registered as a political committee pursuant to s. 106.03;

(b) Submitted the ballot title, ballot summary ~~substance~~, and full text of the proposed revision or amendment to the Secretary of State, who has received a financial impact statement pursuant to ss. 100.371 and 101.161; and

(c) Obtained a letter from the Division of Elections confirming that the sponsor has submitted to the appropriate supervisors for verification, and the supervisors have verified, forms signed and dated equal to 25 percent of the number of electors statewide required by s. 3, Art. XI of the State Constitution in one-half of the congressional districts of the state.

(2) If the Secretary of State has submitted an initiative

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petition to the Attorney General pursuant to subsection (1) but the validity of the signatures for such initiative petition has expired pursuant to s. 100.371(14)(a) ~~s. 100.371(11)(a)~~ before securing ballot placement, the Secretary of State must promptly notify the Attorney General. The Secretary of State may resubmit the initiative petition to the Attorney General if the initiative petition is later circulated for placement on the ballot of a subsequent general election and the criteria under subsection (1) are satisfied.

Section 3. Subsections (1), (2), and (3) of section 16.061, Florida Statutes, are amended to read:

16.061 Initiative petitions.—

(1) The Attorney General shall, within 30 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, petition the Supreme Court, requesting an advisory opinion regarding the compliance of the text of the proposed amendment or revision with s. 3, Art. XI of the State Constitution, whether the proposed amendment is facially invalid under the United States Constitution, ~~and~~ the compliance of the proposed ballot title and substance with s. 101.161, and the compliance of the financial impact statement with s. 100.371(16). The petition may enumerate any specific factual issues that the Attorney General believes would require a judicial determination.

(2) A copy of the petition shall be provided to the Secretary of State and ~~the principal officer of~~ the sponsor of the initiative petition.

(3) Any financial ~~fiscal~~ impact statement that the Supreme

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Court finds not to be in accordance with s. 100.371(16) must ~~s. 100.371 shall~~ be remanded solely to the Financial Impact Estimating Conference for redrafting.

Section 4. Effective July 1, 2025, subsection (28) of section 97.021, Florida Statutes, is amended to read:

97.021 Definitions.—For the purposes of this code, except where the context clearly indicates otherwise, the term:

(28) "Petition circulator" means an entity or individual who collects signatures ~~for compensation~~ for the purpose of qualifying a proposed constitutional amendment for ballot placement. The term does not include a person who collects, delivers, or otherwise physically possesses no more than two signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to the person's spouse, or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse.

Section 5. Paragraphs (a) and (d) of subsection (4) of section 99.097, Florida Statutes, are amended, and paragraph (b) of subsection (1) of that section is reenacted, to read:

99.097 Verification of signatures on petitions.—

(1)

(b) Rules and guidelines for petition verification shall be adopted by the Department of State. Rules and guidelines for a random sample method of verification may include a requirement that petitions bear an additional number of names and signatures, not to exceed 15 percent of the names and signatures otherwise required. If the petitions do not meet such criteria or if the petitions are prescribed by s. 100.371, the use of the random sample method of verification is not available to

supervisors.

(4)(a) The supervisor must be paid in advance the sum of 10 cents for each signature checked or the actual cost of checking such signature, whichever is less, by the candidate or, in the case of a petition to have a local issue placed on the ballot, by the person or organization submitting the petition. In the case of a petition to place a statewide issue on the ballot, the person or organization submitting the petition must pay the supervisor in advance the cost posted by the supervisor pursuant to s. 100.371(14) ~~s. 100.371(11) for the actual cost of checking signatures to place a statewide issue on the ballot~~.

(d) Except as provided in s. 100.371(14)(d), petitions must be retained by the supervisors for a period of 1 year following the election for which the petitions were circulated.

Section 6. Section 100.371, Florida Statutes, is amended to read:

100.371 Initiatives; procedure for placement on ballot.—

(1)(a) Constitutional amendments proposed by initiative shall be placed on the ballot for the general election, provided the initiative petition has been filed with the Secretary of State no later than February 1 of the year the general election is held. A petition shall be deemed to be filed with the Secretary of State upon the date the secretary determines that valid and verified petition forms have been signed by the constitutionally required number and distribution of voters ~~electors~~ under this code.

(b) A sponsor of an initiative petition must obtain, at least every third election cycle, a letter pursuant to s. 15.21(1)(c). Failure to obtain such letter results in expiration

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of the initiative petition's signatures and disbanding of the sponsor's political committee.

(c) Initiative petition signatures expire and the sponsor's political committee is disbanded if a constitutional amendment proposed by initiative submitted to the Secretary of State before February 1, 2022, fails to obtain a letter pursuant to s. 15.21(1)(c) on or before February 1, 2026. This paragraph does not preclude such a sponsor from refiling the proposed amendment as a new petition.

(2) The sponsor of an initiative amendment may not sponsor more than one amendment and must ~~shall~~, before circulating any petition forms ~~prior to obtaining any signatures~~, register as a political committee pursuant to s. 106.03 and submit the ballot title, ballot summary, article and section of the State Constitution being amended, and full text of the proposed amendment to the Secretary of State. The proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats~~, with the form on which the signatures will be affixed, and shall obtain the approval of the Secretary of State of such form~~. Upon receipt, the Secretary of State shall assign the initiative petition a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and estimation of the financial impact of the proposed amendment. After the review by the Financial Impact Estimating Conference, the division shall publish the forms with the information provided for in subsection (3) and on which signatures for the initiative petition will be affixed ~~The Secretary of State shall adopt rules pursuant to s. 120.54~~

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~~prescribing the style and requirements of such form. Upon filing with the Secretary of State, the text of the proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats~~.

(3)(a) Beginning July 1, 2025, the petition form must prominently display all of the following:

1. The petition number.

2. The ballot title.

3. The ballot summary.

4. A notice that the form becomes a public record upon receipt by the supervisor.

5. A notice that it is a misdemeanor of the first degree to knowingly sign the petition more than once.

6. A notice that the form will not be validated if all of the requested information is not completed.

7. For a proposed amendment submitted to the Secretary of State after the effective date of this act, the financial impact statement.

(b) The petition form must also include all of the following:

1. The full text of the proposed amendment.

2. The name and address of the sponsor.

3. The date received by the Secretary of State.

4. A bar code or serial number associated with the initiative petition.

(c) The petition form must solicit and require all of the following information:

1. The full name of the voter.

2. The voter’s address and county of legal residence.

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3. The voter's Florida voter registration number or date of birth.

4. The voter's Florida driver license number or the voter's Florida identification card number issued pursuant to s. 322.051, or the last four digits of the voter's social security number.

5. An attestation that the voter is a registered Florida voter and is petitioning the Secretary of State to place the proposed amendment on the ballot.

6. The voter's signature and the date on which the voter signed the form.

(d) A petition form distributed by a petition circulator must also include all of the following:

1. The Petition Circulator's Affidavit with the circulator's name, permanent address, and petition circulator number or barcode.

2. The following statement, which must be signed and dated by the circulator:

By my signature below, as petition circulator, I verify that the petition was completed and signed by the voter in my presence. Under penalty of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit, and that the facts stated in it are true, and that if I was paid to circulate or collect this petition, payment was not on a per signature basis.

(e) A petition form distributed by a person other than a

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petition circulator must also include, in lieu of the Petition Circulator's Affidavit, the following notice:

This form is for PERSONAL USE only. Unless registered as a petition circulator, it is a third degree felony to collect, deliver, or otherwise physically possess more than two signed petition forms in addition to your own or those of immediate family members.

(f) The petition form must be in a type not less than 10 points, except for the full text of the proposed amendment, which may be in a type not less than 6 points if 10-point type would cause the length of the petition form to exceed one page front and back.

(4)(a) Beginning July 1, 2025, unless registered as a petition circulator with the Secretary of State and issued a petition circulator number, a person may not collect, deliver, or otherwise physically possess more than two signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to an immediate family member. For the purposes of this subsection, the term "immediate family" means a person's spouse, or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse ~~signatures or initiative petitions for compensation unless the person is registered as a petition circulator with the Secretary of State~~.

(b) A person may not collect signatures or initiative petitions if he or she:

1. Has been convicted of a felony violation and has not had

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his or her right to vote restored.

2. Is not a citizen of the United States.

3. Is not a resident of this state.

~~(b) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions for compensation until she or he is lawfully registered.~~

(c)~~(4)~~ An application for registration must be submitted in the format required by the Secretary of State and must include the following:

1.~~(a)~~ The information required to be on the petition form under s. 101.161, including the ballot summary and title as received ~~approved~~ by the Secretary of State.

2.~~(b)~~ The applicant's name, permanent address, temporary address, if applicable, ~~and~~ date of birth, Florida driver license or Florida identification card number, and the last four digits of his or her social security number.

3.~~(c)~~ An address in this state at which the applicant will accept service of process related to disputes concerning the petition process~~, if the applicant is not a resident of this state~~.

4.~~(d)~~ A statement that the applicant consents to the jurisdiction of the courts of this state in resolving disputes concerning the petition process.

5.~~(e)~~ Any information required by the Secretary of State to verify the applicant's identity or address.

6. Whether the applicant has been convicted of a felony

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violation and has not had his or her right to vote restored, by including the statement, "I affirm that I am not a convicted felon, or, if I am, my right to vote has been restored," and providing a box for the applicant to check to affirm the statement.

7. Whether the applicant is a citizen of the United States, by asking the question, "Are you a citizen of the United States of America?" and providing boxes for the applicant to check whether the applicant is or is not a citizen of the United States.

8. Whether the applicant is a Florida resident by asking the question, "Are you a resident of the state of Florida?" and providing boxes for the applicant to check whether the applicant is or is not a resident of the state of Florida.

9. The signature of the applicant under penalty of perjury for false swearing pursuant to s. 104.011, by which the applicant swears or affirms that the information contained in the application is true.

(d) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions until he or she is lawfully registered.

(e) The division may revoke a petition circulator's registration upon the written request of the sponsor of the initiative petition or if the circulator violates this section.

(f) A person may not register to collect signatures or initiative petitions until he or she has completed the training

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concerning the requirements for petition circulators. The training must be developed by the division and must be in an electronic format available on the division's public website. The training must, at a minimum, include the following:

1. An overview of the petition-gathering process.

2. An overview of the petition circulator registration requirements.

3. An explanation that the sponsor of an initiative amendment serves as a fiduciary to each voter who signs a petition.

4. An explanation that the Florida Election Code prohibits compensation or provision of any benefit based on the number of petition forms gathered or the time within which a number of petition forms are gathered.

5. The specific criminal penalties to which a petition circulator may be subject for violating the Florida Election Code.

(g) The sponsor of the initiative amendment is liable for a fine in the amount of $50,000 for each person the sponsor knowingly allows to collect petition forms on behalf of the sponsor in violation of this subsection.

(5) A sponsor may not compensate a petition circulator based on the number of petition forms gathered or the time within which a number of petition forms are gathered. This prohibition includes, but is not limited to, paying a specified amount per petition form gathered, basing an hourly rate on the number of petition forms gathered over a specified period of time, or providing any other benefit or form of compensation based on the number of petition forms gathered. ~~All petitions~~

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~~collected by a petition circulator must contain, in a format required by the Secretary of State, a completed Petition Circulator's Affidavit which includes:~~

~~(a) The circulator's name and permanent address;~~

~~(b) The following statement, which must be signed by the circulator:~~

~~By my signature below, as petition circulator, I verify that the petition was signed in my presence. Under penalties of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit and the facts stated in it are true.~~

(6) The division ~~or the supervisor of elections~~ shall make ~~hard copy petition forms or~~ electronic portable document format petition forms available to registered petition circulators. All such forms must contain information identifying the petition circulator to whom ~~which~~ the forms are provided. The division shall maintain a database of all registered petition circulators and the petition forms assigned to each. Each supervisor of elections shall provide to the division information on petition forms ~~assigned to and~~ received from petition circulators. The information must be provided in a format and at times as required by the division by rule. The division must update information on petition forms daily and make the information publicly available.

(7)(a) A sponsor that collects petition forms or uses a petition circulator to collect petition forms serves as a fiduciary to the voter ~~elector~~ signing the petition form and

shall ensure~~, ensuring~~ that any petition form entrusted to the sponsor or petition circulator is ~~shall be~~ promptly delivered to the supervisor of elections in the county in which the voter resides within 10 ~~30~~ days after the voter ~~elector~~ signs the form. If a petition form collected by the sponsor or any petition circulator is not promptly delivered to the supervisor of elections, the sponsor is liable for the following fines:

1. A fine in the amount of $50 per each day late for each petition form received by the supervisor of elections in the county in which the voter resides more than 10 ~~30~~ days after the voter ~~elector~~ signed the petition form ~~or the next business day, if the office is closed~~. A fine in the amount of $2,500 ~~$250~~ for each petition form received if the sponsor or petition circulator acted willfully.

2. A fine in the amount of $100 per each day late, up to a maximum of $5,000, for each petition form collected by a sponsor or a petition circulator, signed by a voter on or before February 1 of the year the general election is held and received by the supervisor of elections in the county in which the voter resides after the deadline for such election. A fine in the amount of $5,000 for each such petition form received if the sponsor or petition circulator acted willfully.

3. A fine in the amount of $500 for each petition form collected by a petition circulator which is not submitted to the supervisor of elections in the county in which the voter resides. A fine in the amount of $5,000 ~~$1,000~~ for any petition form not so submitted if the sponsor or petition circulator acting on its behalf acted willfully.

(b) A showing by the sponsor that the failure to deliver

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the petition form within the required timeframe is based upon force majeure or impossibility of performance is an affirmative defense to a violation of this subsection. The fines described in this subsection may be waived upon a showing that the failure to deliver the petition form promptly is based upon force majeure or impossibility of performance.

(8) If a person collecting petition forms on behalf of a sponsor of an initiative petition signs another person's name or a fictitious name to any petition, or fills in missing information on a signed petition, to secure a ballot position in violation of s. 104.185(2), the sponsor of the initiative petition is liable for a fine in the amount of $5,000 for each such petition.

(9) If a person collecting petition forms on behalf of a sponsor of an initiative petition copies or retains a voter's personal information, such as the voter's Florida driver license number, Florida identification card number, social security number, or signature, for any reason other than to provide such information to the sponsor of the initiative petition, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(10) A sponsor of an initiative petition or a person collecting petition forms on behalf of a sponsor of an initiative petition may not mail or otherwise provide a petition form upon which any information about a voter has been filled in before it is provided to the voter. The sponsor of an initiative petition is liable for a fine in the amount of $50 for each petition form that is a violation of this subsection.

(11)~~(8)~~ If the Secretary of State reasonably believes that

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a person or entity has committed a violation of this section, the secretary may refer the matter to the Attorney General for enforcement. The Attorney General may institute a civil action for a violation of this section or to prevent a violation of this section. An action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order. If the sponsor of an initiative petition discovers a violation of this section and reports the violation as soon as practicable to the secretary, the sponsor may not be fined for such violation.

(12)~~(9)~~ The division shall adopt by rule a complaint form for a voter ~~an elector~~ who claims to have had his or her signature misrepresented, forged, or not delivered to the supervisor. The division shall also adopt rules to ensure the integrity of the petition form gathering process, including rules requiring sponsors to account for all petition forms used by their agents. Such rules may require a sponsor or petition circulator to provide identification information on each petition form as determined by the department as needed to assist in the accounting of petition forms.

(13)~~(10)~~ The date on which a voter ~~an elector~~ signs a petition form is presumed to be the date on which the petition circulator received or collected the petition form.

(14)(a)~~(11)(a)~~ An initiative petition form circulated for signature may not be bundled with or attached to any other petition. Each signature shall be dated when made and shall be valid until the next February 1 occurring in an even-numbered year for the purpose of the amendment appearing on the ballot for the general election occurring in that same year, provided

all other requirements of law are met. The sponsor shall submit signed and dated forms to the supervisor of elections for the county of residence listed by the person signing the form for verification of the number of valid signatures obtained.

(b) The supervisor shall record the date each submitted petition is received. If a signature on a petition is from a registered voter in another county, the supervisor must ~~shall~~ notify the petition sponsor and the division of the misfiled petition. The supervisor shall promptly verify the signatures within 60 days after receipt of the petition forms and payment and processing of a fee for the actual cost of signature verification incurred by the supervisor. However, for petition forms submitted less than 60 days before February 1 of an even-numbered year, the supervisor shall promptly verify the signatures within 30 days after receipt of the form and payment of the fee for signature verification.

(c) Beginning July 1, 2025, the supervisor shall promptly record, in the manner prescribed by the Secretary of State, the date each form is received by the supervisor, and the date the signature on the form is verified as valid. The supervisor may verify that the signature on a form is valid only if:

1. The form contains the original signature of the purported voter ~~elector~~.

2. The purported voter ~~elector~~ has accurately recorded on the form the date on which he or she signed the form.

3. The form sets forth the purported voter's: ~~elector's~~

a. Full name~~;~~,

b. Address and~~, city,~~ county of residence~~;~~~~, and~~

c. Voter registration number or date of birth; and

d. Florida driver license or Florida identification card number issued pursuant to s. 322.051 or the last four digits of the voter's social security number.

4. The purported voter ~~elector~~ is, at the time he or she signs the form and at the time the form is verified, a duly qualified and registered voter ~~elector~~ in the state.

5. The signature was obtained legally, including that if a ~~paid~~ petition circulator was used, the circulator was validly registered under subsection (4) ~~(3)~~ when the signature was obtained.

~~The supervisor shall retain all signature forms, separating forms verified as valid from those deemed invalid, for at least 1 year following the election for which the petition was circulated.~~

(d)1.~~(b)~~ On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall electronically transmit all received petition forms to the division. The digital images of the scanned petition forms must be of high enough quality that division personnel are able to accurately discern elements contained in such forms. Forms must be identified as valid or as invalid.

2. Each supervisor shall retain all petition forms, identifying forms verified as valid from those deemed invalid, until all petition forms have been processed following the February 1 deadline. As soon as practicable following the processing of the last timely submitted petition form, but not later than March 15 following the February 1 deadline, the

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supervisor shall deliver the physical forms to the division. The division shall retain all petition forms for 1 year following the election for which the petition was circulated.

(e) Beginning October 1, 2025, when the signature on the petition form is verified as valid, the supervisor shall, as soon as practicable, notify the voter by mail at the mailing address on file in the Florida Voter Registration System.

1. Such notice must be sent by forwardable mail with a postage prepaid preaddressed form, which may be returned to the Office of Election Crimes and Security. The notice must include contact information for the Office of Election Crimes and Security, including the telephone number, fax number, mailing address, and e-mail address. The notice must include all of the following statements or information in substantially the following form:

NOTICE

A petition to place a proposed constitutional amendment on the ballot for the next general election, bearing your name and signature, has been received and verified by the Supervisor of Elections Office in ... (insert county)....

The petition is for ...(insert the petition serial number and ballot title)... and was signed on ...(insert the date the voter signed the petition)....

Check this box ☐, sign, and return this notice to the

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Office of Election Crimes and Security if you believe your signature has been misrepresented or forged on a petition. The petition form in question will be invalidated and will not be counted toward the number of signatures required to place this proposed constitutional amendment on the ballot.

A notice being returned must be received by the Office of Election Crimes and Security on or before February 1 ... (insert the year in which the general election is held)....

...(Insert the voter's Florida voter registration number, and if applicable, the petition circulator's number)....

By signing below I swear or affirm that my signature was misrepresented or forged on the petition form indicated in this notice.

...(Voter's Signature)... ...(Date)...

This notice becomes a public record upon receipt by the Office of Election Crimes and Security. It is a second degree misdemeanor, punishable as provided in s. 775.082, Florida Statutes, or s. 772.083, Florida Statutes, for a person to knowingly make a false official statement pursuant to s. 837.06, Florida Statutes.

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2. Upon receiving a completed notice, the Office of Election Crimes and Security shall transmit a copy of such notices to the division. The division shall deem the voter's petition form invalid.

(f) Each supervisor shall post the actual cost of signature verification for petition forms received more than 60 days before February 1 of an even-numbered year and for petition forms received less than 60 days before February 1 of an even-numbered year on his or her website, and may increase such cost~~,~~ as necessary, annually on March 1 ~~February 2 of each even-numbered year~~. These costs include operating and personnel costs associated with comparing signatures, printing and all postage costs related to the verification notice required by paragraph (e), and transmitting petition forms to the division. The division shall also publish each county's current cost on its website. The division and each supervisor shall biennially review available technology aimed at reducing verification costs.

(g) ~~(e)~~ On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall post on his or her website the total number of signatures submitted, the total number of invalid signatures, the total number of signatures processed, and the aggregate number of verified valid signatures and the distribution of such signatures by congressional district for each proposed amendment proposed by initiative, along with the following information specific to the reporting period: the total number of signed petition forms

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received, the total number of signatures verified, the distribution of verified valid signatures by congressional district, and the total number of verified petition forms forwarded to the Secretary of State. For any reporting period in which the percentage of petition forms deemed invalid by the supervisor exceeds a total of 25 percent of the petition forms received by the supervisor for that reporting period, the supervisor shall notify the Office of Election Crimes and Security. The Office of Election Crimes and Security shall conduct a preliminary investigation into the activities of the sponsor, one or more petition circulators, or a person collecting petition forms on behalf of a sponsor, to determine whether the invalidated petitions are a result of fraud or any other violation of this section. As authorized by ss. 97.012(15) and 97.022(1), the Office of Elections Crimes and Security may, if warranted, report findings to the statewide prosecutor or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution.

(h) A signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated and may not be counted toward the number of necessary signatures for placement on the ballot.

(15) ~~(12)~~ The Secretary of State shall determine from the signatures verified by the supervisors of elections the total number of verified valid signatures, less any signatures that were invalidated pursuant to subsection (14), and the distribution of such signatures by congressional districts, and the division shall post such information on its website at the same intervals specified in paragraph (14)(g) ~~(11)(c)~~. Upon a

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determination that the requisite number and distribution of valid signatures have been obtained, the secretary shall issue a certificate of ballot position for that proposed amendment and shall assign a designating number pursuant to s. 101.161. The secretary must rescind the certificate of ballot position if an advisory opinion issued by the Supreme Court pursuant to s. 16.061(1) deems the initiative petition invalid.

(16)(a) ~~(13)(a)~~ Upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons must be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representative of the sponsor, interested parties, and proponents or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research ~~At the same time the Secretary of State submits an initiative petition to the Attorney General pursuant to s. 15.21, the secretary shall submit a copy of the initiative petition to the Financial Impact Estimating Conference~~.

(b) Within 75 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, the Financial Impact Estimating Conference shall complete an analysis and financial impact

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statement to be placed on the ballot of the estimated increase or decrease in any revenues or costs to state or local governments and the overall impact to the state budget resulting from the proposed initiative. The 75-day time limit is tolled when the Legislature is in session. The Financial Impact Estimating Conference shall submit the financial impact statement to the ~~Attorney General and~~ Secretary of State. If the ~~initiative petition has been submitted to the Financial Impact Estimating Conference but the validity of signatures has expired and the initiative petition no longer qualifies for ballot placement at the ensuing general election, the Secretary of State must notify the Financial Impact Estimating Conference. The~~ Financial Impact Estimating Conference does ~~is~~ not ~~required to~~ complete an analysis and financial impact statement for an initiative petition ~~that fails to meet the requirements of subsection (1) for placement on the ballot~~ before the 75-day time limit, including any tolling period, expires, the ballot must include the statement required by s. 101.161(1)(e). ~~The initiative petition may be resubmitted to the Financial Impact Estimating Conference if the initiative petition meets the requisite criteria for a subsequent general election cycle. A new Financial Impact Estimating Conference shall be established at such time as the initiative petition again satisfies the criteria in s. 15.21(1).~~

~~(b) Immediately upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor~~

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~~and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons shall be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representatives of the sponsor, interested parties, proponents, or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research.~~

(c) The Financial Impact Estimating Conference may be convened only by the President of the Senate and the Speaker of the House of Representatives, jointly. All meetings of the Financial Impact Estimating Conference shall be open to the public. The President of the Senate and the Speaker of the House of Representatives, jointly, shall be the sole judge for the interpretation, implementation, and enforcement of this subsection.

1. The Financial Impact Estimating Conference is established to review, analyze, and estimate the financial impact of amendments to or revisions of the State Constitution proposed by initiative. The Financial Impact Estimating Conference shall be composed ~~consist~~ of four principals: one person from the professional staff of the Executive Office of the Governor or from a state agency, designated by the Governor; the coordinator of the Office of Economic and Demographic Research, or his or her designee; one person from the professional staff of the Senate, designated by the President of the Senate; and one person from the professional staff of the House of Representatives, designated by the Speaker of the House

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of Representatives. Each principal shall have appropriate fiscal expertise in the subject matter of the initiative. A Financial Impact Estimating Conference may be appointed for each initiative.

2. Principals of the Financial Impact Estimating Conference shall reach a consensus or majority concurrence on a clear and unambiguous financial impact statement, no more than 150 words in length, and immediately submit the statement to the Attorney General. Nothing in this subsection prohibits the Financial Impact Estimating Conference from setting forth a range of potential impacts in the financial impact statement. ~~Any financial impact statement that a court finds not to be in accordance with this section shall be remanded solely to the Financial Impact Estimating Conference for redrafting. The Financial Impact Estimating Conference shall redraft the financial impact statement within 15 days.~~

~~3. If the Supreme Court has rejected the initial submission by the Financial Impact Estimating Conference and no redraft has been approved by the Supreme Court by 5 p.m. on the 75th day before the election, the following statement shall appear on the ballot: "The impact of this measure, if any, has not been determined at this time."~~

(d) The financial impact statement must be separately contained on the petition form and the ballot and be set forth after the ballot summary as required in s. 101.161(1).

1. If the financial impact statement projects a net negative impact on the state budget, the ballot must include the statement required by s. 101.161(1)(b).

2. If the financial impact statement projects a net

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positive impact on the state budget, the ballot must include the statement required by s. 101.161(1)(c).

3. If the financial impact statement estimates an indeterminate financial impact or if the members of the Financial Impact Estimating Conference are unable to agree on the statement required by this subsection, the ballot must include the statement required by s. 101.161(1)(d).

4. If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial statement, the ballot must include the statement required by s. 101.161(1)(e).

(e)~~1.~~ Any financial impact statement that the Supreme Court finds not to be in accordance with this subsection shall be remanded solely to the Financial Impact Estimating Conference for redrafting~~, provided the court's advisory opinion is rendered at least 75 days before the election at which the question of ratifying the amendment will be presented~~. The Financial Impact Estimating Conference shall prepare and adopt a revised financial impact statement no later than 5 p.m. on the 15th day after the date of the court's opinion. The sponsor of the initiative must refile the petition with the revised financial impact statement with the Secretary of State as a new petition.

~~2. If, by 5 p.m. on the 75th day before the election, the Supreme Court has not issued an advisory opinion on the initial financial impact statement prepared by the Financial Impact Estimating Conference for an initiative amendment that otherwise meets the legal requirements for ballot placement, the financial impact statement shall be deemed approved for placement on the~~

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~~ballot.~~

(f)~~3.~~ In addition to the financial impact statement required by this subsection, the Financial Impact Estimating Conference shall draft an initiative financial information statement. The initiative financial information statement should describe in greater detail than the financial impact statement any projected increase or decrease in revenues or costs that the state or local governments would likely experience if the ballot measure were approved. If appropriate, the initiative financial information statement may include both estimated dollar amounts and a description placing the estimated dollar amounts into context. The initiative financial information statement must include both a summary of not more than 500 words and additional detailed information that includes the assumptions that were made to develop the financial impacts, workpapers, and any other information deemed relevant by the Financial Impact Estimating Conference.

(g)~~4.~~ The Department of State shall have printed, and shall furnish to each supervisor of elections, a copy of the summary from the initiative financial information statements. The supervisors shall have the summary from the initiative financial information statements available at each polling place and at the main office of the supervisor of elections upon request.

(h)~~5.~~ The Secretary of State and the Office of Economic and Demographic Research shall make available on the Internet each initiative financial information statement in its entirety. In addition, each supervisor of elections whose office has a website shall post the summary from each initiative financial information statement on the website. Each supervisor shall

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include a copy of each summary from the initiative financial information statements and the Internet addresses for the information statements on the Secretary of State's and the Office of Economic and Demographic Research's websites in the publication or mailing required by s. 101.20.

(17) ~~(14)~~ The Department of State may adopt rules in accordance with s. 120.54 to implement this section ~~carry out the provisions of subsections (1)-(14)~~.

(18) ~~(15)~~ No provision of this code shall be deemed to prohibit a private person exercising lawful control over privately owned property, including property held open to the public for the purposes of a commercial enterprise, from excluding from such property persons seeking to engage in activity supporting or opposing initiative amendments.

Section 7. (1) By July 1, 2025, the Department of State shall update the forms as required by the amendments made to s. 100.371(3), Florida Statutes, for any proposed amendments received before July 1, 2025.

(2)(a) By June 1, 2025, the Department of State shall make available a new petition circulator application to incorporate the amendments made to s. 100.371(4), Florida Statutes.

(b)1. Effective July 1, 2025, the registration of each petition circulator expires.

2. No later than 7 days after this section becomes law, the Department of State shall notify each petition circulator that his or her registration expires on July 1, 2025, and that he or she may reregister by completing a new application that will be available before the current registration expires.

(c) By June 1, 2025, the Department of State shall develop

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the training required by s. 100.371(4)(f), Florida Statutes.

(3) No later than October 1, 2025, a supervisor of elections may increase the cost of signature verification pursuant to the amendments made to s. 100.371(14)(f), Florida Statutes. A supervisor shall post the cost of signature verification on his or her publicly available website as soon as such cost is determined.

Section 8. Paragraph (a) of subsection (1) of section 101.161, Florida Statutes, is amended, and paragraph (e) is added to that subsection, to read:

101.161 Referenda; ballots.—

(1) Whenever a constitutional amendment or other public measure is submitted to the vote of the people, a ballot summary of such amendment or other public measure shall be printed in clear and unambiguous language on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the proposal and a "no" vote will indicate rejection. The ballot summary of the amendment or other public measure and the ballot title to appear on the ballot shall be embodied in the constitutional revision commission proposal, constitutional convention proposal, taxation and budget reform commission proposal, or enabling resolution or ordinance. The ballot summary of the amendment or other public measure shall be an explanatory statement, not exceeding 75 words in length, of the chief purpose of the measure. In addition, for every constitutional amendment proposed by initiative, the ballot shall include, following the ballot summary, in the following order:

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(a) A separate financial impact statement concerning the measure prepared by the Financial Impact Estimating Conference in accordance with s. 100.371(16) ~~s. 100.371(13)~~.

(e) If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial impact statement, the following statement in bold print:

THE FINANCIAL IMPACT OF THIS AMENDMENT, IF ANY, HAS NOT BEEN DETERMINED AT THIS TIME.

The ballot title shall consist of a caption, not exceeding 15 words in length, by which the measure is commonly referred to or spoken of. This subsection does not apply to constitutional amendments or revisions proposed by joint resolution.

Section 9. Subsection (2) of section 102.111, Florida Statutes, is amended to read:

102.111 Elections Canvassing Commission.—

(2) The Elections Canvassing Commission shall meet at 8 a.m. on the 9th day after a primary election and at 8 a.m. on the 14th day after a general election to certify the returns of the election for each federal, state, and multicounty office and for each constitutional amendment. If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to

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the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

Section 10. Section 102.121, Florida Statutes, is amended to read:

102.121 Elections Canvassing Commission to issue certificates.—The Elections Canvassing Commission shall make and sign separate certificates of the result of the election for federal officers, ~~and~~ state officers, and constitutional amendments, which certificates must ~~shall~~ be written and contain the total number of votes cast for and against each person for each office and the total number of votes cast for and against each constitutional amendment. The certificates, the one including the result of the election for presidential electors and representatives to Congress, and the other including the result of the election for state officers, shall be recorded in the Department of State in a book to be kept for that purpose.

Section 11. Subsections (1), (3), and (4) of section 102.168, Florida Statutes, are amended to read:

102.168 Contest of election.—

(1) Except as provided in s. 102.171, the certification of election or nomination of any person to office, or of the adoption of a constitutional amendment or the result on any question submitted by referendum, may be contested in the circuit court by any unsuccessful candidate for such office or nomination thereto or by any voter ~~elector~~ qualified to vote in the election related to such candidacy or constitutional amendment, or by any taxpayer, respectively.

(3) The complaint must ~~shall~~ set forth the grounds on which

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the contestant intends to establish his or her right to such office; or set aside the result of the election on a ~~submitted~~ referendum or constitutional amendment. The grounds for contesting an election or a constitutional amendment under this section are:

(a) Misconduct, fraud, or corruption on the part of any election official or any member of the canvassing board sufficient to change or place in doubt the result of the election.

(b) Ineligibility of the successful candidate for the nomination or office in dispute or of the proposed constitutional amendment for placement on the ballot.

(c) Receipt of a number of illegal votes or rejection of a number of legal votes sufficient to change or place in doubt the result of the election.

(d) Proof that any voter ~~elector~~, election official, or canvassing board member was given or offered a bribe or reward in money, property, or any other thing of value for the purpose of procuring the successful candidate's nomination or election or determining the result on any question ~~submitted~~ by referendum or constitutional amendment.

(4) The canvassing board responsible for canvassing the election is an indispensable party defendant in county and local elections. The Elections Canvassing Commission is an indispensable party defendant in federal, state, and multicounty elections, in elections for constitutional amendments, and in elections for justice of the Supreme Court, judge of a district court of appeal, and judge of a circuit court. The successful candidate is an indispensable party to any action brought to

contest the election or nomination of a candidate. The sponsor of a constitutional amendment proposed by initiative petition, identified pursuant to s. 100.371, is an indispensable party to any action brought to contest such election.

Section 12. Subsection (2) of section 104.185, Florida Statutes, is amended to read:

104.185 Petitions; knowingly signing more than once; signing another person's name or a fictitious name.—

(2) A person who signs another person's name or a fictitious name to any petition, or who fills in missing information on a signed petition, to secure ballot position for a candidate, a minor political party, or an issue commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 13. Section 104.186, Florida Statutes, is amended to read:

104.186 Initiative petitions; violations.—A person who compensates a petition circulator as defined in s. 97.021 based on the number of petition forms gathered, as prohibited by s. 100.371(5), commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. This section does not prohibit employment relationships that do not base payment on the number of signatures collected.

Section 14. Section 104.187, Florida Statutes, is amended to read:

104.187 Initiative petitions; registration.—A person who violates s. 100.371(4)(a) ~~s. 100.371(3)~~ commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

968 Section 15. Effective July 1, 2025, section 104.188,
969 Florida Statutes, is created to read:
970 104.188 Petition forms gathered from immediate family;
971 violations.—
972 (1) For the purposes of this section, the term "immediate
973 family" means a person's spouse or the parent, child,
974 grandparent, grandchild, or sibling of the person or the
975 person's spouse.
976 (2) A person who collects, delivers, or otherwise
977 physically possesses more than two signed petition forms in
978 addition to his or her own signed petition form or a signed
979 petition form belonging to an immediate family member, and who
980 is not registered as a petition circulator pursuant to s.
981 100.371(4)(a), commits a felony of the third degree, punishable
982 as provided in s. 775.082, s. 775.083, or s. 775.084.
983 Section 16. Section 106.151, Florida Statutes, is created
984 to read:
985 106.151 Use of public funds prohibited.—
986 (1) As used in this section, the term "public funds" means
987 all moneys under the jurisdiction or control of the state
988 government.
989 (2) The state government or any person acting on behalf of
990 the state government may not expend or authorize the expenditure
991 of, and a person or group may not accept, public funds for a
992 political advertisement or any other communication sent to
993 electors concerning any proposed constitutional amendment or
994 revision that is subject to a vote of the electors. This
995 subsection applies to a communication initiated by the state
996 government or a person acting on behalf of the state government,

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irrespective of whether the communication is limited to factual information or advocates for the passage or defeat of a proposed constitutional amendment or revision. This subsection does not preclude the state government or a person acting on behalf of the state government from reporting on official actions of the state government in an accurate, fair, and impartial manner; posting factual information on a government website or in printed materials; hosting and providing information at a public forum; providing factual information in response to an inquiry; or providing information as otherwise authorized or required by law.

(3) With the exception of the prohibitions specified in subsection (2), this section does not preclude an elected official of the state government from expressing an opinion on any issue at any time.

Section 17. Subsection (3) of section 106.19, Florida Statutes, is amended to read:

106.19 Violations by candidates, persons connected with campaigns, and political committees.—

(3) A political committee sponsoring a constitutional amendment proposed by initiative which submits a petition form gathered by a ~~paid~~ petition circulator which does not provide the name and address of the ~~paid~~ petition circulator on the form is subject to the civil penalties prescribed in s. 106.265.

Section 18. Paragraph (c) of subsection (1) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales

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surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SURTAX.—

(c)1. The proposal to adopt a discretionary sales surtax as provided in this subsection and to create a trust fund within the county accounts must ~~shall~~ be placed on the ballot in accordance with law and must be approved in a referendum held at a general election in accordance with subsection (10).

2. If the proposal to adopt a surtax is by initiative, the petition sponsor must, at least 180 days before the proposed referendum, comply with all of the following:

a. Provide a copy of the final resolution or ordinance to the Office of Program Policy Analysis and Government Accountability. The Office of Program Policy Analysis and Government Accountability shall procure a certified public accountant in accordance with subsection (11) for the performance audit.

b. File the initiative petition and its required valid signatures with the supervisor of elections. The supervisor of elections shall verify signatures and retain signature forms in

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the same manner as required for initiatives under s. 100.371(14) ~~s. 100.371(11)~~.

3. The failure of an initiative sponsor to comply with the requirements of subparagraph 2. renders any referendum held void.

Section 19. Paragraph (d) is added to subsection (8) of section 895.02, Florida Statutes, to read:

895.02 Definitions.—As used in ss. 895.01-895.08, the term:

(8) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit:

(d) A violation of the Florida Election Code relating to irregularities or fraud involving issue petition activities.

Section 20. (1) To ensure uniformity and integrity in the initiative process, a signed petition form may not be verified between July 1, 2025, and September 30, 2025.

(2) A petition form gathered after July 1, 2025, must be delivered as provided in this act to the appropriate entity. The processing hold described in subsection (1) does not toll any timeframe requirements that petition circulators are required to meet and may not be used as a defense to any fine imposed for the late submission of any petition forms to the appropriate entity.

Section 21. Except as otherwise provided in this act, this act shall take effect upon becoming a law.

================ 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

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and insert:

A bill to be entitled

An act relating to amendments to the State Constitution; providing legislative findings and intent; amending s. 15.21, F.S.; requiring the Secretary of State to have received the ballot summary and the full text of the proposed revision or amendment to the State Constitution from the sponsor and to have received the financial impact statement from the Financial Impact Estimating Conference before submitting an initiative petition to the Attorney General; conforming a cross-reference; amending s. 16.061, F.S.; revising the criteria that the Attorney General uses when petitioning the Supreme Court for an advisory opinion related to a proposed revision or amendment to the State Constitution; requiring that a copy of the petition form be provided to the sponsor of the initiative petition; conforming a cross-reference; making a technical change; amending s. 97.021, F.S.; revising the definition of the term "petition circulator"; reenacting and amending s. 99.097, F.S.; conforming a cross-reference; conforming provisions to changes made by the act; amending s. 100.371, F.S.; requiring the sponsor of an initiative petition to obtain a certain letter periodically; providing that a failure to obtain such letter results in the expiration of the initiative's signatures and disbanding of the sponsor's political committee; providing that certain initiative petition signatures

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expire and that the sponsor's political committee is disbanded under specified conditions; providing that such sponsor is not precluded from refiling the proposed amendment as a new petition; prohibiting a sponsor from sponsoring more than one initiative amendment; requiring a sponsor to register as a political committee and submit the ballot title, ballot summary, article and section of the State Constitution being amended, and full text of the proposed amendment to the Secretary of State; requiring that all information be available in alternative formats upon request; requiring the secretary to assign a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and a certain estimate; requiring the Division of Elections to publish the forms on which petition signatures must be fixed; deleting a requirement that the secretary adopt certain rules; providing requirements, which are effective on a specified date, for the petition forms; prohibiting persons, beginning on a specified date, from collecting, delivering, or otherwise physically possessing more than a specified number of signed petition forms if they have not registered with the Secretary of State as a petition circulator and have not been issued a petition circulator number; authorizing specified persons to collect signed petitions forms from their immediate family under specified circumstances; defining the term "immediate

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family”; prohibiting certain persons from collecting signatures or initiative petitions; requiring that applications for registration include specified information; authorizing citizens to challenge a petition circulator’s registration by filing a petition in circuit court; authorizing the court to enjoin the petition circulator from collecting signatures or petition forms until registered; authorizing the division to revoke a petition circulator’s registration under specified circumstances; prohibiting persons from registering to collect signatures or initiative petitions until they complete a required training; providing the requirements for such training; providing civil penalties for the sponsors of initiative amendments that knowingly allow persons to collect petition forms on their behalf and violate specified provisions; prohibiting a sponsor from compensating a petition circulator based on the number of petition forms gathered or the time within which such forms are gathered; providing construction; requiring the division to make forms available to registered petition circulators in a certain format; deleting a requirement that supervisors of elections provide the division information on petition forms assigned to them; requiring sponsors to deliver forms promptly to the supervisor of elections in the county in which a voter resides within a specified timeframe after the form is signed; revising the civil penalties for

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failing to deliver forms within the prescribed timeframes; providing civil penalties for the sponsors of petitions if the person collecting petition forms on behalf of the sponsor signs the name of another, signs a fictitious name, or fills in missing information on the signed petition form; providing criminal penalties for persons who, while collecting petition forms, copy or retain a voter's personal identifying information for a reason other than to provide such information to the sponsor of an initiative petition; providing civil penalties for sponsors who mail or provide prefilled initiative petitions; providing that sponsors that discover and report a violation as soon as practicable may not be fined for such violation; requiring the supervisor to record the date a submitted petition is received; re requiring the supervisor to notify the division of any misfiled petition; revising the conditions under which a supervisor verifies signatures to include processing of a certain fee; requiring supervisors, beginning on a specified date, to promptly record, in a specified manner, the date each form is received and the date the form is verified as valid; revising the conditions under which a supervisor may verify a signature on an initiative petition form; requiring supervisors to electronically transmit digital images, which must meet a specified standard, of all received petition forms to the division; requiring that such forms be identified as valid or invalid; requiring supervisors

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to retain all petition forms and identify those forms verified as valid from those deemed invalid until such forms are processed; requiring supervisors to deliver physical forms to the division; requiring the division to retain such forms for a specified timeframe; requiring supervisors to send a notice, which may be returned to the Office of Election Crimes and Security, to voters after their signature is verified, beginning on a specified date; providing requirements for such notice; requiring the Office of Election Crimes and Security to transmit copies of returned notices, upon receipt, to the division; requiring the division to deem the voter petition form invalid if a completed notice is received; providing that supervisors of elections are required to post on their websites the actual costs of signature verification for all petition forms, and that they may increase such costs annually by a specified date; specifying that such costs include costs related to certain actions; requiring supervisors to notify the Office of Election Crimes and Security under a specified condition; requiring the office to conduct specified preliminary investigations; authorizing the office to report findings of such investigations to the statewide prosecutor or a certain state attorney; providing that a signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated; revising information related to signature verification which must be posted on the division's

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website; requiring the Secretary of State to rescind the certificate of ballot position if an advisory opinion from the Supreme Court deems the initiative petition invalid; requiring the Financial Impact Estimating Conference to submit the financial impact statement to the Secretary of State; requiring a certain statement to be included on the ballot if the conference does not complete an analysis and financial impact statement within a specified timeframe; providing that only the President of the Senate and the Speaker of the House of Representatives, jointly, may convene the conference; revising the membership of the conference; deleting a provision authorizing the court to remand the financial impact statement to the conference to be redrafted; requiring that such statement appear on the petition form and ballot; requiring a sponsor to refile a petition as a new petition under certain circumstances; deleting a provision that deems financial impact statements approved for placement on the ballot under certain circumstances; requiring the Department of State to update petition forms by a specified date; requiring the department to make the petition circulator application available by a specified date; providing that each petition circulator registration expires on a specified date; requiring the department to notify such petition circulators of the expiration of their registration by a specified date; requiring the department to develop a certain training within a

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specified timeframe; authorizing supervisors of elections to increase the costs of signature verification before a specified date; requiring the supervisors to post such cost on their publicly available websites as soon as the cost is determined; amending s. 101.161, F.S.; requiring that a certain statement be included on the ballot if a financial impact statement was not produced or the Financial Impact Estimating Conference did not meet to produce one; conforming a cross-reference; amending s. 102.111, F.S.; requiring the Elections Canvassing Commission to certify the returns of constitutional amendments; amending s. 102.121, F.S.; requiring the commission to make and sign separate certificates for constitutional amendments; providing requirements for such certificates; amending s. 102.168, F.S.; providing for standing to contest the adoption of a constitutional amendment by any qualified voter or taxpayer; revising the grounds on which such parties may contest an election or a constitutional amendment; providing that the commission and the sponsor of the amendment are indispensable parties in any such action; amending s. 104.185, F.S.; providing criminal penalties for persons who fill in missing information on a signed petition form to secure a ballot position for a candidate, a minor political party, or an issue; amending s. 104.186, F.S.; providing criminal penalties for persons who compensate others based on the number of petition forms gathered, as prohibited

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by a specified section; amending s. 104.187, F.S.; conforming a cross-reference; creating s. 104.188, F.S.; defining the term "immediate family"; providing criminal penalties for certain persons who collect, deliver, or otherwise physically possess more than a certain number of signed petition forms other than their own or forms belonging to an immediate family member; creating s. 106.151, F.S.; defining the term "public funds"; prohibiting an entity of state government or a person acting on behalf of such entity from expending or authorizing the expenditure of public funds for political advertisements or other communications sent to electors concerning a proposed constitutional amendment or revision; providing applicability; providing construction; amending s. 106.19, F.S.; providing that political committees sponsoring a constitutional amendment are liable for specified civil fines for submitting petition forms that do not provide the name and address of the petition circulator gathering such forms, regardless of whether the petition circulator is paid; amending s. 212.055, F.S.; conforming a cross-reference; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity" to provide criminal and civil penalties for violations of the Florida Election Code relating to irregularities or fraud involving issue petition activities; prohibiting the verification of a signed petition form for a specified timeframe; providing construction; providing effective

dates.

WHEREAS, the Legislature and the Secretary of State, in their official capacities, have the duty and obligation to ensure ballot integrity and a valid election process, and

WHEREAS, ballot integrity is necessary to ensure the effectiveness of the constitutionally provided initiative process, and

WHEREAS, investigations conducted by the Office of Election Crimes and Security have shown that agents of political committees sponsoring initiative petitions engaged in illegal and fraudulent activities while gathering petition signatures in the lead-up to recent elections, and

WHEREAS, the evidence brought forward indicates numerous instances of petition circulators being paid per signature, signing petition forms on behalf of deceased individuals, forging or misrepresenting voter signatures on petition forms, using voters' personal identifying information without consent, committing perjury, and swearing false oaths, and

WHEREAS, compensating a petition circulator based on the number of petition forms gathered is a violation of s. 104.186, Florida Statutes; signing another person's name, whether dead or alive, or a fictitious name on a petition form is a violation of s. 104.185(2), Florida Statutes; and perjury or swearing a false oath is a violation of s. 837.02(1), Florida Statutes, and all such violations are third degree felonies under Florida law, and

WHEREAS, fraudulently using another individual's personal identification without his or her consent is a violation of s. 817.568, Florida Statutes, and is, at minimum, a third degree

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felony, and

WHEREAS, the fraudulent use of another individual's personal identifying information becomes a second degree felony with a 3-year mandatory minimum prison sentence if the violation involves the information of more than 10 but fewer than 20 persons, a 5-year mandatory minimum prison sentence if the violation involves the information of more than 20 but fewer than 30 persons, and a 10-year mandatory minimum prison sentence if the violation involves the information of more than 30 persons, and

WHEREAS, despite the fiduciary duty prescribed by Florida law, sponsors of initiative petitions have failed to cooperate with investigations and have attempted to deflect responsibility for the actions of petition circulators to contractors and subcontractors, the sponsors denying that they have custody or control of documents requested by state officials, and

WHEREAS, sponsors, contractors, and petition circulators have blatantly attempted to evade investigation by delegating key aspects of petition activities to out-of-state entities, who then subcontracted with other individuals who were even further outside the reach of Florida authorities, and

WHEREAS, evidence provided to the Office of Election Crimes and Security by supervisors of elections in several counties showed that petition circulators submitted petition forms on behalf of more than 50 deceased Floridians, and

WHEREAS, information provided to the Office of Election Crimes and Security from multiple supervisors of elections and individual Florida voters showed that petition circulators committed perjury and swore false oaths by distributing petition

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forms with pre-signed attestations to groups of unregistered circulators, who then obtained signatures outside the registered circulator's presence, and

WHEREAS, investigations revealed that after petition forms were signed and submitted by voters, petition circulators tampered with the signed forms by using a website to obtain missing personal identifying information, and then filled in the incomplete petition forms, and

WHEREAS, investigations indicated that some otherwise valid petition forms were obtained by fraud, with circulators misleading prospective signatories by telling them that the amendment did something other than what was described in the ballot summary or amendment language, or not showing the signatories what was on the ballot at all, and

WHEREAS, evidence showed that petition circulators were able to obtain the four necessary elements of personal identifying information required on petitions — name, address, voter registration number or birthdate, and signature — using publicly available data to commit identity theft and complete dozens, hundreds, or even thousands of petitions without ever actually circulating a petition, and

WHEREAS, the Office of Election Crimes and Security received complaints from many Florida voters whose information was fraudulently submitted on forms for at least four initiative petitions circulated for inclusion in the 2024 General Election, and

WHEREAS, many of those complaints arose because some supervisors of elections notified a voter when a petition form bearing his or her name was rejected, which prompted such voters

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to contact the supervisor of elections or the Office of Election Crimes and Security to report potential fraud, and

WHEREAS, Florida does not currently restrict eligibility of persons to register as petition circulators, even in cases where such persons are not United States citizens, reside in another state, or have been convicted of a felony but have not had their right to vote restored, and

WHEREAS, at least one sponsor of an initiative amendment circulated during the 2024 General Election cycle settled a complaint with the Office of Election Crimes and Security for violations related to the petition process and agreed to pay $164,000 in fines, and

WHEREAS, existing fines and penalties levied against petition sponsors engaging in, encouraging, or, at the very least, turning a blind eye to illegal activities related to the petition process appear to be inadequate deterrents, and

WHEREAS, given its constitutional underpinnings, the right to propose an initiative by petition is inherent and absolute, but subject to reasonable regulations as necessary to ensure ballot integrity and a valid election process, NOW, THEREFORE,

By the Committee on Ethics and Elections

582-02263-25 20257016__

A bill to be entitled

An act relating to initiative petitions proposing an amendment to the State Constitution; providing legislative findings and intent; amending s. 15.21, F.S.; requiring the Secretary of State to have received the ballot summary and the full text of the proposed revision or amendment to the State Constitution from the sponsor and to have received the financial impact statement from the Financial Impact Estimating Conference before submitting an initiative petition to the Attorney General; conforming a cross-reference; amending s. 16.061, F.S.; revising the criteria that the Attorney General uses when petitioning the Supreme Court for an advisory opinion related to a proposed revision or amendment to the State Constitution; requiring that a copy of the petition form be provided to the sponsor of the initiative petition; conforming a cross-reference; making a technical change; amending s. 97.021, F.S.; revising the definition of the term "petition circulator"; reenacting and amending s. 99.097, F.S.; conforming a cross-reference; conforming a provision to changes made by the act; amending s. 100.371, F.S.; requiring the sponsor of an initiative petition to obtain a certain letter periodically; providing that a failure to obtain such letter results in the expiration of the initiative's signatures and disbanding of the sponsor's political committee; providing that certain initiative petition signatures

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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expire and the sponsor's political committee is disbanded under specified conditions; providing that such sponsor is not precluded from refiling the proposed amendment as a new petition; prohibiting a sponsor from sponsoring more than one initiative amendment; requiring a sponsor to register as a political committee and submit the ballot title, ballot summary, article and section of the State Constitution being amended, and full text of the proposed amendment to the Secretary of State; requiring that all information be available in alternative formats upon request; requiring the secretary to assign a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and a certain estimate; requiring the Division of Elections to publish the form on which petition signatures must be fixed; deleting a requirement that the secretary adopt certain rules; requiring a sponsor to post a certain bond before circulating petition forms; authorizing the waiver of such requirement if the sponsor provides a certain written certification under oath to the division; prohibiting sponsors from paying petition circulators if granted a waiver; providing that the waiver is rescinded and signatures may not be verified under a specified circumstance; requiring that monetary contributions received by the sponsor be used for specified purposes, in a specified order; authorizing the division to accept a cashier's check,

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official bank check, or money order in lieu of a bond; providing the requirements for the petition form; prohibiting persons, regardless of whether they are compensated for collection, from collecting signatures or initiative petitions if they have not been issued a petition circulator number; authorizing specified persons to collect signed initiative petitions from their immediate family; prohibiting such persons from physically possessing more than a certain number of petition forms; defining the term "immediate family"; authorizing the court to enjoin a petition circulator, regardless of whether compensated, from collecting signatures or initiative petitions until such petition circulator is registered under a specified condition; authorizing the division to revoke a petition circulator's registration if the petition circulator commits certain violations; prohibiting certain persons from collecting signatures or initiative petitions; requiring that applications for registration include specified information; prohibiting persons from registering to collect signatures or initiative petitions until they complete a required training; providing the requirements for such training; providing civil penalties for the sponsors of initiative amendments that knowingly allow persons to collect petition forms on their behalf and violate specified provisions; prohibiting a sponsor from compensating a petition circulator based on the number of petition forms gathered or the time within

which such forms are gathered; providing construction; requiring the division to make forms available to registered petition circulators in a certain format; deleting a requirement that supervisors of elections provide the division information on petition forms assigned to them; requiring sponsors to promptly deliver forms to the supervisor of elections in the county in which a voter resides within a specified timeframe after the form is signed; revising the civil penalties for failing to deliver forms within the prescribed timeframes; providing civil penalties for the sponsors of petitions if the person collecting petition forms on behalf of the sponsor signs the name of another, signs a fictitious name, or fills in missing information on the petition form; providing criminal penalties for persons who, while collecting petition forms, copy or retain a voter's personal identifying information for a reason other than to provide such information to the sponsor of an initiative petition; providing civil penalties for sponsors who mail or provide prefilled initiative petitions; requiring the supervisor to record the date a submitted petition is received; requiring the supervisor to notify the division of any misfiled petition; prohibiting the verification of signatures until a deposit is received and processed by the supervisor; requiring supervisors to notify sponsors of the deposit amount which must be calculated in a specified manner; requiring supervisors to notify

sponsors at the address of record of the need to replenish the deposit amount; prohibiting the verification of signatures until such deposit is replenished; requiring the supervisor to request replenishment of the deposit payment, and to notify sponsors each time such deposit is required, until specified circumstances occur; requiring the supervisor to return any remaining balance under specified conditions; revising the conditions under which a supervisor may verify a signature on an initiative petition form; requiring supervisors to electronically transmit digital images, which must meet a specified standard, of all signature forms to the division; requiring supervisors to retain all petition forms and identify those forms verified as valid from those deemed invalid until such forms are processed; requiring supervisors to deliver physical forms to the division; requiring the division to retain such forms for a specified timeframe; requiring supervisors to send a notice, which may be returned to the appropriate supervisor, to voters after their signature is verified; providing requirements for such notice; requiring the supervisor to revoke a voter's petition form under specified circumstances and notify the division of such revocation; providing that supervisors of elections are required to post on their websites the actual costs of signature verification for all petition forms, and that they may increase such costs annually by a specified date; specifying

that such costs include costs related to certain actions; revising the information relating to verification of signatures which supervisors are required to post on their website; requiring supervisors to notify the Office of Election Crimes and Security under a specified condition; requiring the office to conduct a preliminary investigation; authorizing the office to report findings of such investigations to the statewide prosecutor or a certain state attorney; providing that a signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated; requiring the Secretary of State to rescind the certificate of ballot position if an advisory opinion from the Supreme Court deems the initiative petition invalid; requiring the Financial Impact Estimating Conference to submit the financial impact statement to the Secretary of State; requiring a certain statement to be included on the ballot if the conference does not complete an analysis and financial impact statement within a specified timeframe; providing that only the President of the Senate and the Speaker of the House of Representatives, jointly, may convene the conference; revising the membership of the conference; deleting a provision authorizing the court to remand the financial impact statement to the conference to be redrafted; requiring such statement to appear on the petition form and ballot; requiring a sponsor to refile a petition as a new petition under certain

circumstances; deleting a provision that deems financial impact statements approved for placement on the ballot under certain circumstances; requiring the Department of State to update petition forms within a specified timeframe; requiring the department to make the petition circulator application available within a specified timeframe; providing that each petition circulator registration expires on a specified date; requiring the department to notify such petition circulators of the expiration of their registration within a specified timeframe; requiring the department to develop a certain training within a specified timeframe; authorizing supervisors of elections to increase the costs of signature verification within a specified timeframe; requiring the supervisors to post such cost on their publicly available websites as soon as the cost is determined; amending s. 101.161, F.S.; requiring that a certain statement be included on the ballot if a financial impact statement was not produced or the Financial Impact Estimating Conference did not meet to produce one; conforming a cross-reference; amending s. 102.111, F.S.; requiring the Elections Canvassing Commission to certify the returns of constitutional amendments; amending s. 102.121, F.S.; requiring the commission to make and sign separate certificates for constitutional amendments; providing requirements for such certificates; amending s. 102.168, F.S.; providing for standing to contest the adoption of a constitutional amendment by any

qualified voter or taxpayer; revising the grounds on which such parties may contest an election or a constitutional amendment; providing that the commission and the sponsor of the amendment are indispensable parties in any such action; amending s. 104.185, F.S.; providing criminal penalties for persons who fill in missing information on a petition form to secure a ballot position for a candidate, a minor political party, or an issue; amending s. 104.186, F.S.; providing criminal penalties for persons who compensate others based on the number of petition forms gathered, as prohibited by a specified section; amending s. 104.187, F.S.; conforming a cross-reference; creating s. 104.188, F.S.; defining the term "immediate family"; providing criminal penalties for certain persons who distribute, collect, deliver, or otherwise physically possess more than a certain number of petition forms other than their own or forms belonging to an immediate family member; creating s. 106.151, F.S.; prohibiting the use of public funds to advocate for or against any matter that is the subject of a constitutional amendment or revision; providing construction; amending s. 106.19, F.S.; providing that political committees sponsoring a constitutional amendment are liable for specified civil fines for submitting petition forms that do not provide the name and address of the petition circulator gathering such forms, regardless of whether the petition circulator is paid; amending s. 212.055,

F.S.; conforming a cross-reference; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity" to provide criminal and civil penalties for persons who commit crimes related to petition circulators and sponsors of initiative petitions; providing applicability; prohibiting the verification of a signed petition form for a specified period of time; providing construction; providing a directive to the Division of Law Revision; providing an effective date.

WHEREAS, the Legislature and the Secretary of State, in their official capacities, have the duty and obligation to ensure ballot integrity and a valid election process, and

WHEREAS, ballot integrity is necessary to ensure the effectiveness of the constitutionally provided initiative process, and

WHEREAS, investigations conducted by the Office of Election Crimes and Security have shown that agents of political committees sponsoring initiative petitions engaged in illegal and fraudulent activities while gathering petition signatures in the lead-up to the 2024 General Election, and

WHEREAS, the evidence brought forward indicates numerous instances of petition circulators being paid per signature, signing petition forms on behalf of deceased individuals, forging or misrepresenting voter signatures on petition forms, using voters' personal identifying information without consent, committing perjury, and swearing false oaths, and

WHEREAS, compensating a petition circulator based on the

number of petition forms gathered is a violation of s. 104.186, Florida Statutes; signing another person's name, whether dead or alive, or a fictitious name on a petition form is a violation of s. 104.185(2), Florida Statutes; and perjury or swearing a false oath is a violation of s. 837.02(1), Florida Statutes, and all such violations are third degree felonies under Florida law, and

WHEREAS, fraudulently using another individual's personal identification without his or her consent is a violation of s. 817.568, Florida Statutes, and is, at minimum, a third degree felony, and

WHEREAS, the fraudulent use of another individual's personal identifying information becomes a second degree felony with a 3-year mandatory minimum prison sentence if the violation involves the information of more than 10 but fewer than 20 persons, a 5-year mandatory minimum prison sentence if the violation involves the information of more than 20 but fewer than 30 persons, and a 10-year mandatory minimum prison sentence if the violation involves the information of more than 30 persons, and

WHEREAS, despite the fiduciary duty prescribed by Florida law, sponsors of initiative petitions have failed to cooperate with investigations and have attempted to deflect responsibility for the actions of petition circulators to contractors and subcontractors, the sponsors denying that they have custody or control of documents requested by state officials, and

WHEREAS, sponsors, contractors, and petition circulators have blatantly attempted to evade investigation by delegating key aspects of petition activities to out-of-state entities, who then subcontracted with other individuals who were even further

outside the reach of Florida authorities, and

WHEREAS, evidence provided to the Office of Election Crimes and Security by supervisors of elections in several counties showed that petition circulators submitted petition forms on behalf of more than 50 deceased Floridians, and

WHEREAS, information provided to the Office of Election Crimes and Security from multiple supervisors of elections and individual Florida voters showed that petition circulators committed perjury and swore false oaths by distributing petition forms with pre-signed attestations to groups of unregistered circulators, who then obtained signatures outside the registered circulator's presence, and

WHEREAS, investigations revealed that after petition forms were signed and submitted by voters, petition circulators tampered with the signed forms by using a website to obtain missing personal identifying information, and then filled in the incomplete petition forms, and

WHEREAS, investigations indicated that some otherwise valid petition forms were obtained by fraud, with circulators misleading prospective signatories by telling them that the amendment did something other than what was described in the ballot summary or amendment language, or not showing the signatories what was on the ballot at all, and

WHEREAS, evidence showed that petition circulators were able to obtain the four necessary elements of personal identifying information required on petitions — name, address, voter registration number or birthdate, and signature — using publicly available data to commit identity theft and complete dozens, hundreds, or even thousands of petitions without ever

actually circulating a petition, and

WHEREAS, the Office of Election Crimes and Security received complaints from many Florida voters whose information was fraudulently submitted on forms for at least four initiative petitions circulated for inclusion in the 2024 General Election, and

WHEREAS, many of those complaints arose because some supervisors of elections notified a voter when a petition form bearing his or her name was rejected, which prompted such voters to contact the supervisor of elections or the Office of Election Crimes and Security to report potential fraud, and

WHEREAS, Florida does not currently restrict eligibility of persons to register as a petition circulator, even though such persons may be from out of state or may have been convicted of a felony for identity theft or election-related crimes, and

WHEREAS, at least one sponsor of an initiative amendment circulated during the 2024 General Election cycle settled a complaint with the Office of Election Crimes and Security for violations related to the petition process and agreed to pay $164,000 in fines, and

WHEREAS, existing fines and penalties levied against petition sponsors engaging in, encouraging, or at the very least turning a blind eye to illegal activities related to the petition process appear to be inadequate deterrents, and

WHEREAS, given its constitutional underpinnings, the right to propose an initiative by petition is inherent and absolute, but subject to reasonable regulations as necessary to ensure ballot integrity and a valid election process, NOW, THEREFORE,

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

Section 1. (1) The Legislature finds that the power to propose an amendment to the State Constitution is reserved to the people of Florida consistent with s. 3, Article XI of the State Constitution. Evidence of fraud related to the process of gathering signatures on petitions for constitutional amendments compels the Legislature to act to protect the integrity of the ballot, ensure a valid election process, and protect the constitutionally provided initiative process.

(2) It is the intent of the Legislature to update the reasonable regulations in place for petition circulators, increase transparency and accountability for sponsors of initiative petitions, provide prospective signatories with objective information regarding the impact of a proposed amendment, and deter, prevent, and penalize fraudulent activities related to initiative petitions.

Section 2. Subsections (1) and (2) of section 15.21, Florida Statutes, are amended to read:

15.21 Initiative petitions; s. 3, Art. XI, State Constitution.—

(1) The Secretary of State shall immediately submit an initiative petition to the Attorney General if the sponsor has:

(a) Registered as a political committee pursuant to s. 106.03;

(b) Submitted the ballot title, ballot summary ~~substance~~, and full text of the proposed revision or amendment to the Secretary of State and received a financial impact statement pursuant to ss. 100.371 and 101.161; and

(c) Obtained a letter from the Division of Elections confirming that the sponsor has submitted to the appropriate supervisors for verification, and the supervisors have verified, forms signed and dated equal to 25 percent of the number of electors statewide required by s. 3, Art. XI of the State Constitution in one-half of the congressional districts of the state.

(2) If the Secretary of State has submitted an initiative petition to the Attorney General pursuant to subsection (1) but the validity of the signatures for such initiative petition has expired pursuant to s. 100.371(14)(a) ~~s. 100.371(11)(a)~~ before securing ballot placement, the Secretary of State must promptly notify the Attorney General. The Secretary of State may resubmit the initiative petition to the Attorney General if the initiative petition is later circulated for placement on the ballot of a subsequent general election and the criteria under subsection (1) are satisfied.

Section 3. Subsections (1), (2), and (3) of section 16.061, Florida Statutes, are amended to read:

16.061 Initiative petitions.—

(1) The Attorney General shall, within 30 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, petition the Supreme Court, requesting an advisory opinion regarding the compliance of the text of the proposed amendment or revision with s. 3, Art. XI of the State Constitution, whether the proposed amendment is facially invalid under the United States Constitution, ~~and~~ the compliance of the proposed ballot title and substance with s. 101.161, and the compliance

of the financial impact statement with s. 100.371(16). The petition may enumerate any specific factual issues that the Attorney General believes would require a judicial determination.

(2) A copy of the petition shall be provided to the Secretary of State and ~~the principal officer of~~ the sponsor of the initiative petition.

(3) Any financial ~~fiscal~~ impact statement that the Supreme Court finds not to be in accordance with s. 100.371(16) must ~~s. 100.371 shall~~ be remanded solely to the Financial Impact Estimating Conference for redrafting.

Section 4. Subsection (28) of section 97.021, Florida Statutes, is amended to read:

97.021 Definitions.—For the purposes of this code, except where the context clearly indicates otherwise, the term:

(28) "Petition circulator" means an entity or individual who collects signatures ~~for compensation~~ for the purpose of qualifying a proposed constitutional amendment for ballot placement. The term does not include a person who collects signatures from his or her spouse, parent, child, grandparent, grandchild, or sibling, or the parent, child, grandparent, grandchild, or sibling of his or her spouse.

Section 5. Paragraphs (a) and (d) of subsection (4) of section 99.097, Florida Statutes, are amended, and paragraph (b) of subsection (1) of that section is reenacted, to read:

99.097 Verification of signatures on petitions.—

(1)

(b) Rules and guidelines for petition verification shall be adopted by the Department of State. Rules and guidelines for a

random sample method of verification may include a requirement that petitions bear an additional number of names and signatures, not to exceed 15 percent of the names and signatures otherwise required. If the petitions do not meet such criteria or if the petitions are prescribed by s. 100.371, the use of the random sample method of verification is not available to supervisors.

(4)(a) The supervisor must be paid in advance the sum of 10 cents for each signature checked or the actual cost of checking such signature, whichever is less, by the candidate or, in the case of a petition to have a local issue placed on the ballot, by the person or organization submitting the petition. In the case of a petition to place a statewide issue on the ballot, the person or organization submitting the petition must pay the supervisor in advance the cost posted by the supervisor pursuant to s. 100.371(14) ~~s. 100.371(11)~~ for the actual cost of checking signatures to place a statewide issue on the ballot.

(d) Except as provided in s. 100.371(14)(b), petitions must be retained by the supervisors for a period of 1 year following the election for which the petitions were circulated.

Section 6. Section 100.371, Florida Statutes, is amended to read:

100.371 Initiatives; procedure for placement on ballot.—

(1)(a) Constitutional amendments proposed by initiative shall be placed on the ballot for the general election, provided the initiative petition has been filed with the Secretary of State no later than February 1 of the year the general election is held. A petition shall be deemed to be filed with the Secretary of State upon the date the secretary determines that

valid and verified petition forms have been signed by the constitutionally required number and distribution of voters ~~electors~~ under this code.

(b) A sponsor of an initiative petition shall obtain, at least every third election cycle, a letter pursuant to s. 15.21(1)(c). Failure to obtain such letter results in expiration of the initiative petition's signatures and disbanding of the sponsor's political committee.

(c) Initiative petition signatures expire and the sponsor's political committee is disbanded if a constitutional amendment proposed by initiative submitted to the Secretary of State before February 1, 2022, fails to obtain a letter pursuant to s. 15.21(1)(c) before February 1, 2026. This paragraph does not preclude such a sponsor from refiling the proposed amendment as a new petition.

(2) The sponsor of an initiative amendment may not sponsor more than one amendment and shall, before circulating any petition forms: ~~prior to obtaining any signatures,~~

(a) Register as a political committee pursuant to s. 106.03 and submit the ballot title, ballot summary, article and section of the State Constitution being amended, and full text of the proposed amendment to the Secretary of State. The proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats~~, with the form on which the signatures will be affixed, and shall obtain the approval of the Secretary of State of such form~~. Upon receipt, the Secretary of State shall assign the initiative petition a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for

review, analysis, and estimation of the financial impact of the proposed amendment. After the review by the Financial Impact Estimating Conference, the division shall publish the form with the information provided for in subsection (3) and on which signatures for the initiative petition will be affixed ~~The Secretary of State shall adopt rules pursuant to s. 120.54 prescribing the style and requirements of such form. Upon filing with the Secretary of State, the text of the proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats~~.

(b)1. Post a $1 million bond payable to the division. Such bond must be conditioned upon the payment of all fines adjudged against the sponsor. This requirement may be waived if a sponsor cannot post such a bond without imposing an undue burden on the sponsor's resources and provides a written certification of such inability given under oath to the division. However, a person may not be paid to circulate petitions if an undue burden oath has been filed pursuant to this paragraph. If a person is subsequently paid to circulate petitions, the waiver of the bond must be immediately rescinded, and signatures may not be validated until the bond is posted and any outstanding fines have been paid. If the sponsor receives a contribution as defined in s. 106.011:

a. Monetary contributions must first be used to reimburse the supervisor of elections for any verification fees that were not paid because of the filing of an undue burden oath pursuant to s. 99.097(4).

b. After the sponsor satisfies the obligation in sub-subparagraph a., contributions must be used to secure a bond as

required by this subsection.

c. After the sponsor satisfies the obligations in sub-subparagraphs a. and b., contributions may be used to pay petition circulators.

2. In lieu of a bond, the division may accept a cashier's check, official bank check, or money order in the amount of the bond.

(3)(a) The petition form must prominently display the petition number, the ballot title, the ballot summary, and, for a proposed amendment submitted to the Secretary of State after the effective date of this act, the financial impact statement. The petition form must also include the full text of the proposed amendment; the name and address of the sponsor; and the date received by the Secretary of State, a bar code associated with the initiative petition, and a serial number, and must solicit and require all of the following information:

1. The full name of the voter.

2. The voter's address and county of legal residence.

3. The voter's Florida voter registration number or date of birth.

4. The voter's Florida driver license number or the voter's Florida identification card number issued pursuant to s. 322.051, or the last four digits of the voter's social security number.

5. An attestation that the voter is a registered Florida voter and is petitioning the Secretary of State to place the proposed amendment on the ballot.

6. The voter's signature and the date signed.

(b) The petition form must also include all of the

following:

1. The Petition Circulator's Affidavit with the circulator's name, permanent address, and petition circulator number.

2. The following statement, which must be signed and dated by the circulator:

By my signature below, as petition circulator, I verify that the petition was completed and signed by the voter in my presence. Under penalty of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit, and the facts stated in it are true.

3. A notice that the form becomes a public record upon receipt by the supervisor of elections.

4. A notice that it is a misdemeanor of the first degree to knowingly sign the same initiative petition more than once and that the form will not be validated if all requested information is not completed.

(c) The petition form must be in a type not less than 10 points. The length of the petition form may not exceed one page, front and back.

(4)(a)1. A person may not collect signatures or initiative petitions ~~for compensation~~ unless the person is registered as a petition circulator with the Secretary of State and is issued a petition circulator's number.

2. Notwithstanding subparagraph 1., a person may collect signed initiative petitions from his or her immediate family

without registering as a petition circulator. Such person may not physically possess more than two petition forms in addition to his or her own petition form or a petition form belonging to an immediate family member. For the purposes of this subsection, the term "immediate family" means a person's spouse or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse.

(b) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions ~~for compensation~~ until she or he is lawfully registered.

(c) The division may revoke a petition circulator's registration if the circulator violates this section.

(d)1. A person may not collect signatures or initiative petitions if he or she has been convicted of a felony violation and has not had his or her right to vote restored.

2. A person may not collect signatures or initiative petitions if he or she is not a citizen of the United States.

(e)~~(4)~~ An application for registration must be submitted in the format required by the Secretary of State and must include the following:

1.~~(a)~~ The information required to be on the petition form under s. 101.161, including the ballot summary and title as received ~~approved~~ by the Secretary of State.

2.~~(b)~~ The applicant's name, permanent address, temporary address, if applicable, and date of birth; a copy of his or her driver license or identification card, regardless of whether

such license or identification card was issued by this state; and the last four digits of his or her social security number.

3.~~(c)~~ An address in this state at which the applicant will accept service of process related to disputes concerning the petition process, if the applicant is not a resident of this state.

4.~~(d)~~ A statement that the applicant consents to the jurisdiction of the courts of this state in resolving disputes concerning the petition process.

5.~~(e)~~ Any information required by the Secretary of State to verify the applicant's identity or address.

6. Whether the applicant has been convicted of a felony violation and has not had his or her right to vote restored, by including the statement, "I affirm that I am not a convicted felon, or, if I am, my right to vote has been restored." and providing a box for the applicant to check to affirm the statement.

7. Whether the applicant is a citizen of the United States, by asking the question, "Are you a citizen of the United States of America?" and providing boxes for the applicant to check whether the applicant is or is not a citizen of the United States.

8. The signature of the applicant under penalty of perjury for false swearing pursuant to s. 104.011, by which the applicant swears or affirms that the information contained in the application is true.

(f) A person may not register to collect signatures or initiative petitions until he or she has completed the training concerning the requirements for petition circulators. The

training must be developed by the division and may be in an electronic format available on the division's public website. The training must, at a minimum, include the following:

1. An overview of the petition-gathering process.

2. An overview of the petition circulator registration requirements.

3. An explanation that the sponsor of an initiative amendment serves as a fiduciary to each voter who signs a petition.

4. An explanation that the Florida Election Code prohibits compensation or provision of any benefit based on the number of petition signatures gathered.

5. The specific criminal penalties to which a petition circulator may be subject for violating the Florida Election Code.

(g) The sponsor of the initiative amendment is liable for a fine in the amount of $50,000 for each person the sponsor knowingly allows to collect petition forms on behalf of the sponsor in violation of this subsection.

(5) A sponsor may not compensate a petition circulator based on the number of petition forms gathered or the time within which a number of petition forms is gathered. This prohibition includes, but is not limited to, paying a specified amount per petition form gathered, basing an hourly rate on the number of petition forms gathered over a specified period of time, or providing any other benefit or form of compensation based on the number of petition forms gathered. ~~All petitions collected by a petition circulator must contain, in a format required by the Secretary of State, a completed Petition~~

~~Circulator's Affidavit which includes:~~

~~(a) The circulator's name and permanent address;~~

~~(b) The following statement, which must be signed by the circulator:~~

~~By my signature below, as petition circulator, I verify that the petition was signed in my presence. Under penalties of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit and the facts stated in it are true.~~

(6) The division ~~or the supervisor of elections~~ shall make ~~hard copy petition forms or~~ electronic portable document format petition forms available to registered petition circulators. All such forms must contain information identifying the petition circulator to which the forms are provided. The division shall maintain a database of all registered petition circulators and the petition forms assigned to each. Each supervisor of elections shall provide to the division information on petition forms ~~assigned to and~~ received from petition circulators. The information must be provided in a format and at times as required by the division by rule. The division must update information on petition forms daily and make the information publicly available.

(7)(a) A sponsor that collects petition forms or uses a petition circulator to collect petition forms serves as a fiduciary to the voter ~~elector~~ signing the petition form and shall ensure~~, ensuring~~ that any petition form entrusted to the sponsor or petition circulator is ~~shall be~~ promptly delivered to

the supervisor of elections in the county in which the voter resides within 10 ~~30~~ days after the voter ~~elector~~ signs the form. If a petition form collected by the sponsor or any petition circulator is not promptly delivered to the supervisor of elections, the sponsor is liable for the following fines:

1. A fine in the amount of $50 per each day late for each petition form received by the supervisor of elections in the county in which the voter resides more than 10 ~~30~~ days after the voter ~~elector~~ signed the petition form ~~or the next business day, if the office is closed~~. A fine in the amount of $2,500 ~~$250~~ for each petition form received if the sponsor or petition circulator acted willfully.

2. A fine in the amount of $100 per each day late, up to a maximum of $5,000, for each petition form collected by a sponsor or a petition circulator, signed by a voter before February 1 of the year the general election is held and received by the supervisor of elections in the county in which the voter resides after the deadline for such election. A fine in the amount of $5,000 for each such petition form received if the sponsor or petition circulator acted willfully.

3. A fine in the amount of $500 for each petition form collected by a petition circulator which is not submitted to the supervisor of elections in the county in which the voter resides. A fine in the amount of $5,000 ~~$1,000~~ for any petition form not so submitted if the sponsor or petition circulator acting on its behalf acted willfully.

(b) A showing by the sponsor that the failure to deliver the petition form within the required timeframe is based upon force majeure or impossibility of performance is an affirmative

defense to a violation of this subsection. The fines described in this subsection may be waived upon a showing that the failure to deliver the petition form promptly is based upon force majeure or impossibility of performance.

(8) If a person collecting petition forms on behalf of a sponsor of an initiative petition signs another person's name or a fictitious name to any petition, or fills in missing information on a petition, to secure a ballot position in violation of s. 104.185(2), the sponsor of the initiative petition is liable for a fine in the amount of $5,000 for each such petition.

(9) If a person collecting petition forms on behalf of a sponsor of an initiative petition copies or retains a voter's personal information, such as the voter's Florida driver license number, Florida identification card number, social security number, or signature, for any reason other than to provide such information to the sponsor of the initiative petition, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(10) A sponsor of an initiative petition or person collecting petition forms on behalf of a sponsor of an initiative petition may not mail or otherwise provide a petition form upon which any information about a voter has been filled in before it is provided to the voter. A sponsor of an initiative petition that violates this subsection is liable for a fine in the amount of $50 for each such petition form.

(11) ~~(8)~~ If the Secretary of State reasonably believes that a person or entity has committed a violation of this section, the secretary may refer the matter to the Attorney General for

enforcement. The Attorney General may institute a civil action for a violation of this section or to prevent a violation of this section. An action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order.

(12)~~(9)~~ The division shall adopt by rule a complaint form for a voter ~~an elector~~ who claims to have had his or her signature misrepresented, forged, or not delivered to the supervisor. The division shall also adopt rules to ensure the integrity of the petition form gathering process, including rules requiring sponsors to account for all petition forms used by their agents. Such rules may require a sponsor or petition circulator to provide identification information on each petition form as determined by the department as needed to assist in the accounting of petition forms.

(13)~~(10)~~ The date on which a voter ~~an elector~~ signs a petition form is presumed to be the date on which the petition circulator received or collected the petition form.

(14)(a)~~(11)(a)~~ An initiative petition form circulated for signature may not be bundled with or attached to any other petition. Each signature shall be dated when made and shall be valid until the next February 1 occurring in an even-numbered year for the purpose of the amendment appearing on the ballot for the general election occurring in that same year, provided all other requirements of law are met. The sponsor shall submit signed and dated forms to the supervisor of elections for the county of residence listed by the person signing the form for verification of the number of valid signatures obtained. The supervisor shall record the date each submitted petition is

received. If a signature on a petition is from a registered voter in another county, the supervisor must ~~shall~~ notify the petition sponsor and the division of the misfiled petition. The supervisor shall promptly verify the signatures within 60 days after receipt of the petition forms and payment of a fee for the actual cost of signature verification incurred by the supervisor. However, for petition forms submitted less than 60 days before February 1 of an even-numbered year, the supervisor shall promptly verify the signatures within 30 days after receipt of the form and payment of the fee for signature verification.

(b) The verification of such signatures by the supervisor's office may not begin or continue to occur unless a deposit has been received and processed by the supervisor. Each supervisor shall notify the sponsor of the deposit amount required for his or her office, which must be calculated based on the sum of the supervisor's cost estimate for processing initiative petition forms times 10 percent of the county's active registered voters in each congressional district, as reported in the last general election. Upon a supervisor's receipt of completed petition forms in an amount that equals 10 percent of the signatures needed, the supervisor shall notify the sponsor at the address of record of the need to replenish the deposit amount. Verification of signatures may not continue until the replenishment of the deposit payment has been received and processed by the supervisor. A supervisor shall request the replenishment of the deposit payment required by this paragraph each time his or her office has received and processed 10 percent of the required signatures, until such time as the

sponsor notifies the supervisor that the initiative has achieved ballot placement, that the deadline for verifying petition signatures has passed for the current election cycle, or that the sponsor has provided written notice to the supervisor and the division that the sponsor seeks to close or withdraw the initiative petition, at which time the supervisor shall return any remaining balance of the deposit amount.

(c) The supervisor shall promptly record, in the manner prescribed by the Secretary of State, the date each form is received by the supervisor, and the date the signature on the form is verified as valid. The supervisor may verify that the signature on a form is valid only if:

1. The form contains the original signature of the purported voter ~~elector~~.

2. The purported voter ~~elector~~ has accurately recorded on the form the date on which he or she signed the form.

3. The form sets forth the purported voter's: ~~elector's~~

a. Full name~~;~~,

b. Address and~~, city,~~ county of residence~~;~~~~, and~~

c. Voter registration number or date of birth; and

d. Florida driver license or Florida identification card number issued pursuant to s. 322.051 or the last four digits of the voter's social security number.

4. The purported voter ~~elector~~ is, at the time he or she signs the form and at the time the form is verified, a duly qualified and registered voter ~~elector~~ in the state.

5. The signature was obtained legally, including that if a ~~paid~~ petition circulator was used, the circulator was validly registered under subsection (4) ~~(3)~~ when the signature was

obtained.

~~The supervisor shall retain all signature forms, separating forms verified as valid from those deemed invalid, for at least 1 year following the election for which the petition was circulated.~~

(d)1.~~(b)~~ On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall electronically transmit all signature forms to the division. The digital images of the scanned signature forms must be of high enough quality that division personnel are be able to accurately discern elements contained in such forms. Forms that have been verified as valid must be separated from those that have been deemed invalid.

2. Each supervisor must retain all petition forms, identifying forms verified as valid from those deemed invalid, until all petition forms have been processed following the February 1 deadline. As soon as practicable following the processing of the last timely submitted petition form, but not later than March 15 following the February 1 deadline, the supervisor must deliver the physical forms to the division. The division shall retain all petition forms for 1 year following the election for which the petition was circulated.

(e) When the signature on the petition form is verified as valid, the supervisor shall, as soon as practicable, notify the voter by mail at the mailing address on file in the Florida Voter Registration System.

1. Such notice must be sent by forwardable mail with a

postage prepaid preaddressed form, which may be returned to the supervisor. The notice shall include contact information for the supervisor of elections office, including the telephone number, fax number, mailing address, and e-mail address. The notice must include all of the following statements or information in substantially the following form:

a. "A petition to place a proposed constitutional amendment on the ballot for the next general election, bearing your name and signature, has been received and verified by the Supervisor of Elections Office."

b. That the petition included:

(I) ...(Insert the petition serial number, ballot title, ballot summary, and sponsoring committee)...; and

(II) ...(Insert the date the voter signed the petition, the date the petition was received by the Supervisor of Elections Office, and the date the petition was verified by the Supervisor of Elections...

c. "Check the box, sign, and return this notice to your Supervisor of Elections if you believe your signature has been misrepresented or forged on a petition. The petition form in question will be invalidated and not be counted toward the number of signatures required to place this proposed constitutional amendment on the ballot."

d. "A returned notice must be received by the Supervisor of Elections by February 1 of the year in which the general election is held."

2. Such notice must include both of the following:

a. A box for a voter to check if his or her signature was misrepresented or forged on the petition and a blank space for

the voter to sign and date the return form attesting to such.

b. The following disclosure, which must be prominently displayed beneath the space for the voter's signature:

This notice becomes a public record upon receipt by the Supervisor of Elections. It is a second degree misdemeanor, punishable as provided in s. 775.082, Florida Statutes, or s. 772.083, Florida Statutes, for any person to knowingly make a false official statement pursuant to s. 837.06, Florida Statutes.

3. Upon receiving a completed notice, the supervisor shall revoke the voter's petition form, which must be deemed invalid, and the supervisor shall immediately notify the division.

(f) Each supervisor shall post the actual cost of signature verification for petition forms received more than 60 days before February 1 of an even-numbered year and for petition forms received less than 60 days before February 1 of an even-numbered year on his or her website, and may increase such cost~~,~~ as necessary, annually on March 1 ~~February 2 of each even-numbered year~~. These costs include operating and personnel costs associated with comparing signatures, printing or sending notices to voters that their signature has been verified, and transmitting petition forms to the division. The division shall also publish each county's current cost on its website. The division and each supervisor shall biennially review available technology aimed at reducing verification costs.

(g)~~(c)~~ On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through

February 1 of the following year, each supervisor shall post on his or her website the total number of signatures submitted, the total number of invalid signatures, the total number of signatures processed, total number of signatures revoked, and the aggregate number of verified valid signatures and the distribution of such signatures by congressional district for each proposed amendment proposed by initiative, along with the following information specific to the reporting period: the total number of signed petition forms received, the total number of signatures verified, the distribution of verified valid signatures by congressional district, and the total number of verified petition forms forwarded to the Secretary of State. For any reporting period in which the percentage of signatures deemed invalid exceeds 25 percent, the supervisor shall notify the Office of Election Crimes and Security. The Office of Election Crimes and Security, as authorized by s. 97.012(15) and s. 97.022(1), shall conduct a preliminary investigation and may, if warranted, report findings to the statewide prosecutor or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution.

(h) A signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated and not counted toward the number of necessary signatures for placement on the ballot.

(15)~~(12)~~ The Secretary of State shall determine from the signatures verified by the supervisors of elections the total number of verified valid signatures and the distribution of such signatures by congressional districts, and the division shall post such information on its website at the same intervals

specified in paragraph (14)(g) ~~(11)(c)~~. Upon a determination that the requisite number and distribution of valid signatures have been obtained, the secretary shall issue a certificate of ballot position for that proposed amendment and shall assign a designating number pursuant to s. 101.161. The secretary shall rescind the certificate of ballot position if an advisory opinion issued by the Supreme Court pursuant to s. 16.061(1) deems the initiative petition invalid.

(16)(a)~~(13)(a)~~ Upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons must be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representative of the sponsor, interested parties, and proponents or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research ~~At the same time the Secretary of State submits an initiative petition to the Attorney General pursuant to s. 15.21, the secretary shall submit a copy of the initiative petition to the Financial Impact Estimating Conference~~.

(b) Within 75 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, the Financial Impact Estimating

Conference shall complete an analysis and financial impact statement to be placed on the ballot of the estimated increase or decrease in any revenues or costs to state or local governments and the overall impact to the state budget resulting from the proposed initiative. The 75-day time limit is tolled when the Legislature is in session. The Financial Impact Estimating Conference shall submit the financial impact statement to the ~~Attorney General and~~ Secretary of State. If the ~~initiative petition has been submitted to the Financial Impact Estimating Conference but the validity of signatures has expired and the initiative petition no longer qualifies for ballot placement at the ensuing general election, the Secretary of State must notify the Financial Impact Estimating Conference. The~~ Financial Impact Estimating Conference does ~~is~~ not ~~required to~~ complete an analysis and financial impact statement for an initiative petition ~~that fails to meet the requirements of subsection (1) for placement on the ballot~~ before the 75-day time limit, including any tolling period, expires, the ballot must include the statement required by s. 101.161(1)(e). ~~The initiative petition may be resubmitted to the Financial Impact Estimating Conference if the initiative petition meets the requisite criteria for a subsequent general election cycle. A new Financial Impact Estimating Conference shall be established at such time as the initiative petition again satisfies the criteria in s. 15.21(1).~~

~~(b) Immediately upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of~~

~~all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons shall be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representatives of the sponsor, interested parties, proponents, or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research.~~

(c) The Financial Impact Estimating Conference may be convened only by the President of the Senate and the Speaker of the House of Representatives, jointly. All meetings of the Financial Impact Estimating Conference shall be open to the public. The President of the Senate and the Speaker of the House of Representatives, jointly, shall be the sole judge for the interpretation, implementation, and enforcement of this subsection.

1. The Financial Impact Estimating Conference is established to review, analyze, and estimate the financial impact of amendments to or revisions of the State Constitution proposed by initiative. The Financial Impact Estimating Conference shall consist of four principals: one person from the professional staff of the Executive Office of the Governor, designated by the Governor; the coordinator of the Office of Economic and Demographic Research, or his or her designee; one person from the professional staff of the Senate, designated by the President of the Senate; and one person from the professional staff of the House of Representatives, designated

by the Speaker of the House of Representatives. Each principal shall have appropriate fiscal expertise in the subject matter of the initiative. A Financial Impact Estimating Conference may be appointed for each initiative.

2. Principals of the Financial Impact Estimating Conference shall reach a consensus or majority concurrence on a clear and unambiguous financial impact statement, no more than 150 words in length, and immediately submit the statement to the Attorney General. Nothing in this subsection prohibits the Financial Impact Estimating Conference from setting forth a range of potential impacts in the financial impact statement. ~~Any financial impact statement that a court finds not to be in accordance with this section shall be remanded solely to the Financial Impact Estimating Conference for redrafting. The Financial Impact Estimating Conference shall redraft the financial impact statement within 15 days.~~

~~3. If the Supreme Court has rejected the initial submission by the Financial Impact Estimating Conference and no redraft has been approved by the Supreme Court by 5 p.m. on the 75th day before the election, the following statement shall appear on the ballot: "The impact of this measure, if any, has not been determined at this time."~~

(d) The financial impact statement must be separately contained on the petition form and the ballot and be set forth after the ballot summary as required in s. 101.161(1).

1. If the financial impact statement projects a net negative impact on the state budget, the ballot must include the statement required by s. 101.161(1)(b).

2. If the financial impact statement projects a net

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

positive impact on the state budget, the ballot must include the statement required by s. 101.161(1)(c).

3. If the financial impact statement estimates an indeterminate financial impact or if the members of the Financial Impact Estimating Conference are unable to agree on the statement required by this subsection, the ballot must include the statement required by s. 101.161(1)(d).

4. If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial statement, the ballot must include the statement required by s. 101.161(1)(e).

(e)~~1.~~ Any financial impact statement that the Supreme Court finds not to be in accordance with this subsection shall be remanded solely to the Financial Impact Estimating Conference for redrafting~~, provided the court's advisory opinion is rendered at least 75 days before the election at which the question of ratifying the amendment will be presented~~. The Financial Impact Estimating Conference shall prepare and adopt a revised financial impact statement no later than 5 p.m. on the 15th day after the date of the court's opinion. The sponsor of the initiative must refile the petition with the revised financial impact statement with the Secretary of State as a new petition.

~~2. If, by 5 p.m. on the 75th day before the election, the Supreme Court has not issued an advisory opinion on the initial financial impact statement prepared by the Financial Impact Estimating Conference for an initiative amendment that otherwise meets the legal requirements for ballot placement, the financial impact statement shall be deemed approved for placement on the~~

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

~~ballot.~~

(f)~~3.~~ In addition to the financial impact statement required by this subsection, the Financial Impact Estimating Conference shall draft an initiative financial information statement. The initiative financial information statement should describe in greater detail than the financial impact statement any projected increase or decrease in revenues or costs that the state or local governments would likely experience if the ballot measure were approved. If appropriate, the initiative financial information statement may include both estimated dollar amounts and a description placing the estimated dollar amounts into context. The initiative financial information statement must include both a summary of not more than 500 words and additional detailed information that includes the assumptions that were made to develop the financial impacts, workpapers, and any other information deemed relevant by the Financial Impact Estimating Conference.

(g)~~4.~~ The Department of State shall have printed, and shall furnish to each supervisor of elections, a copy of the summary from the initiative financial information statements. The supervisors shall have the summary from the initiative financial information statements available at each polling place and at the main office of the supervisor of elections upon request.

(h)~~5.~~ The Secretary of State and the Office of Economic and Demographic Research shall make available on the Internet each initiative financial information statement in its entirety. In addition, each supervisor of elections whose office has a website shall post the summary from each initiative financial information statement on the website. Each supervisor shall

include a copy of each summary from the initiative financial information statements and the Internet addresses for the information statements on the Secretary of State's and the Office of Economic and Demographic Research's websites in the publication or mailing required by s. 101.20.

(17)~~(14)~~ The Department of State may adopt rules in accordance with s. 120.54 to implement this section ~~carry out the provisions of subsections (1)-(14)~~.

(18)~~(15)~~ No provision of this code shall be deemed to prohibit a private person exercising lawful control over privately owned property, including property held open to the public for the purposes of a commercial enterprise, from excluding from such property persons seeking to engage in activity supporting or opposing initiative amendments.

Section 7. (1) The Department of State shall, within 30 days after the effective date of this act, update the forms as required by the amendments made to s. 100.371(3), Florida Statutes, for any proposed amendments received before the effective date of this act.

(2)(a) The Department of State shall, within 30 days after the effective date of this act, make available a new petition circulator application to incorporate the amendments made to s. 100.371(4), Florida Statutes.

(b)1. Thirty days after the effective date of this act, the registration of each petition circulator expires.

2. No later than 7 days after the effective date of this act, the Department of State shall notify each petition circulator that his or her registration is expiring and that he or she may reregister by completing a new application that will

be available before the current registration expires.

(c) The Department of State shall, within 30 days after the effective date of this act, develop the training required by s. 100.371(4)(f), Florida Statutes.

(3) A supervisor of elections may, within 90 days after the effective date of this act, increase the cost of signature verification pursuant to the amendments made to s. 100.371(14)(c), Florida Statutes. A supervisor shall post the cost of signature verification on his or her publicly available website as soon as such cost is determined.

Section 8. Paragraph (a) of subsection (1) of section 101.161, Florida Statutes, is amended, and paragraph (e) is added to that subsection, to read:

101.161 Referenda; ballots.—

(1) Whenever a constitutional amendment or other public measure is submitted to the vote of the people, a ballot summary of such amendment or other public measure shall be printed in clear and unambiguous language on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the proposal and a "no" vote will indicate rejection. The ballot summary of the amendment or other public measure and the ballot title to appear on the ballot shall be embodied in the constitutional revision commission proposal, constitutional convention proposal, taxation and budget reform commission proposal, or enabling resolution or ordinance. The ballot summary of the amendment or other public measure shall be an explanatory statement, not exceeding 75 words in length, of the chief purpose of the measure. In

addition, for every constitutional amendment proposed by initiative, the ballot shall include, following the ballot summary, in the following order:

(a) A separate financial impact statement concerning the measure prepared by the Financial Impact Estimating Conference in accordance with s. 100.371(16) ~~s. 100.371(13)~~.

(e) If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial impact statement, the following statement in bold print:

THE FINANCIAL IMPACT OF THIS AMENDMENT, IF ANY, HAS NOT BEEN DETERMINED AT THIS TIME.

The ballot title shall consist of a caption, not exceeding 15 words in length, by which the measure is commonly referred to or spoken of. This subsection does not apply to constitutional amendments or revisions proposed by joint resolution.

Section 9. Subsection (2) of section 102.111, Florida Statutes, is amended to read:

102.111 Elections Canvassing Commission.—

(2) The Elections Canvassing Commission shall meet at 8 a.m. on the 9th day after a primary election and at 8 a.m. on the 14th day after a general election to certify the returns of the election for each federal, state, and multicounty office and for each constitutional amendment. If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error

occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

Section 10. Section 102.121, Florida Statutes, is amended to read:

102.121 Elections Canvassing Commission to issue certificates.—The Elections Canvassing Commission shall make and sign separate certificates of the result of the election for federal officers, ~~and~~ state officers, and constitutional amendments, which certificates must ~~shall~~ be written and contain the total number of votes cast for and against each person for each office and the total number of votes cast for and against each constitutional amendment. The certificates, the one including the result of the election for presidential electors and representatives to Congress, and the other including the result of the election for state officers, shall be recorded in the Department of State in a book to be kept for that purpose.

Section 11. Subsections (1), (3), and (4) of section 102.168, Florida Statutes, are amended to read:

102.168 Contest of election.—

(1) Except as provided in s. 102.171, the certification of election or nomination of any person to office, or of the adoption of a constitutional amendment or the result on any question submitted by referendum, may be contested in the circuit court by any unsuccessful candidate for such office or nomination thereto or by any voter ~~elector~~ qualified to vote in

the election related to such candidacy or constitutional amendment, or by any taxpayer, respectively.

(3) The complaint must ~~shall~~ set forth the grounds on which the contestant intends to establish his or her right to such office; or set aside the result of the election on a ~~submitted~~ referendum or constitutional amendment. The grounds for contesting an election or a constitutional amendment under this section are:

(a) Misconduct, fraud, or corruption on the part of any election official or any member of the canvassing board sufficient to change or place in doubt the result of the election.

(b) Ineligibility of the successful candidate for the nomination or office in dispute or of the proposed constitutional amendment for placement on the ballot.

(c) Receipt of a number of illegal votes or rejection of a number of legal votes sufficient to change or place in doubt the result of the election.

(d) Proof that any voter ~~elector~~, election official, or canvassing board member was given or offered a bribe or reward in money, property, or any other thing of value for the purpose of procuring the successful candidate's nomination or election or determining the result on any question ~~submitted~~ by referendum or constitutional amendment.

(4) The canvassing board responsible for canvassing the election is an indispensable party defendant in county and local elections. The Elections Canvassing Commission is an indispensable party defendant in federal, state, and multicounty elections, in elections for constitutional amendments, and in

elections for justice of the Supreme Court, judge of a district court of appeal, and judge of a circuit court. The successful candidate is an indispensable party to any action brought to contest the election or nomination of a candidate. The sponsor of a constitutional amendment proposed by initiative petition, identified pursuant to s. 100.371, is an indispensable party to any action brought to contest such election.

Section 12. Subsection (2) of section 104.185, Florida Statutes, is amended to read:

104.185 Petitions; knowingly signing more than once; signing another person's name or a fictitious name.—

(2) A person who signs another person's name or a fictitious name to any petition, or who fills in missing information on a petition, to secure ballot position for a candidate, a minor political party, or an issue commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 13. Section 104.186, Florida Statutes, is amended to read:

104.186 Initiative petitions; violations.—A person who compensates a petition circulator as defined in s. 97.021 based on the number of petition forms gathered, as prohibited by s. 100.371(5), commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. This section does not prohibit employment relationships that do not base payment on the number of signatures collected.

Section 14. Section 104.187, Florida Statutes, is amended to read:

104.187 Initiative petitions; registration.—A person who

violates s. 100.371(4)(a)1. ~~s. 100.371(3)~~ commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 15. Section 104.188, Florida Statutes, is created to read:

104.188 Petition forms gathered from immediate family; violations.—

(1) For the purposes of this section, the term "immediate family" means a person's spouse or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse.

(2) A person who distributes, collects, delivers, or otherwise physically possesses more than two signed petition forms in addition to his or her own petition form or a petition form belonging to an immediate family member, and who is not registered as a petition circulator pursuant to s. 100.371(4)(a)1., commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 16. Section 106.151, Florida Statutes, is created to read:

106.151 Use of public funds prohibited.—Public funds may not be used to advocate for or against any matter that is the subject of an amendment or a revision to the State Constitution, regardless of whether the amendment or revision was proposed by the Legislature, through the initiative process, by the Constitution Revision Commission, by the Taxation and Budget Reform Commission, or by a constitutional convention. The prohibition includes the use of state funds to publish, broadcast, or disseminate public service messages concerning an

amendment or a revision on the ballot, regardless of whether the public service messages are limited to factual information.

Section 17. Subsection (3) of section 106.19, Florida Statutes, is amended to read:

106.19 Violations by candidates, persons connected with campaigns, and political committees.—

(3) A political committee sponsoring a constitutional amendment proposed by initiative which submits a petition form gathered by a ~~paid~~ petition circulator which does not provide the name and address of the ~~paid~~ petition circulator on the form is subject to the civil penalties prescribed in s. 106.265.

Section 18. Paragraph (c) of subsection (1) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SURTAX.—

(c)1. The proposal to adopt a discretionary sales surtax as

provided in this subsection and to create a trust fund within the county accounts shall be placed on the ballot in accordance with law and must be approved in a referendum held at a general election in accordance with subsection (10).

2. If the proposal to adopt a surtax is by initiative, the petition sponsor must, at least 180 days before the proposed referendum, comply with all of the following:

a. Provide a copy of the final resolution or ordinance to the Office of Program Policy Analysis and Government Accountability. The Office of Program Policy Analysis and Government Accountability shall procure a certified public accountant in accordance with subsection (11) for the performance audit.

b. File the initiative petition and its required valid signatures with the supervisor of elections. The supervisor of elections shall verify signatures and retain signature forms in the same manner as required for initiatives under s. 100.371(14) ~~s. 100.371(11)~~.

3. The failure of an initiative sponsor to comply with the requirements of subparagraph 2. renders any referendum held void.

Section 19. Paragraph (a) of subsection (8) of section 895.02, Florida Statutes, is amended to read:

895.02 Definitions.—As used in ss. 895.01-895.08, the term:

(8) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit:

(a) Any crime that is chargeable by petition, indictment, or information under the following provisions of the Florida

Statutes:

1. Section 100.371, relating to petition circulators and sponsors of initiative petitions.

2. Section 104.155(2), relating to aiding or soliciting a noncitizen in voting.

3.~~2.~~ Section 210.18, relating to evasion of payment of cigarette taxes.

4.~~3.~~ Section 316.1935, relating to fleeing or attempting to elude a law enforcement officer and aggravated fleeing or eluding.

5.~~4.~~ Chapter 379, relating to the illegal sale, purchase, collection, harvest, capture, or possession of wild animal life, freshwater aquatic life, or marine life, and related crimes.

6.~~5.~~ Section 403.727(3)(b), relating to environmental control.

7.~~6.~~ Section 409.920 or s. 409.9201, relating to Medicaid fraud.

8.~~7.~~ Section 414.39, relating to public assistance fraud.

9.~~8.~~ Section 440.105 or s. 440.106, relating to workers' compensation.

10.~~9.~~ Section 443.071(4), relating to creation of a fictitious employer scheme to commit reemployment assistance fraud.

11.~~10.~~ Section 465.0161, relating to distribution of medicinal drugs without a permit as an Internet pharmacy.

12.~~11.~~ Section 499.0051, relating to crimes involving contraband, adulterated, or misbranded drugs.

13.~~12.~~ Part IV of chapter 501, relating to telemarketing.

14.~~13.~~ Chapter 517, relating to sale of securities and

investor protection.

15.~~14.~~ Section 550.235 or s. 550.3551, relating to dogracing and horseracing.

16.~~15.~~ Chapter 550, relating to jai alai frontons.

17.~~16.~~ Section 551.109, relating to slot machine gaming.

18.~~17.~~ Chapter 552, relating to the manufacture, distribution, and use of explosives.

19.~~18.~~ Chapter 560, relating to money transmitters, if the violation is punishable as a felony.

20.~~19.~~ Chapter 562, relating to beverage law enforcement.

21.~~20.~~ Section 624.401, relating to transacting insurance without a certificate of authority, s. 624.437(4)(c)1., relating to operating an unauthorized multiple-employer welfare arrangement, or s. 626.902(1)(b), relating to representing or aiding an unauthorized insurer.

22.~~21.~~ Section 655.50, relating to reports of currency transactions, when such violation is punishable as a felony.

23.~~22.~~ Chapter 687, relating to interest and usurious practices.

24.~~23.~~ Section 721.08, s. 721.09, or s. 721.13, relating to real estate timeshare plans.

25.~~24.~~ Section 775.13(5)(b), relating to registration of persons found to have committed any offense for the purpose of benefiting, promoting, or furthering the interests of a criminal gang.

26.~~25.~~ Section 777.03, relating to commission of crimes by accessories after the fact.

27.~~26.~~ Chapter 782, relating to homicide.

28.~~27.~~ Chapter 784, relating to assault and battery.

29.~~28.~~ Chapter 787, relating to kidnapping, human smuggling, or human trafficking.

30.~~29.~~ Chapter 790, relating to weapons and firearms.

31.~~30.~~ Chapter 794, relating to sexual battery, but only if such crime was committed with the intent to benefit, promote, or further the interests of a criminal gang, or for the purpose of increasing a criminal gang member's own standing or position within a criminal gang.

32.~~31.~~ Former s. 796.03, former s. 796.035, s. 796.04, s. 796.05, or s. 796.07, relating to prostitution.

33.~~32.~~ Chapter 806, relating to arson and criminal mischief.

34.~~33.~~ Chapter 810, relating to burglary and trespass.

35.~~34.~~ Chapter 812, relating to theft, robbery, and related crimes.

36.~~35.~~ Chapter 815, relating to computer-related crimes.

37.~~36.~~ Chapter 817, relating to fraudulent practices, false pretenses, fraud generally, credit card crimes, and patient brokering.

38.~~37.~~ Chapter 825, relating to abuse, neglect, or exploitation of an elderly person or disabled adult.

39.~~38.~~ Section 827.071, relating to commercial sexual exploitation of children.

40.~~39.~~ Section 828.122, relating to fighting or baiting animals.

41.~~40.~~ Chapter 831, relating to forgery and counterfeiting.

42.~~41.~~ Chapter 832, relating to issuance of worthless checks and drafts.

43.~~42.~~ Section 836.05, relating to extortion.

44.~~43.~~ Chapter 837, relating to perjury.

45.~~44.~~ Chapter 838, relating to bribery and misuse of public office.

46.~~45.~~ Chapter 843, relating to obstruction of justice.

47.~~46.~~ Section 847.011, s. 847.012, s. 847.013, s. 847.06, or s. 847.07, relating to obscene literature and profanity.

48.~~47.~~ Chapter 849, relating to gambling, lottery, gambling or gaming devices, slot machines, or any of the provisions within that chapter.

49.~~48.~~ Chapter 874, relating to criminal gangs.

50.~~49.~~ Chapter 893, relating to drug abuse prevention and control.

51.~~50.~~ Chapter 896, relating to offenses related to financial transactions.

52.~~51.~~ Sections 914.22 and 914.23, relating to tampering with or harassing a witness, victim, or informant, and retaliation against a witness, victim, or informant.

53.~~52.~~ Sections 918.12 and 918.13, relating to tampering with jurors and evidence.

Section 20. This act is intended to apply prospectively to the initiative petition process. If, before the effective date of this act, a person signs a petition form, circulates petition forms, submits a petition form to a supervisor, verifies the signatures on a petition, or submits a proposed amendment, the laws in effect on the day such person signs the petition form, circulates petition forms, submits a petition form, verifies the signature on a petition, or submits the proposed amendment apply.

Section 21. (1) To ensure uniformity and integrity in the

initiative process, a signed petition form may not be verified for a period of 90 days after the effective date of this act.

(2) A petition form gathered after the effective date of this act must be delivered as provided in this act to the appropriate entity. The processing hold described in subsection (1) does not toll any timeframe requirements that petition circulators are required to meet and may not be used as a defense to any fine imposed for the late submission of any petition forms to the appropriate entity.

Section 22. The Division of Law Revision is directed to replace the phrase "the effective date of this act" wherever it occurs in this act with the date this act becomes a law.

Section 23. This act shall take effect upon becoming a law.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

120382
Amendment Barcode (if applicable)

Name Ryan Kennedy

Phone 239-671-5733

Address 5572 Cobalto way
Street

Email ryan@gofica.org

Ave Maria FL 34142
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☑ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing: Florida Citizens Alliance

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4-8-2025
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

* #120382 *
Amendment Barcode (if applicable)

Name Andrew Shirvell

Phone 850-404-3414

Address P.O. Box 12152
Street

Email andrew@floridavoicefortheunborn.com

Tallahassee FL 32317
City *State* *Zip*

Speaking: ☑ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing:
Florida Voice For the Unborn

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

8 APRIL 2025
Meeting Date

SB 7016
Bill Number or Topic

Committee

120382
Amendment Barcode (if applicable)

Name BILL SNYDER Phone

Address Email

Street

City *State* *Zip*

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

120382
Amendment Barcode (if applicable)

Name John Labriola

Phone 954-515-2084

Address PO Box 650216
Street

Email JohnLabriola@cfcflorida.net

Miami FL 33265
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☑ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing: Christian Family Coalition Florida

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

120382
Amendment Barcode (if applicable)

Name Aaron DiPietro

Phone 904-608-4471

Address P.O Box 530103
Street

Email aarond@flfamily.org

Orlando FL 32853
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☑ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing: Florida Family Voice

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/2025
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

120382
Amendment Barcode (if applicable)

Name DAVID RAMBA

Phone 850 727 7087

Address 120 S Monroe St
Street

Email david@ramballaw.com

Tallahassee FL 32301
City *State* *Zip*

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☑ In Support ☐ Against

OF AMENDMENT

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing:
Florida Supervisors of Elections

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4-8-25
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Barbara DeVane

Phone

Address
Street

Email

City *State* *Zip*

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing: FL NOW

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

8 APRIL 2025
Meeting Date

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 7016
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name BILL SNYDER Phone

Address Email

Street

City *State* *Zip*

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Chad Kunde

Phone (850) 766-7896

Address 136 S Bronough St
Street

Email ckunde@flchamber.com

Tallahassee FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:
Florida Chamber of Commerce

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

04/08/2025
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Tessa Barber

Phone 727-409-3502

Address 2882 Sandpiper PL
Street

Email tessnabarber@gmail.com

Clearwater FL 33762
City *State* *Zip*

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/2025
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Lee Robertson

Phone 234-628-9258

Address 4246 Augustus Oak Ct
Street

Email itsleerobertson@gmail.com

Tallahassee FL 32303
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/2025
Meeting Date

FISCAL POLICY
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name DAVID GILL

Phone 352/223-2759

Address 2213 MULBERRY BLVD.
Street

Email davidmurrahgill@gmail.com

Tallahassee FL 32303.
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Alec Wilcosky

Phone 813-226-7327

Address 5020 Burlington Ave N
Street

St. Petersburg FL 33710
City State Zip

Email alecwilcosky@gmail.com

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Ryan Kennedy

Phone 239-671-5733

Address 5572 Cobalt Way
Street

Email ryan@90fla.org

Ave Maria FL 34142
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☑ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing: Florida Citizens Alliance

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/08/25
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Aaron DiPietro

Phone 904-608-4471

Address P.O Box 530103
Street

Email aarond@flfamily.org

Orlando FL 32853
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☑ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing: Florida Family Voice

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4-08-25
Meeting Date

SB 7016
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Lilly Nalls Phone

Address P.O. Box 13184 Email
Street

St. Pete FL 33733
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

04/08/2025

Meeting Date

Fiscal Policy (FP)

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 7016

~~Copy of~~ Bill Number or Topic

F

Amendment Barcode (if applicable)

Name ~~Error AR P.O. Box 13184~~ Alexis Robinson Phone —

Address ~~Error AR St. Petersberg~~ P.O. Box 13184 Email —

Street

St. Petersberg FL 33733

City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

412K

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4.8.25	SB 7016
Meeting Date	Bill Number or Topic
Fiscal Policy	
Committee	Amendment Barcode (if applicable)

Name Kara Gross

Phone 786-363-4436

Address 4343 West Flagler St
Street

Email kgross@aclufl.org

Miami FL 33134
City *State* *Zip*

Speaking: ☐ For ☑ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing:
American Civil Liberties Union of Florida

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

April 8, 2025
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Satin S Fye

Phone 305-890-5999

Address 1476 NW 57th
Street

Email Silkee86@gmail.com

Miami FL 33142
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/2025
Meeting Date

Fiscal Policy
Committee

SB7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name ~~P.O. Box 13184 St. Petersburg~~ Isabele Hodge Phone

Address P.O. Box 13184 ~~St. Petersburg~~ Email
Street

St. Petersburg FL 33733
City *State* *Zip*

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/18/25	SB 7016
Meeting Date	Bill Number or Topic
Fiscal Policy	
Committee	Amendment Barcode (if applicable)

Name Emily Perez Phone 813 731 3536

Address PO Box 13184 Email
Street

St. Petersburg Fl 33733
City *State* *Zip*

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/2025
Meeting Date

FISCAL
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Karl Mager

Phone 727-641-9030

Address 3428 Ellington Way
Street

Email karl.mager@twu555.org

New Port Richey FL 34655
City *State* *Zip*

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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April 8, 25
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Paul Cox

Phone 312-560-2310

Address 3681 Maidencain St
Street

Email

Clermont FL 34714
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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The Florida Senate

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April 8, 2025
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Gisela Alvarez

Phone 440 623 7911

Address 9739 Mountain Lake Dr
Street

Email ga710@Hotmail.com

Orlando FL 32832
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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4-8-25		7016
Meeting Date		Bill Number or Topic
Committee		Amendment Barcode (if applicable)

Name Sara Bimbo Phone 813-418-0824

Address 6867 Gideon Circle Email bhamsarazr@yahoo.com
Street

Zephyrhills FL 33541
City *State* *Zip*

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

4/8/25
Meeting Date

7016
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Elaine Caraballo

Phone 813-494-6823

Address 14223 Alistar Manor Dr.
Street

Email blackboss70@icloud.com

Wimauma Fla 33598
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

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4-8-25
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Fiscal
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Emily Giorentz

Phone 816-390-6213

Address 1463 Fledgling Ct
Street

Email emily.stalfus@gmail.com

Orlando FL 32837
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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4/8/25
Meeting Date

FISCAL POLICY
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name GRAYSON COX

Phone

Address 5628 LUNKER LN
Street

Email

TALLAHASSEE FL 32303
City *State* *Zip*

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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4/8/25
Meeting Date

fiscal
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name LaShanna Ward

Phone 631-434-5937

Address 226 Pinevalley Rd Apt B
Street

Email LaShanna98@gmail.com

St Cloud FL 34769
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

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4/8/2025
Meeting Date

Fiscal
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Felicia Smith Phone 419-346-7776

Address 2515 Cecily Place Email FeliciaSmith45@gmail.com
Street

Kissimmee FL 34741
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

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Fiscal
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Heidi Goicoechea

Phone 321-263-8517

Address 2103 Congress LN
Street

Email HeidiLGoicoechea@yahoo.com

St. Cloud FL 34769
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

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4/8/25
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Anthony Verdugo

Phone 786-447-6431

Address 8567 Coral Way #522
Street

Email averdugo@cfoflorida.net

Miami FL 33155
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing: Christian Family Coalition Florida

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

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Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Vincent Morelli Phone 786 525 8051

Address 1422 NW 3 Terr
Street

Cape Coral Fl 33993
City State Zip

Email

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

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4/8/25
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Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name John Labriola

Phone 954-515-2084

Address PO Box 650216
Street

Email JohnLabriola@cfcflorida.net

Miami FL 33265
City State Zip

Speaking: ☑ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing: Christian Family Coalition Florida

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

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Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Paul Perkins

Phone (239) 218-2260

Address 1222 N.E. 19th Avenue
Street

Email Paul Perk8@yahoo.com

Cape Coral FL 33909
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

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April 8th 2025
Meeting Date

Fiscal
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Robert Dempster

Phone 786-838-0535

Address 17550 NE 5th Court
Street

North Miami Beach FL 33162
City State Zip

Email Robert.FLSPN@floridarising.org

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

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4/8/2025
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Daniel Mendoza

Phone 305-906-1685

Address 1305 SE 9th St Apt 1
Street

Email Danny Mendoza320@gmail.com

Fort Lauderdale Fl 33301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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4/8/25
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Karen Woodall

Phone 850-321-9386

Address 579 E. Call St.
Street

Email fcfep@yahoo.com

Tallahassee, FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing: National Latina Institute for Reproductive Justice

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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4/8/25
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Karen Woodall

Phone 850-321-9386

Address 579 E. Call St.
Street

Email fcfep@yahoo.com

Tallahassee, FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing: FL Center for Fiscal & Economic Policy

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

4/8/2025
Meeting Date

Fiscay
Committee

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name THOMAS KENNEDY

Phone 786 346 0819

Address 851 NW 19 ST
Street

Email TKENNEDY191@GMAIL.COM

Miami FL 33199
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

4/1/25
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name YARELIZ MENDEZ-ZAMORA Phone

Address 1711 SW 98th Ave Email
Street

Pembroke Pines FL 33025
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☒ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by: American Friends Service Committee

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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4-8-2025
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Andrew Shirvell

Phone 850-404-3414

Address P.O. Box 12152
Street

Email andrew@Floridavoicefortheunborn.com

Tallahassee FL 32317
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☑ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing: Florida Voice For the Unborn

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name David Bryant Phone 904-233-4040

Address 8853 Aster Ln. Email davidbryant177@gmail.com
Street

Jax. FL 32216
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☑ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Matt Woodrow

Phone (205)275 5629

Address 2329 Fern Palm Dr
Street

Email MattWoodrow@gmail

Edgewater FL 32141
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

SB 7060
Bill Number or Topic

Amendment Barcode (if applicable)

Name Barbara Myers

Phone 850/443-9177

Address 8192 Wenonga Ct
Street

Email Barb1748@Yahoo.com

Tallahassee, FL 32311
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

04-07-25
Meeting Date

Fiscal
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Matthew Grocholski Phone

Address 1701 Lee Rd Email
Street

Winter Park FL 32789
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/2025
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Yenisbel Vilorio Phone

Address 1360 Regent St, PMB: 257 Email
Street

Madison WI 53715
City State Zip

Speaking: ☐ For ☑ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing:
Six Action

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Dr. Rich Templin

Phone 850-224-6926

Address 135 S. Monroe
Street

Email

Tallahassee FL 32301
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:

Florida AFL-CIO

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Aurelie Colon

Phone 9548818595

Address 403 Washington Ave
Street

Email aurelie.colon@splcenter.org

Montgomery AZ
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:
SPLC

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/2025
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Melanie Andrade Williams Phone

Address Email

Street

City *State* *Zip*

Speaking: ☐ For ☑ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☑ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by: Equal Ground Education and Action Fund

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

April 8, 2025
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Pamela Burch Fort

Phone 850-425-1344

Address 104 S. Monroe Street
Street

Email TcgLobby@aol.com

Tallahassee FL 32301
City *State* *Zip*

Reset Form

Speaking: ☐ For ☑ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing:
Common Cause Florida

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policies
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Brad Ashwell

Phone 850-294-1008

Address 1536 Chula Vista
Street

Email brad@allvotingislocal.org

Tallahassee FL 32301
City State Zip

Speaking: ☐ For ☑ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☑ I am a registered lobbyist, representing:
All Voting is Local Action

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

SB 706
Bill Number or Topic

Amendment Barcode (if applicable)

Name Samantha Kaddis

Phone 30 7212420579

Address 2937 SW 27th Ave suite 301
Street

Email skaddis@cleoinstitute.org

Miami FL 33133
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing: The CLEO Institute

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jake Flaherty Phone 850-570-9309

Address 1904 Miccosukee Rd. Unit 7 Email jakedflaherty@gmail.com
Street

Tallahassee FL 32308
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

04/08/25
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jackson Oberlink Phone

Address Email

Street

City *State* *Zip*

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing: Florida Rising

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

8 Apr 25
Meeting Date

Fiscal
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Cecile Scoon

Phone 850-319-1975

Address 25 E 8th St
Street

Email cecile@lwvfl.org

Panama City FL 32401
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☒ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:
hotel

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

04/08/2025
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Dejah Charles

Phone (239) 316-6443

Address 1510 Wahnish Way
Street

Email dejahcharles12@gmail

Tallahassee FL 32307
City State Zip

Speaking: ☐ For ☑ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

April 8 2025
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Larry Hannan

Phone 239-253-8952

Address 2793 Parbel St.
Street
Jacksonville FL 32205
City State Zip

Email Lhannan@stateroicefl.org

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☒ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4-7-25
Meeting Date

Fiscal
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Jodi James

Phone 321 890 7302

Address 1385 Cypress Ave
Street

Email Jodi@FLCAN.org

Melbourne FL 32935
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:
Florida Cannabis Action Network

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

04/08/25
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Leydi Amador

Phone 786 395-7498

Address 2765 W 54th
Street

Email leydi.flsph@floridarising.o

Hialeah FL 33016
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☒ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:
Florida Student Power

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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4/8/25
Meeting Date

S. Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Quinn Diaz

Phone 215.272.8353

Address P.O. Box 13184
Street

Email quinn.diaz@equalityflorida.org

St Petersburg FL 33733
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:

Equality Florida

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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4-8-25
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Kim Ross

Phone 850-888-2565

Address PO Box 1341
Street

Email k.ross@rethinkenergyflorida.org

Tallahassee FL 32302
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

4-8-25
Meeting Date

Physical Policy
Committee

7016 SB
Bill Number or Topic

Amendment Barcode (if applicable)

Name Maya Shenefelt

Phone 601-787-3483

Address 473 Kanuha Dr
Street

Email Maya@Unwind.com

Fort Walton Beach FL 32547
City *State* *Zip*

Speaking: ☐ For ☑ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

7076
Bill Number or Topic

Amendment Barcode (if applicable)

Name NR Hines

Phone

Address

Email nr@floridarising.org

Street

Tallahassee, FL 32308
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☒ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:
Florida Rising

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/25
Meeting Date

Fiscal Policy
Committee

7016/HB1205
Bill Number or Topic

Amendment Barcode (if applicable)

Name Emer Roy

Phone 571 209 7659

Address Albion Ave
Street

Email eroy823@gmail.com

Orlando FL 32833
City State Zip

Speaking: ☐ For ☑ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/8/2025
Meeting Date

Fiscal Policy
Committee

7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Quinn Warner Swearingen Phone 407-391-1147

Address 101 N Monroe Email quinn0518@gmail

Street

Tallahassee FL 32304

City State Zip

Speaking: ☐ For ☑ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4-8-25
Meeting Date

Fiscal Policy
Committee

SB 7016
Bill Number or Topic

Amendment Barcode (if applicable)

Name Yerimiah Evans - Rise Tallahassee

Phone 321-315-0495

Address 1510 Althea Gibson way
Street

Email Y.Ruiz.Evans@gmail.com

Tallahassee FL 32307
City *State* *Zip*

Speaking: ☐ For ☑ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☑ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

CourtSmart Tag Report

Room: KB 412 **Case No.:** - **Type:**
Caption: Senate Fiscal Policy Committee **Judge:**

Started: 4/8/2025 2:04:04 PM
Ends: 4/8/2025 5:10:33 PM Length: 03:06:30

2:04:07 PM Chair Gruters calls the meeting to order
2:04:13 PM Roll call
2:04:38 PM Chair Gruters makes opening remarks
2:04:47 PM Tab 1, CS/CS/SB 462 by Regulated Industries/Transportation/DiCeglie, Transportation
2:04:55 PM Amendment #745518 by DiCeglie
2:05:06 PM Substitute Amendmnet #808846 by DiCeglie
2:05:13 PM Senator DiCeglie explains the amendment
2:06:47 PM Senator DiCeglie waives close
2:06:58 PM Amendment #923832 by Avila
2:07:02 PM Chair Gruters TP'd the amendment
2:07:11 PM Back on the bill
2:07:18 PM Senator DiCeglie waives close on the bill
2:07:29 PM Roll call
2:08:11 PM Tab 2, CS/CS/SB 628 by Transportation/Criminal Justice/Martin, Boating Safety
2:08:19 PM Senator Martin explains the bill
2:08:43 PM Amendment #793128 by Martin
2:08:48 PM Substitute Amendment #800572 by Martin
2:08:59 PM Senator Martin withdrawals the amendment
2:09:12 PM Chair recognizes public appearances
2:09:18 PM Melissa Fernandez
2:16:06 PM Senator Martin closes on the bill
2:16:28 PM Roll call
2:17:04 PM Tab 3, CS/CS/SB 700 by Appropriations Committee on Agriculture, Environment, and General Government/Agriculture/Truenow, Department of Agriculture and Consumer Services
2:17:17 PM Amendment #202232 by Truenow
2:17:24 PM Senator Truenow explains the amendment
2:20:05 PM Senator Truenow waives close on the amendment
2:20:13 PM Chair Gruters reports the amendment
2:20:14 PM Back on the bill
2:20:17 PM Chair Gruters recognizes public appearances
2:20:37 PM Pueschel Schneier
2:24:52 PM Anthony DiMarco
2:27:44 PM Jackson Oberlink
2:29:55 PM Cecelle Scoon
2:32:01 PM Chair Gruters recognizes those who waive speaking
2:32:36 PM Debate:
2:32:37 PM Senator Boyd
2:33:09 PM Senator Passidomo
2:33:43 PM Senator Truenow closes on the bill
2:34:37 PM Roll call
2:35:19 PM Tab 4, SB 796 by Bradley, General Permits for Distributed Wastewater Treatment Systems
2:35:30 PM Senator Bradley explains the bill
2:36:09 PM Senator Bradley waives close on the bill
2:36:16 PM Roll call
2:36:46 PM Tab 5, CS/SB 1618 by Appropriations Committee on Pre-K-12 Education/Calatayud, Prekindergarten Through Grade 12 Education
2:37:02 PM Amendment #329394 by Calatayud
2:37:08 PM Senator Calatayud explains the amendment
2:40:33 PM Chair Gruters recognizes public appearances
2:40:55 PM Nancy Lawther
2:43:54 PM Senator Calatayud waives close on the amendment
2:43:57 PM Back on the bill

2:43:57 PM Chair Gruters reports the amendment
2:44:01 PM Questions:
2:44:04 PM Senator Jones
2:44:44 PM Senator Calatayud
2:46:27 PM Senator Jones
2:46:53 PM Senator Calatayud
2:47:57 PM Senator Jones
2:48:25 PM Senator Calatayud
2:49:00 PM Chair Gruters recognizes public appearances
2:49:21 PM John Harris Maurer
2:50:31 PM Chair Gruters recognizes those who waive speaking
2:51:08 PM Senator Calatayud closes on the bill
2:52:48 PM Roll call
2:53:32 PM Tab 6, SB 7016 by Ethics and Elections, Initiative Petitions Proposing an Amendment to the State Constitution
2:54:08 PM Amendment #120382 by Gaetz and Grall
2:54:41 PM Senator Gaetz explains the amendment
3:03:23 PM Questions:
3:03:27 PM Senator Jones
3:04:01 PM Senator Gaetz
3:04:30 PM Senator Jones
3:04:37 PM Senator Gaetz
3:04:42 PM Senator Jones
3:05:31 PM Senator Gaetz
3:06:26 PM Senator Jones
3:06:38 PM Senator Grall
3:07:13 PM Senator Gaetz
3:07:32 PM Senator Jones
3:08:26 PM Senator Gaetz
3:08:52 PM Senator Jones
3:09:15 PM Senator Gaetz
3:09:33 PM Senator Jones
3:09:52 PM Senator Grall
3:10:26 PM Senator Jones
3:10:48 PM Senator Grall
3:11:10 PM Senator Gaetz
3:11:52 PM Senator Jones
3:12:19 PM Senator Grall
3:13:28 PM Senator Jones
3:14:05 PM Senator Gaetz
3:14:27 PM Senator Jones
3:14:31 PM Senator Grall
3:15:56 PM Senator Jones
3:16:06 PM Senator Gaetz
3:16:45 PM Senator Jones
3:17:36 PM Senator Gaetz
3:18:37 PM Senator Jones
3:19:05 PM Senator Gaetz
3:19:19 PM Senator Jones
3:19:41 PM Senator Grall
3:20:35 PM Senator Jones
3:20:53 PM Senator Gaetz
3:21:20 PM Senator Jones
3:21:27 PM Senator Grall
3:22:12 PM Vice Chair Osgood
3:22:31 PM Senator Gaetz
3:22:51 PM Vice Chair Osgood
3:23:29 PM Senator Gaetz
3:23:42 PM Vice Chair Osgood
3:24:19 PM Senator Gaetz
3:24:22 PM Vice Chair Osgood
3:24:40 PM Senator Gaetz

3:24:45 PM Vice Chair Osgood
3:25:19 PM Senator Gaetz
3:26:20 PM Senator Grall
3:26:56 PM Senator Arrington
3:27:35 PM Senator Gaetz
3:28:29 PM Senator Arrington
3:28:36 PM Senator Grall
3:29:14 PM Senator Arrington
3:29:34 PM Senator Gaetz
3:30:26 PM Senator Arrington
3:31:00 PM Senator Gaetz
3:31:30 PM Senator Arrington
3:31:35 PM Senator Grall
3:32:26 PM Senator Arrington
3:32:56 PM Senator Grall
3:34:10 PM Senator Arrington
3:34:31 PM Senator Gaetz
3:36:03 PM Senator Arrington
3:36:25 PM Senator Grall
3:37:01 PM Senator Arrington
3:37:19 PM Senator Gaetz
3:38:19 PM Senator Arrington
3:38:32 PM Senator Gaetz
3:38:41 PM Senator Grall
3:39:54 PM Senator Gaetz
3:40:22 PM Senator Arrington
3:40:40 PM Senator Grall
3:41:21 PM Senator Gaetz
3:42:46 PM Senator Arrington
3:43:08 PM Senator Grall
3:44:10 PM Senator Bernard
3:44:58 PM Senator Grall
3:45:37 PM Senator Bernard
3:46:14 PM Senator Davis
3:46:44 PM Senator Gaetz
3:46:46 PM Senator Davis
3:47:11 PM Senator Grall
3:47:23 PM Senator Davis
3:48:07 PM Senator Grall
3:48:55 PM Senator Davis
3:49:06 PM Senator Gaetz
3:49:10 PM Senator Davis
3:49:22 PM Senator Gaetz
3:50:02 PM Senator Davis
3:50:24 PM Senator Gaetz
3:50:31 PM Senator Davis
3:50:44 PM Senator Grall
3:52:28 PM Senator Davis
3:52:42 PM Senator Gaetz
3:53:30 PM Senator Grall
3:54:02 PM Senator Davis
3:54:34 PM Senator Gaetz
3:54:52 PM Senator Davis
3:55:13 PM Senator Gaetz
3:55:43 PM Senator Davis
3:56:05 PM Senator Gaetz
3:56:11 PM Senator Davis
3:56:34 PM Senator Gaetz
3:57:28 PM Senator Davis
3:57:49 PM Senator Gaetz
3:58:16 PM Senator Davis
3:58:28 PM Senator Grall

3:59:22 PM Senator Davis
4:01:00 PM Senator Gaetz
4:02:15 PM Senator Davis
4:03:06 PM Senator Ingoglia
4:04:08 PM Senator Grall
4:05:05 PM Senator Ingoglia
4:05:17 PM Senator Grall
4:05:37 PM Senator Ingoglia
4:06:40 PM Senator Grall
4:07:23 PM Senator Ingoglia
4:07:46 PM Senator Grall
4:08:17 PM Senator Ingoglia
4:08:44 PM Senator Grall
4:09:16 PM Senator Ingoglia
4:10:57 PM Senator Grall
4:11:15 PM Senator Ingoglia
4:11:20 PM Senator Grall
4:11:25 PM Senator Ingoglia
4:12:01 PM Senator Gaetz
4:12:12 PM Senator Ingoglia
4:13:11 PM Senator Gaetz
4:14:32 PM Senator Ingoglia
4:15:22 PM Senator Grall
4:15:41 PM Senator Ingoglia
4:15:56 PM Senator Grall
4:16:06 PM Senator Ingoglia
4:16:37 PM Senator Gaetz
4:16:41 PM Senator Ingoglia
4:17:47 PM Senator Gaetz
4:18:23 PM Senator Ingoglia
4:19:21 PM Senator Gaetz
4:19:59 PM Senator Ingoglia
4:20:28 PM Senator Gaetz
4:21:05 PM Senator Grall
4:22:24 PM Senator Ingoglia
4:23:32 PM Senator Grall
4:23:50 PM Senator Ingoglia
4:23:57 PM Senator Grall
4:24:44 PM Senator Gaetz
4:25:16 PM Chair Gruters
4:25:30 PM Chair Gruters recognizes public appearances
4:25:41 PM Andrew Shirvel, Florida Voice for the Unborn
4:26:32 PM Chair Gruters reports the amendment
4:26:43 PM Questions:
4:26:46 PM Senator Jones
4:28:01 PM Senator Grall
4:29:33 PM Chair Gruters recognizes public appearances
4:29:42 PM Yerimiah Evans, Rise Tallahassee
4:30:52 PM Quinn Warner Swearinger
4:32:28 PM John Labriola
4:33:32 PM Emer Roy
4:35:10 PM NR Hines
4:38:39 PM Kara Gross
4:39:55 PM Maila Shenefelt
4:41:04 PM Kim Ross
4:42:40 PM Quinn Diaz
4:43:57 PM Leydi Amador
4:45:31 PM Jodi James
4:46:53 PM Larry Hannan
4:48:07 PM Dejah Charles
4:49:21 PM Cecille Scoon
4:51:10 PM Senator Passidomo moves to vote at 4:58

4:51:26 PM Senator Jones
4:51:59 PM Jackson Oberlink
4:53:30 PM Jake Flaherty
4:54:49 PM Samantha Kaddis
4:56:02 PM Brad Ashwell
4:57:31 PM Under Senate Rules, the meeting is extended
4:57:46 PM Pamela Burch Fort
4:58:59 PM Melanie Andrade Williams
5:00:18 PM Aurelie Colon
5:01:59 PM Dr. Rich Templin
5:03:56 PM Yenisbel Vilorio
5:05:44 PM Matthew Grocholshe
5:07:30 PM Barbara Myers
5:08:26 PM Senator Grall closes on the bill
5:09:16 PM Roll call
5:09:57 PM Chair Gruters recognizes Senators wishing to record missed votes
5:10:02 PM Senator Jones
5:10:06 PM Senator Bernard
5:10:11 PM Senator Simon
5:10:14 PM Senator Avila
5:10:26 PM Senator Boyd moves to adjourn
5:10:26 PM Meeting adjourned
5:10:33 PM