

Tab 1	SB 178 by Rouson ; Agronomic Study on Emerging Crops
--------------	--

Tab 2	SB 700 by Truenow ; Similar to H 00651 Department of Agriculture and Consumer Services
--------------	--

292806	D	S	WD	AG, Truenow	Delete everything after	03/11 05:17 PM
507790	D	S	RCS	AG, Truenow	Delete everything after	03/11 05:17 PM

Tab 3	SB 786 by Truenow ; Identical to H 00589 Improvements to Structures on Agricultural Lands
--------------	---

Tab 4	SB 980 by Bernard ; Similar to H 01245 Hunger-Free Campus Pilot Program
--------------	---

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

AGRICULTURE
Senator Truenow, Chair
Senator Grall, Vice Chair

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

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

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 178 Rouson	Agronomic Study on Emerging Crops; Requiring Florida Agricultural and Mechanical University to conduct an agronomic study on emerging crops in this state, subject to legislative appropriation; requiring Florida Agricultural and Mechanical University to submit a report to the Governor and the Legislature by a specified date, etc. AG 03/11/2025 Favorable AEG FP	Favorable Yeas 6 Nays 0
2	SB 700 Truenow (Similar H 651, Compare H 1159, S 1194)	Department of Agriculture and Consumer Services; Providing that certain positions in the department are exempt from the Career Service System; prohibiting a person from knowingly or willfully performing certain actions on lands classified as agricultural; requiring that certain lands owned by an electric utility be offered for sale for less than fee simple acquisition of development rights by this state before certain circumstances; requiring local governmental entities to issue permits for electric vehicle charging stations based on specified standards and provisions of law, etc. AG 03/11/2025 Fav/CS AEG FP	Fav/CS Yeas 6 Nays 0
3	SB 786 Truenow (Identical H 589)	Improvements to Structures on Agricultural Lands; Prohibiting assessment of any agricultural improvements used for certain purposes on specified lands, etc. AG 03/11/2025 Favorable FT AP	Favorable Yeas 6 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Agriculture

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

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 980 Bernard (Similar H 1245)	Hunger-Free Campus Pilot Program; Citing this act as the "Hunger-Free Campus Act"; establishing the pilot program within the Department of Agriculture and Consumer Services for a specified period; requiring the Commissioner of Agriculture to identify the three state universities or Florida College System institutions with the highest percentage of Pell Grant-eligible students for participation in the pilot program; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study to evaluate food insecurity on the campuses of state universities and Florida College System institutions, etc. AG 03/11/2025 Favorable AEG FP	Favorable Yeas 6 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 178

INTRODUCER: Senator Rouson

SUBJECT: Agronomic Study on Emerging Crops

DATE: March 10, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Burse	Becker	AG	Favorable
2.			AEG	
3.			FP	

I. Summary:

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

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

The bill shall take effect July 1, 2025.

II. Present Situation:

Florida Agriculture

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

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

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

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

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

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

Challenges Facing Florida Agriculture

Florida Citrus

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

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

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

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

⁵ *Id.*

⁶ *Id.*

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

⁸ *Id.*

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

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

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

2024 Hurricanes

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

III. Effect of Proposed Changes:

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

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

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

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

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

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

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an unnumbered section of Florida law.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Rouson

16-01357A-25

2025178__

A bill to be entitled

An act relating to an agronomic study on emerging crops; requiring Florida Agricultural and Mechanical University to conduct an agronomic study on emerging crops in this state, subject to legislative appropriation; requiring Florida Agricultural and Mechanical University to submit a report to the Governor and the Legislature by a specified date; providing requirements for the report; providing an effective date.

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

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

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

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

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

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

16-01357A-25

2025178__

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

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

Section 1. Agronomic study on emerging crops in Florida.-

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

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

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

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

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

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

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Estimated Agricultural Losses Resulting from the 2024 Atlantic Hurricane Season

Prepared for The Florida Senate Committee on Agriculture

DR. CHRISTA D. COURT, ASSOCIATE PROFESSOR
DR. XIAOHUI QIAO, RESEARCH ASSISTANT PROFESSOR
ROBERTO KOENEKE, GRADUATE RESEARCH ASSISTANT
KELSEY MCDAID, RESEARCH COORDINATOR

DEPARTMENT OF FOOD AND RESOURCE ECONOMICS
UF/IFAS ECONOMIC IMPACT ANALYSIS PROGRAM
UNIVERSITY OF FLORIDA

January 14, 2025



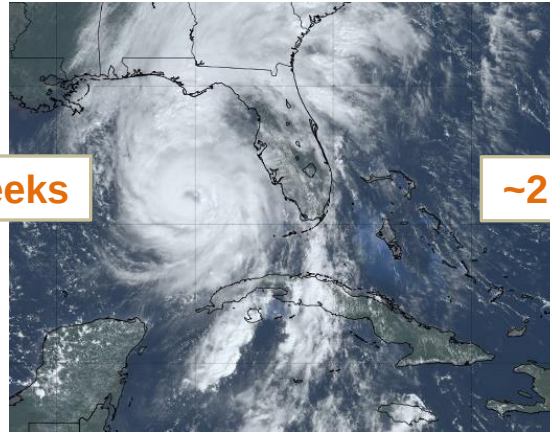
Overview of 2024 Atlantic Hurricane Season in Florida



~7 weeks

Hurricane Debby Category 1

- Landfall on August 5, 2024, near Steinhatchee, FL
- 4 counties experienced hurricane force winds
- 34 additional counties experienced tropical storm-force winds



~2 weeks

Hurricane Helene Category 4

- Landfall on September 26, 2024, near Perry, FL
- 8 counties experienced hurricane force winds
- 55 additional counties experienced tropical storm-force winds



Hurricane Milton Category 3

- Landfall on October 9, 2024, near Siesta Key, FL
- 14 counties experienced hurricane force winds
- 43 additional counties experienced tropical storm-force winds

Hurricane Debby Characteristics

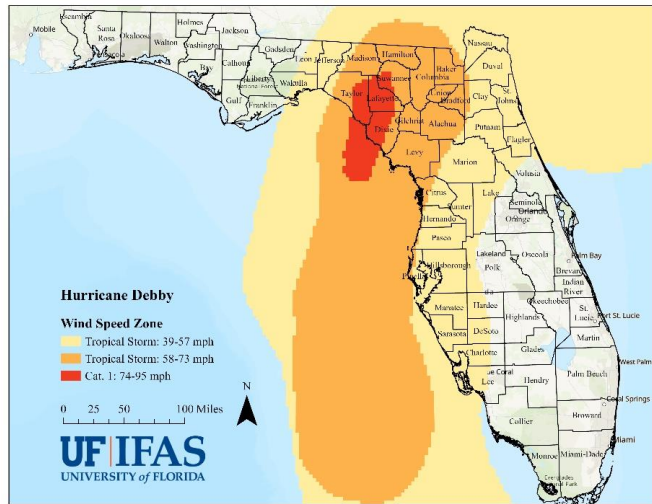


Figure 1. Wind swath pattern of Hurricane Debby as it impacted Florida.

Source: Geospatial data on the wind swath of Hurricane Debby are derived from NOAA NHC (<https://www.nhc.noaa.gov/gis/>).

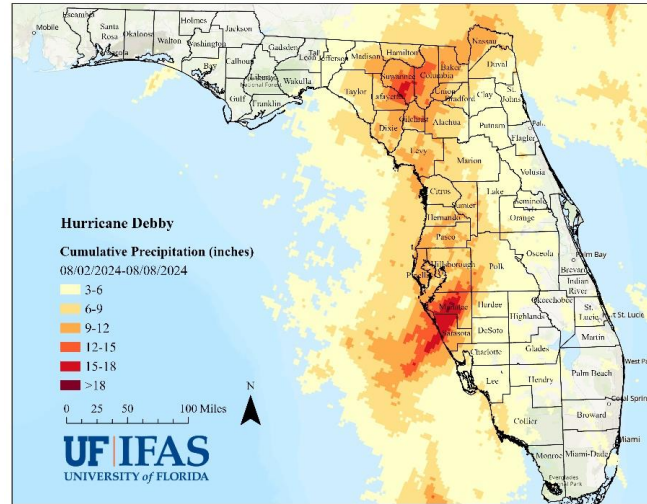


Figure 2. Cumulative precipitation totals in Florida (August 2-8, 2024).

Source: Precipitation data are derived from NOAA National Weather Service Quantitative Precipitation Estimate (QPE) Data (<https://water.weather.gov/precip/download.php>).

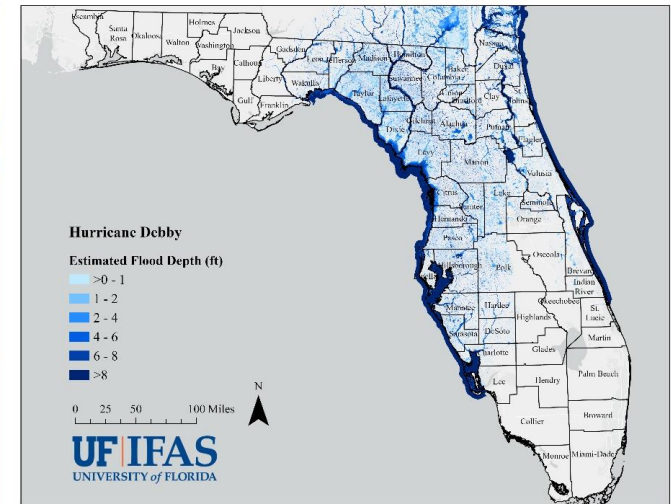


Figure 3. Estimated flood inundation depth caused by Hurricane Debby in Florida.

Source: Estimated flood inundation data are retrieved from Pacific Northwest National Laboratory's Rapid Infrastructure Flooding Tool (<https://open-rift-pnnl.hub.arcgis.com/maps/0a38c4d97a6b47369de20fb0c59231c6/about>).

Hurricane Helene Characteristics

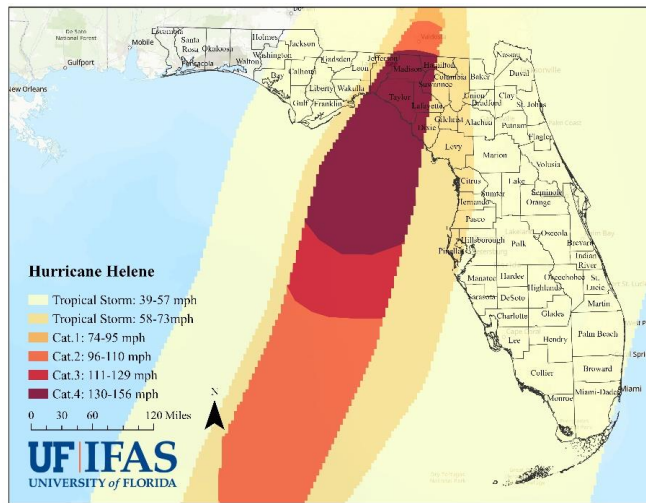


Figure 1. Wind swath pattern of Hurricane Helene as it impacted Florida.

Source: Geospatial data on the wind swath of Hurricane Helene are derived from NOAA NHC (<https://www.nhc.noaa.gov/gis/>).

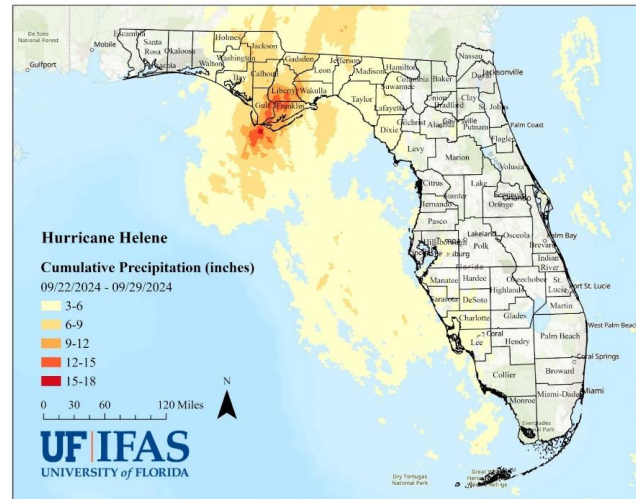


Figure 2. Cumulative precipitation totals in Florida (September 22-29, 2024).

Source: Precipitation data are derived from NOAA National Weather Service Quantitative Precipitation Estimate (QPE) Data (<https://water.weather.gov/precip/download.php>).

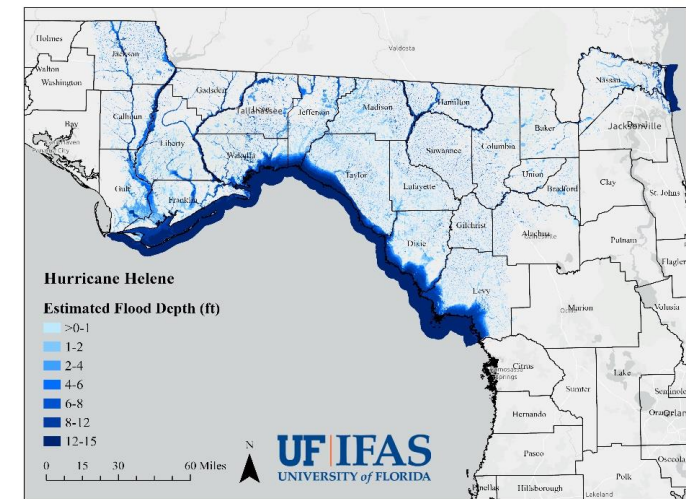


Figure 3. Estimated flood inundation depth caused by Hurricane Helene in Florida.

Source: Estimated flood inundation data are retrieved from Pacific Northwest National Laboratory's Rapid Infrastructure Flooding Tool (<https://open-rift-pnnl.hub.arcgis.com/documents/0dcc98b06bb8478c8ff708df796fe047/about>).

Hurricane Milton Characteristics

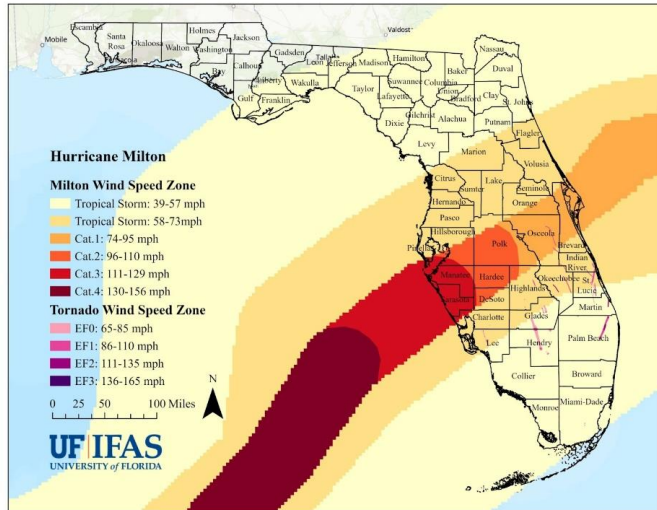


Figure 1. Wind swath pattern of Hurricane Milton as it impacted Florida.

Source: Geospatial data on the wind swath of Hurricane Milton are derived from NOAA NHC (<https://www.nhc.noaa.gov/gis/>). Geospatial data on the wind swaths of tornadoes are derived from NOAA NWS Damage Assessment Toolkit (<https://apps.dat.noaa.gov/StormDamage/DamageViewer/>).

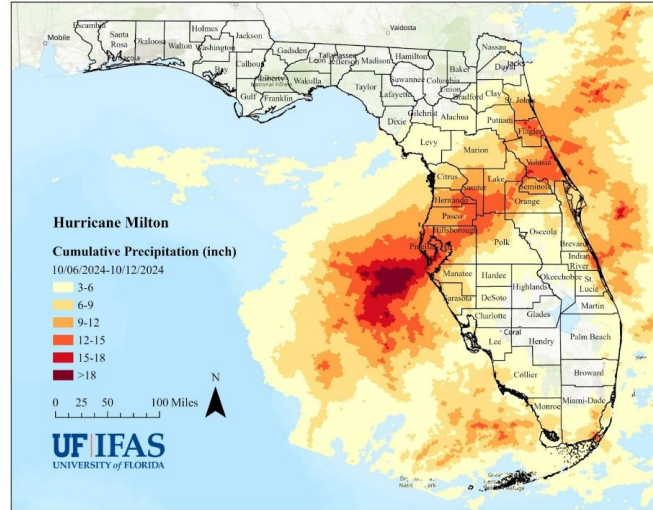


Figure 2. Cumulative precipitation totals in Florida (October 6-12, 2024).

Source: Precipitation data are derived from NOAA National Weather Service Quantitative Precipitation Estimate (QPE) Data (<https://water.weather.gov/precip/download.php>).

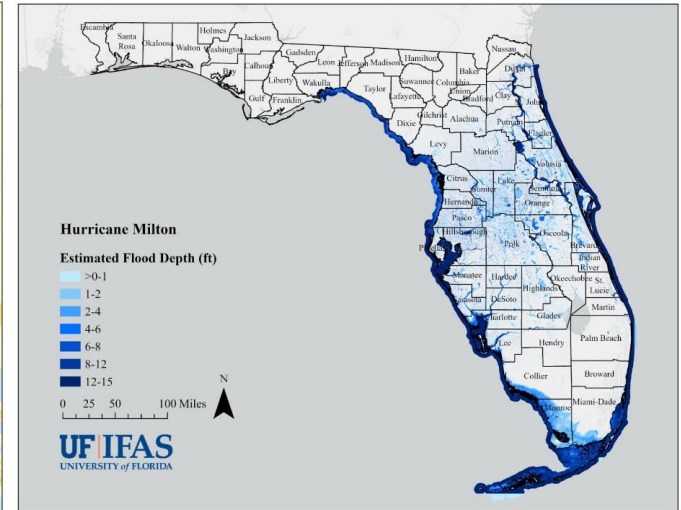
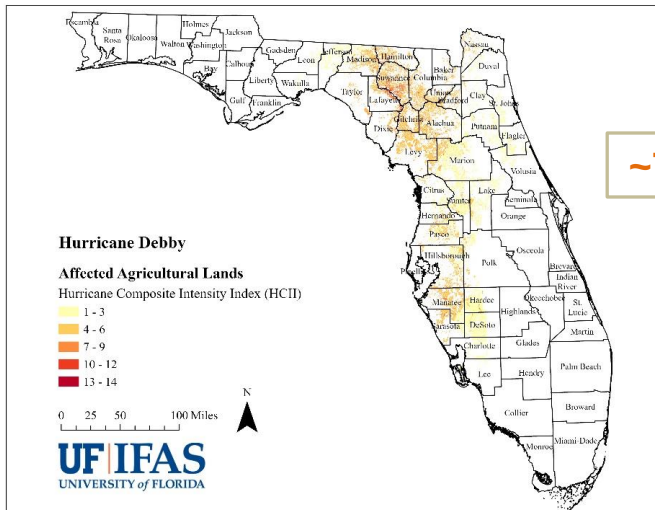


Figure 3. Estimated flood inundation depth caused by Hurricane Milton in Florida.

Source: Estimated flood inundation data are retrieved from Pacific Northwest National Laboratory's Rapid Infrastructure Flooding Tool (<https://open-rift-pnnl.hub.arcgis.com/datasets/6ad56f6b56014fbfb0c492379bd78eeb/about>).

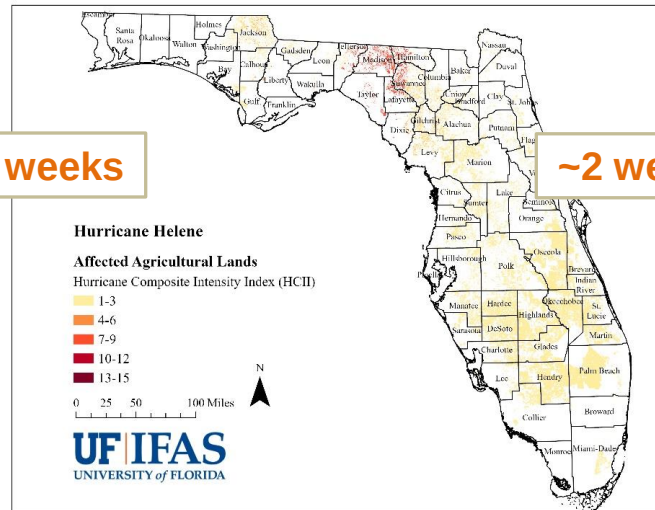
Florida Agricultural Lands Impacted in 2024

Hurricane Debby



~7 weeks

Hurricane Helene



~2 weeks

Hurricane Milton

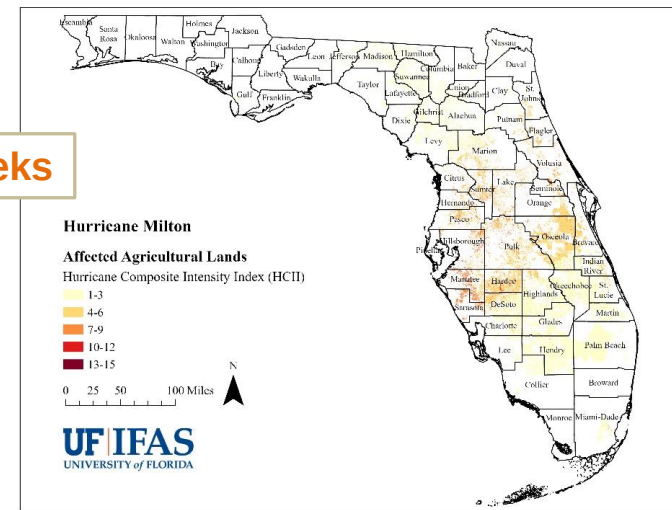


Figure 4. Hurricane Composite Intensity Index (HCII) level for agricultural lands impacted by Hurricane Debby in Florida.

- Over 2.2 million acres of agricultural lands that annually produce \$3.17 billion in agricultural products affected
- Around 48,000 acres (\$83.30 million in annual production) experienced high-intensity weather conditions (HCII 10 – 15)

Figure 4. Hurricane Composite Intensity Index (HCII) level for agricultural lands impacted by Hurricane Helene in Florida.

- Over 6.1 million acres of agricultural lands that annually produce \$8.74 billion in agricultural products affected
- Around 18,000 acres (\$33.24 million in annual production) experienced high-intensity weather conditions (HCII 10 – 15)

Figure 4. Hurricane Composite Intensity Index (HCII) level for agricultural lands impacted by Hurricane Milton in Florida.

- Over 5.7 million acres of agricultural lands that annually produce \$8.66 billion in agricultural products affected
- Around 38,000 acres (\$44.24 million in annual production) experienced high-intensity weather conditions (HCII 10 – 15)

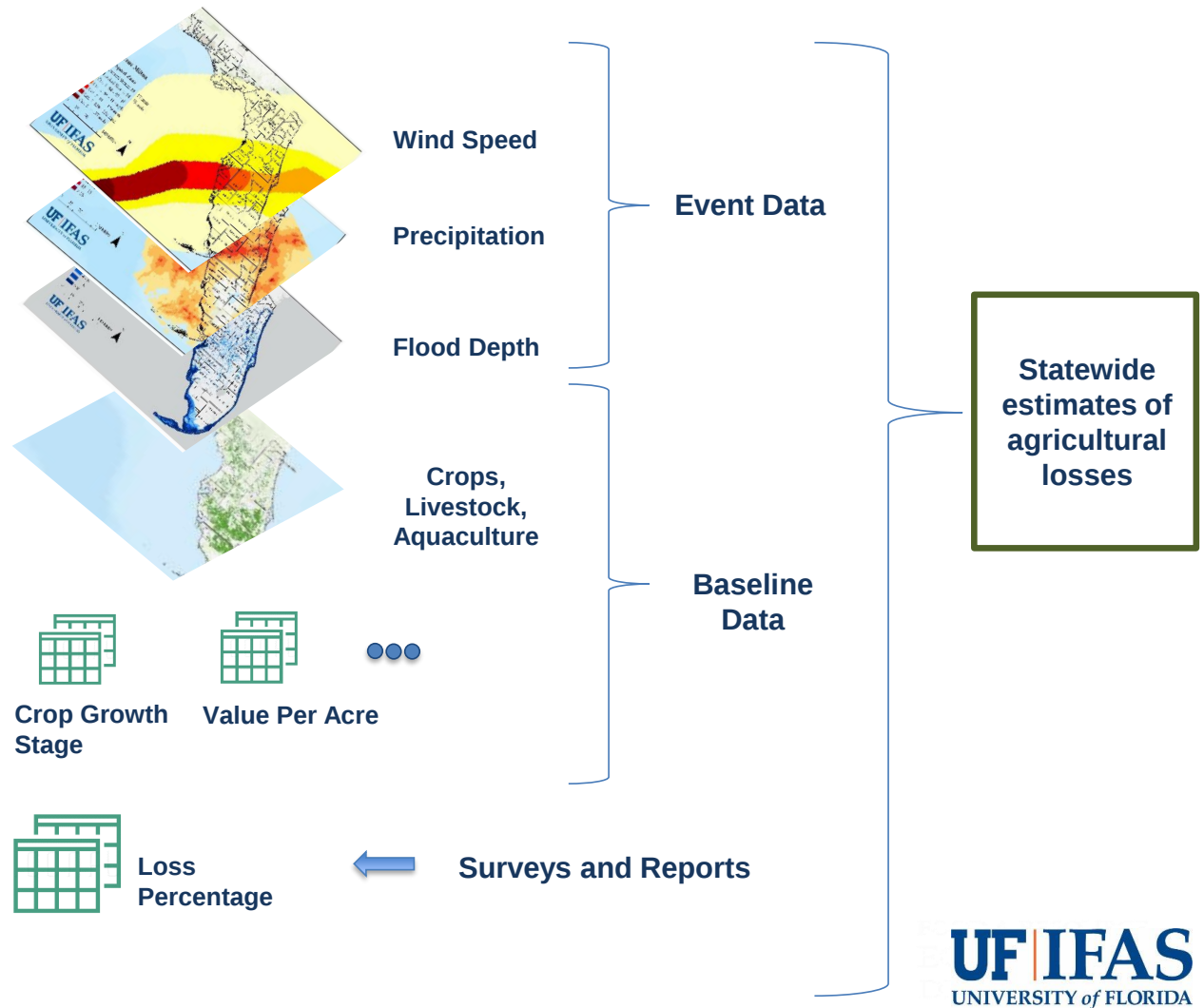
Source: The agricultural lands geospatial data are from the Florida Statewide Agricultural Irrigation Demand (FSAID) Agricultural Lands Geodatabase (ALG) developed by the Florida Department of Agriculture and Consumer Services (FDACS) (<https://www.fdacs.gov/Agriculture-Industry/Water/Agricultural-Water-Supply-Planning>).

Methodology for Estimating Agricultural Losses



**ECONOMIC IMPACT
ANALYSIS PROGRAM**

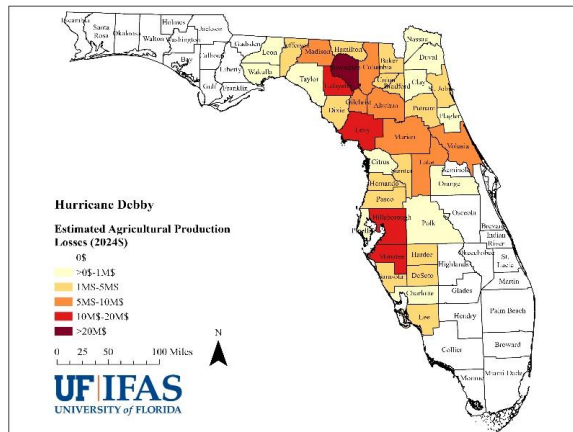
Adapted from:
Food and Agriculture Organization
of the United Nations



Methodology for Estimating Agricultural Losses (cntnd.)

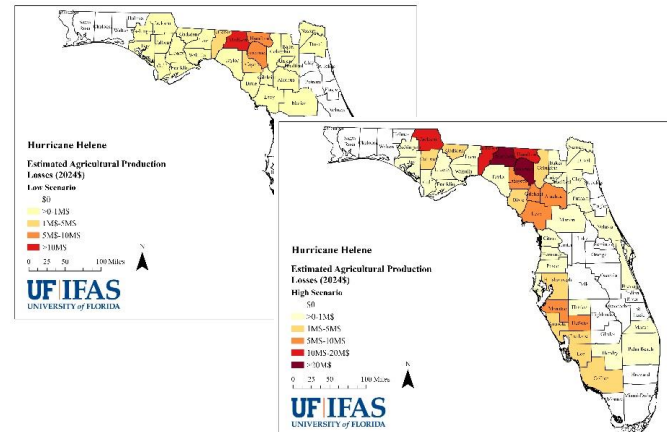
- **These production loss estimates are preliminary and might change as additional information specific to Hurricanes Debby, Helene, and Milton is collected.**
- **Production loss estimates convey the percentage/value of annual production (for calendar year 2024 or, in the case of some crops, marketing year 2024-25) that has been lost due to Hurricanes Debby, Helene, and Milton.**
 - Some crops have multiple growing seasons in Florida and others sell product year-round, which has been roughly accounted for in estimated loss percentage values.
 - Adjustments have been made to estimated loss percentage values to account for planting and harvesting progress for some commodity groups, but further adjustments might be made as information on early harvesting prior to the event, delayed planting, or the potential for growers to replant damaged or destroyed acreage is shared.
 - Losses that might occur in calendar year 2025, marketing year 2025-2026, or beyond are not assessed and would be “in addition to” these estimates.
 - The Low and High scenarios should be interpreted as low and high estimates on averages for the relevant commodity group and wind speed zone and should not be interpreted as minimum and maximum values for individual producers or for commodity groups.
 - Production loss estimates do not include the value of stored inputs or stored harvested products that were damaged or destroyed nor does it include the value of damages to infrastructure (including perennial plantings and lost/deceased animals) that will require repair or replacement.
 - These estimates do not account for the fact that some crop losses might be eligible for or covered by crop insurance or other risk management tools available to producers.
- **A range of potential production losses is provided as opposed to point values to reflect the uncertainty that remains surrounding percentage production losses (for reasons provided above and others).**

Estimated Agricultural Losses due to 2024 Atlantic Hurricane Season in Florida



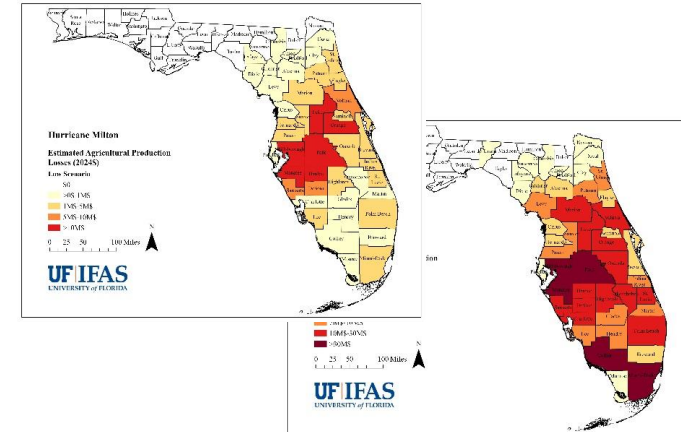
Hurricane Debby Agricultural Losses: ~\$170 million

- Highest losses in Big Bend, North Central, and SW peninsula regions
- In terms of value, commodity groups with highest losses are *Field & Row Crops* and *Animals & Animal Products*



Hurricane Helene Agricultural Losses: ~\$40.3 – \$162.2 million

- Highest losses in Big Bend and North Central regions with low level losses to high value crops in SW peninsula under the High Scenario.
- In terms of value, commodity groups with highest losses are *Field & Row Crops* and *Animals & Animal Products*



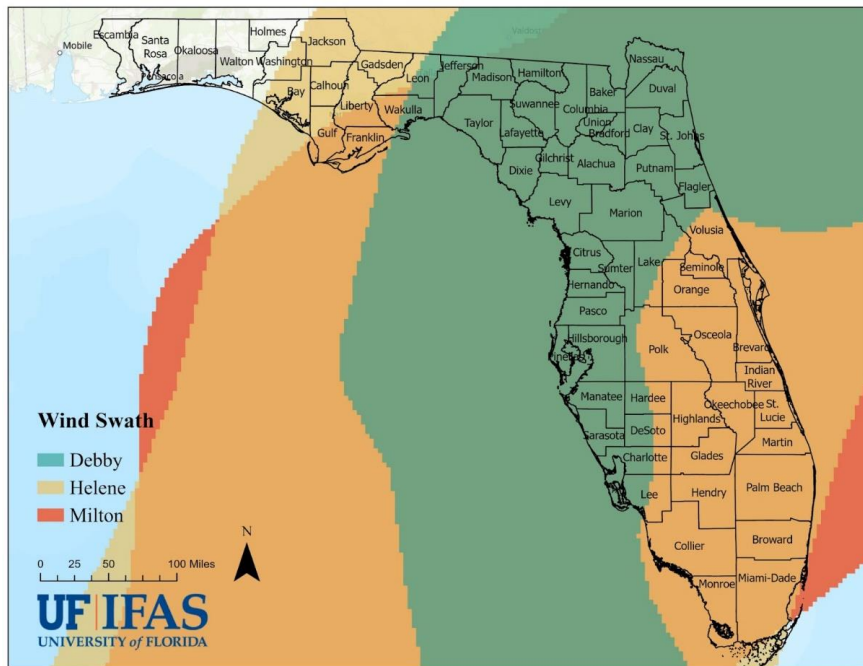
Hurricane Milton Agricultural Losses: ~\$190.4 – \$642.7 million

- Highest losses in SW and Central peninsula with low level losses to high value crops driving significant losses in southern counties under the High Scenario.
- In terms of value, commodity groups with highest losses are *Vegetables, Melons, & Potatoes* and *Greenhouse/Nursery*

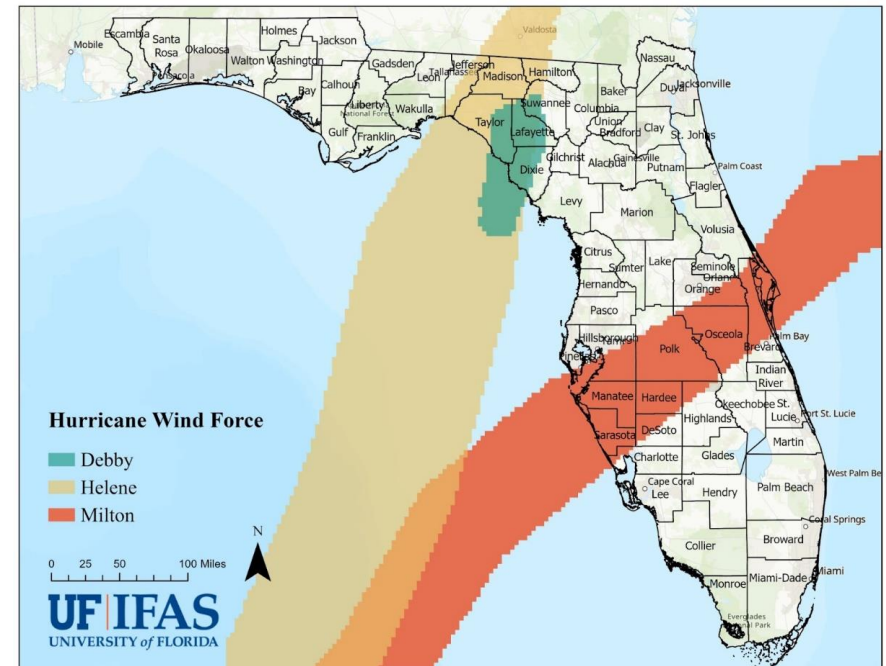
Cumulative agricultural production losses in Florida for the 2024 hurricane season are estimated to be between \$402.3 million and \$975.8 million.

****Results are preliminary and might change as additional information becomes available.****

Compound Disasters: Florida Agricultural Lands Impacted by Multiple Hurricanes in 2024



- Over 2.25 million acres of agricultural lands across 41 counties experienced at least tropical storm conditions during all three 2024 events (Hurricanes Debby, Helene, and Milton)
- Top commodity groups affected in terms of acreage were *Animals and Animal Products* and *Field and Row Crops*



- Over 71,000 acres of agricultural lands in Taylor, Lafayette, Dixie, and Suwannee counties were affected by hurricane conditions during both Hurricanes Debby and Helene
- Recall that these regions also experienced Hurricane Idalia (August 2023, Big Bend region) and Hurricane Ian (September 2022, SW Peninsula region)

Source: The agricultural lands geospatial data are from the Florida Statewide Agricultural Irrigation Demand (FSAID) Agricultural Lands Geodatabase (ALG) developed by the Florida Department of Agriculture and Consumer Services (FDACS) (<https://www.fdacs.gov/Agriculture-Industry/Water/Agricultural-Water-Supply-Planning>).

Asset and production damage

- **Survey respondents reported damage to or destruction of the following types of agricultural assets:**
 - Homes
 - Barns and storage structures
 - Livestock sheds and watering points
 - Greenhouse and other growing structures
 - Fencing (exterior and interior)
 - Irrigation systems
 - Conservation structures
 - Aquaculture structures and equipment
 - Honey bee boxes
 - Farm equipment (tractors, vehicles, greenhouse heating/cooling, etc.)
 - Perennial plantings
- **Survey respondents also reported damage to or destruction of stored harvested products and the following types of stored inputs:**
 - Stored animal products (e.g., eggs, meat, milk)
 - Stored food fishes
 - Fertilizer, pesticides, and animal medicine
 - Seeds
 - Fish feed, fingerlings, aquatic medicine
 - Honey bee feed
 - Stored hay, millet, and feed grain
 - Bird scratch/feed



Photos courtesy of survey respondents.

What else is not included?

- **Labor and materials costs associated with event-specific preparations and clean-up**
- **Impacts to timber/forestry**
 - Timber/forestry impacts are assessed by the Florida Forest Service
- **Impacts to affiliated businesses throughout the supply chain**
 - Impacts to upstream operations that might result from changes in purchasing behavior of impacted agricultural producers in Florida
 - Impacts to downstream operations that use Florida agricultural products in their processing, packaging, or manufacturing operations
- **Impacts to UF/IFAS facilities**
 - Damage to UF/IFAS Research and Education Centers (RECs) and other Research & Demonstration Sites across the State of Florida
 - Tree and debris removal at off-campus UF/IFAS facilities
 - Losses incurred on active research projects (replanting of crops, additional supplies, temporary labor, etc.)
 - Rental of modular facilities for displace UF/IFAS personnel
- **Impacts to commercial fishing and working waterfronts**
 - Impacts to commercial fishing and working waterfronts are often assessed by NOAA Fisheries or the Florida Fish and Wildlife Conservation Commission (FWC)
- **Impacts to natural resources and ecosystem services**

Thank You!

Dr. Christa D. Court

ccourt@ufl.edu

UF/IFAS Economic Impact Analysis Program (EIAP)

<https://go.ufl.edu/eiap>

UF/IFAS EIAP Hurricane Debby Resources

<https://go.ufl.edu/DebbyAgImpacts2024>

UF/IFAS EIAP Hurricane Helene Resources

<https://go.ufl.edu/HeleneAgImpacts2024>

UF/IFAS EIAP Hurricane Milton Resources

<https://go.ufl.edu/MiltonAgImpacts2024>





THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Appropriations, *Vice Chair*
Agriculture
Appropriations Committee on Criminal and
Civil Justice
Appropriations Committee on Health and
Human Services
Children, Families, and Elder Affairs
Ethics and Elections
Rules

JOINT COMMITTEE:

Joint Legislative Budget Commission

SENATOR DARRYL ERVIN ROUSON

16th District

March 3, 2025

Senator Keith Truenow
Chair, Committee on Agriculture
335 Knott Building
404 South Monroe Street
Tallahassee, FL 32399

Dear Chairman Truenow,

I write today respectfully requesting SB 178, Agronomic Study on Emerging Crops, be added to the agenda of a forthcoming meeting of the Committee on Agriculture for consideration. I look forward to the opportunity to present SB 178 to the committee. I am available for any questions you may have about this legislation.

Thank you in advance for the committee's time and consideration.

Sincerely –

A handwritten signature in green ink that reads "Darryl E. Rouson".

Senator Darryl E. Rouson
Florida Senate District 16

REPLY TO:

- ☐ 535 Central Avenue, Suite 302, St. Petersburg, Florida 33701 (727) 822-6828
- ☐ 212 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5016

Senate's Website: www.flsenate.gov

BEN ALBRITTON
President of the Senate

JASON BRODEUR
President Pro Tempore

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: CS/SB 700

INTRODUCER: Agriculture Committee and Senator Truenow

SUBJECT: Department of Agriculture and Consumer Services

DATE: March 13, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Burse	Becker	AG	Fav/CS
2.			AEG	
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 700 makes a number of changes to regulations related to the Department of Agriculture and Consumer Services (department). Specifically, the bill:

- Requires that lands owned or leased by an electric utility, which may also be the site of solar energy systems and bona fide agricultural uses of the land, be classified agricultural by the property appraiser.
- 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.
- Prohibits 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, F.S., or the use of any additives included primarily for health-related purposes.
- Permits the department to provide pest control certificate examinations in person and remotely through a third-party vendor.
- Creates the Honest Service Registry.
- 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.
- Requires the department notify the suspended licensee or applicant of their right to a hearing pursuant to chapter 120. It provides that there will be a limited hearing to determine if the department issues an order lifting the suspension or the suspension remains in effect.
- 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.

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

¹ FLA. CONST. art. III, s. 14

² Section 110.201(1)(a), F.S.

³ Chapter 110, Part II, F.S.

- 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 (department). 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

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 lookout 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

OALE investigates crimes involving agriculture and those occurring on property owned or operated by the department. They help maintain domestic security by participating in all seven regional Domestic Security Task Forces statewide. 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 80 reenacts s. 295.07, F.S., related to the positions exempt from the state Career Service System.

Comprehensive Plans and Land Use Regulation

Present Situation

The Community Planning Act¹⁰ 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.

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 5, 2025).

⁸ *Id.*

⁹ *Id.*

¹⁰ Part II, Ch. 163, F.S.

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 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.

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 5, 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 5, 2025).

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 5, 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 5, 2025).

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 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
- 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

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 5, 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.

²⁸ 8 U.S.C. s. 1324a.

²⁹ Section 448.095(2), F.S.

substantially equivalent system to verify that new hires or retained contract employees are authorized to work in the United States.³⁰

H-2A Visa Program³¹

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 creates 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 and federal standards for H-2A visa housing;
- 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;

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 5, 2025).

- 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 Department of Health 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 legally verified agricultural worker, or is otherwise unlawfully present the property owner, shall be imposed 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 permits 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 2 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 commission’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 commission, 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 commission must review:

- The need, including the need as determined by the commission, 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 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

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 5, 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 5, 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 5, 2025).

³⁵ Florida Public Service Commission, *About the PSC*, <https://www.psc.state.fl.us/about> (last visited March 5, 2025).

The PSC monitors the safety and reliability of the electric power grid³⁶ 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 utilities³⁸ (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 permit the department to consult with the DEP to create a process for the department to acquire land purchased by utility companies, which was formerly agricultural land. The bill also permits the department to retain a rural-lands protection easement on surplus land suitable for bona fide agricultural production.

The bill requires the department to, by January 1, 2026, and each January 1 thereafter, to provide a report of lands surplus pursuant to this subsection to the board. The bill provides that any land designated as a state forest, state park, or wildlife management area are ineligible to be surplus. The bill also provides that this subsection is retroactive to January 1, 2009.

Section 6 creates 366.20, F.S., to require that lands acquired by an electric utility, which have been classified as agricultural lands at any time in the 5 years preceding the acquisition of the land by the electric utility, must be offered for less than fee simple acquisition of development rights by the state or before offering for sale or transferring the land to a private individual or entity.

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

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.

⁴¹ Chapter 2023-349, Laws of Fl.; HB 1-C (2023).

⁴² *Id.*

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 3-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 rename the Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program to the Agriculture and Aquaculture Producers Emergency Recovery Loan Program.

Section 63 amends s. 570.822, F.S., to conform to the changes made by Section 3.

The bill permits producers to use program loan funds to restock 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 crop loss from a weather-related event or from impacts from a natural disaster or declared emergency.

Drones on Agricultural Lands⁴⁶

Present Situation

The Unmanned Aircraft Systems Act⁴⁷ 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

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ Section 570.822(3), F.S.

⁴⁶ See page 5.

⁴⁷ Section 330.41, F.S.

⁴⁸ Section 934.50(2)(a), F.S.

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:

- Operate a drone.
- Allow a drone to make contact with any person or object on the premises of or within the boundaries of such lands.
- Allow 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 78 amends s. 934.50, F.S., to eliminate 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.

Section 93 reenacts s. 472.029, F.S., related to the authorization to enter lands of third parties.

Section 106 reenacts s. 810.011, F.S., related to the definition of “posted land.”

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

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.

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 5, 2025).

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 1 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 counties⁵⁷ 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

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, municipalities⁶² have those governmental, corporate, and proprietary powers enabling them to conduct municipal government, perform

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 5, 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 5, 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 5, 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 5, 2025).

⁵⁹ Section 366.94, F.S.

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.”

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 electric vehicle supply equipment and includes the electric vehicle 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 electric vehicle charging stations. The bill also permits local governments to issue permits for charging stations. The bill requires charging stations to be registered with the department before being placed in service.

The bill grants the department authority to inspect electric vehicle 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.

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 5, 2025).

⁶⁵ *City of Hollywood v. Mulligan*, 934 So. 2d 1238, 1243 (Fla. 2006); *Phantom 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.)

- 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

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.

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 5, 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 5, 2025).

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 to statute related 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 3 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 in statute. The bill also replaces the work plan with 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 replacing “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 change 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 on the Florida Coordinating Council on Mosquito Control to serve until his or her successor is appointed.

Section 98 reenacts s. 582.19, F.S., related to qualifications and tenure of supervisors.

Section 107 reenacts s. 189.062, F.S., related to special procedures for inactive districts.

Section 111 reenacts s. 487.156, F.S., related to governmental agencies.

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. 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 exempt agricultural producers from the two-year best management practices inspection if they are enrolled by the rule created by this section.

⁷¹ Florida Department of Environmental Protection, Water Quality Restoration Program, available at <https://floridadep.gov/dear/water-quality-restoration> (last visited March 5, 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 5, 2025).

The bill also permits the department to adopt rules which establish enrollment in best management practices by rule that agricultural pollutant sources and agricultural producers may utilize in lieu of the best management practices already established and identify best management practices for landowners of parcels which meet the following requirements:

- A parcel not be less 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 subsection (4); and
- 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.

The bill also requires the department to annually perform onsite inspections for 20% 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.

Section 91 reenacts s. 403.182, F.S., related to local pollution control programs.

Section 92 reenacts s. 403.9337, F.S., related to fertilizer on farm operations or lands classified as agricultural lands.

Section 99 reenacts s. 570.94, F.S., related to best management practices for wildlife.

Public Drinking Water System

Present Situation

Drinking water standards are regulations that 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.
 - 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 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 removing contaminants or increasing water quality. The term does not include additives used for health-related purposes.

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, F.S., or the use of any additives included primarily for health-related purposes.

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 5, 2025).

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 5, 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 5, 2025).

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
- 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

⁷⁸ FDACS, Pest Control Licensing and Certification, available at, <https://www.fdacs.gov/Business-Services/Pest-Control/Licensing-and-Certification> (last visited March 5, 2025).

⁷⁹ *Id.*

⁸⁰ FDACS, Pest Control FAQ, available at, <https://www.fdacs.gov/Business-Services/Pest-Control/Pest-Control-FAQ> (last visited March 5, 2025).

⁸¹ *Id.*

- 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 permit 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 permit 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 35 amends s. 482.155, F.S., to permit 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 permit 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 permit 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 permit 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 permit 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 permit 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.

⁸² FDACS, Pest Control Licensing and Certification, available at, <https://www.fdacs.gov/Business-Services/Pest-Control/Licensing-and-Certification> (last visited March 5, 2025).

Section 96 reenacts s. 487.081, F.S., related to exemptions to pesticide contamination of soil or water.

Section 109 reenacts s. 388.261, F.S., related to state aid to counties and districts for arthropod control.

Section 110 reenacts s. 482.072, F.S., related to pest control customer contact centers.

Section 111 reenacts s. 482.163, F.S., related to responsibility for pest control activities of employees.

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 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

⁸³ Section 496.401, F.S.

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.

- 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
- 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 consultants⁹¹ are required to annually register and pay a \$300 fee to the department before operating in Florida.⁹² Additionally, professional fundraising consultants who

⁸⁶ Section 496.406(1), F.S.

⁸⁷ Section 496.406(2), F.S.

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.

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

Anyone who willfully violates ch. 496, F.S., commits a third degree felony⁹⁶ and a second degree felony⁹⁷ 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 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. 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 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

⁹³ See s. 496.409(6), F.S.

⁹⁴ Section 496.409(2), F.S.

⁹⁵ Section 496.409(6), F.S.

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.

not engaged in activities that would require registration with the Department of State 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.

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 5 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 organization required to comply with the requirements of s. 496.405, F.S., and 496.406, F.S., for 5 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:

- That the organization does not solicit or accept, directly or indirectly, contributions, funding, support, or services from a foreign source of concern.
- That the organization's messaging and content are not directly or indirectly produced or influenced by a foreign source of concern.

The bill permits the department to publish the Honest Services Registry on the department's website and grants the department rulemaking authority.

Section 113 reenacts s. 496.4055, F.S., related to charitable organization or sponsor board duties.

Section 114 reenacts s. 496.406, F.S., related to charitable organization exemption from registration.

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 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.

Section 115 reenacts s. 500.80, F.S., related to cottage food operations.

Section 116 reenacts s. 500.121, F.S., related to product manufacturer disciplinary procedures.

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

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 5, 2025).

¹⁰¹ FDACS, Business Services, *Terminal Market Inspections*, <https://www.fdacs.gov/Agriculture-Industry/Fruit-and-Vegetables/Terminal-Market-Inspections> (last visited March 5, 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 5, 2025).

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 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.

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

¹⁰⁴ *Id.*

¹⁰⁵ Section 500.166, F.S.

¹⁰⁶ Section 500.172(1), F.S.

¹⁰⁷ *The History of Psilocybin Mushrooms*, Cooper Nicholson,

<https://opentextbooks.clemson.edu/hlth4000holcombbugman/chapter/the-history-of-psilocybin-mushrooms/> (last visited March 5, 2025).

¹⁰⁸ *Id.*

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 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 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

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 5, 2025).

¹¹⁰ *Id.*

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 5, 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 5, 2025).

¹¹⁴ *Id.*

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

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.

Section 53 repeals s. 501.135, F.S.

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.

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 5, 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.*

¹¹⁸ *Id.*

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.

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

¹¹⁹ FDACS, Petroleum Inspection, available at <https://www.fdacs.gov/Business-Services/Petroleum-Inspection> (last visited March 5, 2025).

¹²⁰ Ch. 531, F.S. "Weights and Measures Act of 1971"

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 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 BADDL's capabilities, as science advances, and to expand their availability to those who are served.¹²⁶

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.

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 5, 2025).

Accredited by the American Association of Veterinary Laboratory Diagnosticians as a full-service veterinary diagnostic laboratory, 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

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. 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 NAHLN, 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 the State of 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 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 the State of 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 school enrichment. There are three primary program areas, or mission mandates: science, citizenship, and healthy living.¹³⁰

Future Farmers of America (FFA) is an extracurricular student organization for those interested in agriculture and leadership. It is one of the three components of agricultural education.¹³¹

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

¹²⁷ *Id.*

¹²⁸ *Id.*

¹²⁹ Florida 4-H, What is 4-H?, <https://florida4h.ifas.ufl.edu/about-us/> (last visited March 5, 2025).

¹³⁰ *Id.*

¹³¹ FFA, What is FFA, available at <https://www.ffa.org/about-us/what-is-ffa/> (last visited March 5, 2025).

¹³² FFA, What is FFA, available at <https://www.ffa.org/about/> (last visited March 5, 2025).

State Contracts

s. 287.042 and 287.057, F.S. grants agencies the ability to contract out services for the best interests of the public. DMS is statutorily designated as the primary state agency overseeing procurement¹³³ 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 manages the administrative functions of the department and reports to the Office of the Commissioner. The division'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 59 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 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.

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.

Section 60 amends s. 570.544, F.S., to permit the Division of Consumer Services director to enforce provisions outlined in statute.

Section 61 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.

¹³³ ss. 287.032 and 287.042, F.S.

¹³⁴ ss. 287.032(2) and 287.042(3), (4), and (12), F.S.

¹³⁵ s. 287.057(24), F.S.

¹³⁶ ss. 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 5, 2025).

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 crops¹⁴⁰ and an approximate total of \$100 million¹⁴¹ 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, alligator, and other aquatics and fish.¹⁴² Overall, the Florida aquaculture industry accounts for 95% 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 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 in ch. 597, F.S.¹⁴⁵ The act declares aquaculture as agriculture and assigns the department responsibility of the industry.

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 12, 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 12, 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 12, 2025).

¹⁴² University of Florida IFAS Extension, *Aquatic Crops*, available at <https://sfyl.ifas.ufl.edu/agriculture/aquatic-crops/> (last visited March 12, 2025).

¹⁴³ University of Florida IFAS Extension, *Aquaculture*, available at <https://sfyl.ifas.ufl.edu/agriculture/aquaculture/> (last visited March 12, 2025).

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 12, 2025).

¹⁴⁵ [Chapter 597, F.S](#)

Direct-support organizations

Direct-support organizations are defined as an organization that is a Florida corporation not for profit incorporated under chapter 617 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 62 creates s. 570.694, F.S., to establish the Florida Aquaculture 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 provides the governed by s. 570.691, F.S. and the department is authorized to appoint an advisory committee adjunct to the foundation.

Section 79 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 Future Farmers of America or 4-H activities, or the storage of any animals or equipment therein.

The bill provides that lands used for agricultural education or for Future Farmers of America or 4-H activities shall be considered agricultural lands.

Section 94 reenacts s. 474.2021, F.S., related to veterinary telehealth.

Section 95 reenacts s. 474.2165, F.S., related to the ownership and control of veterinary medical patient records.

Section 97 reenacts s. 570.85, F.S., related to agritourism.

Section 101 reenacts s. 586.055, F.S., related to the location of apiaries.

Section 79 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 Future Farmers of America or 4-H activities, or the storage of any animals or equipment therein.

The bill provides that lands used for agricultural education or for Future Farmers of America or 4-H activities shall be considered agricultural lands.

¹⁴⁶ s. 570.69, F.S.

¹⁴⁷ s. 570.691, F.S.

Section 94 reenacts s. 474.2021, F.S., related to veterinary telehealth.

Section 95 reenacts s. 474.2165, F.S., related to the ownership and control of veterinary medical patient records.

Section 97 reenacts s. 570.85, F.S., related to agritourism.

Section 101 reenacts s. 586.055, F.S., related to the location of apiaries.

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 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 64 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

¹⁴⁸ FDACS, Silviculture Best Management Practices, available at <https://www.fdacs.gov/Forest-Wildfire/Silviculture-Best-Management-Practices> (last visited March 5, 2025).

¹⁴⁹ *Id.*

¹⁵⁰ *Id.*

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 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

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.¹⁵¹

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.¹⁵² The 2024-2025 Florida all orange forecast released by the USDA Agricultural Statistics Board is 12 million boxes.¹⁵³

Effect of Proposed Changes

Section 65 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 1 mile away from commercial citrus groves. The bill also removes the requirement that 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.

The bill removes requirements and prohibitions related to the authorized areas in which commercial citrus may be planted.

Section 66 repeals the following statutes: s. 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.

¹⁵¹ Florida Citrus, What is the history of Citrus?, available at <https://www.floridacitrus.org/about-florida-citrus/our-history/> (last visited March 5, 2025).

¹⁵² *Id.*

¹⁵³ USDA, Citrus, available at https://www.nass.usda.gov/Statistics_by_State/Florida/Publications/Citrus/Citrus_Forecast/2024-25/cit0125.pdf (last visited March 5, 2025).

Section 67 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.¹⁵⁴

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 inhibitory to the development of viticulture to the potential of which it is reasonably capable, going into the 21st century.¹⁵⁵

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.¹⁵⁶

Effect of Proposed Changes

Section 68 amends s. 599.002, F.S., to change the Viticulture Advisory Council to the Florida Wine Advisory Council and make conforming changes related to the new name.

Section 69 amends s. 599.003, F.S., to make conforming changes related to the new name of the Florida Wine Advisory Council.

Section 70 amends s. 599.004, F.S., to make conforming changes related to the new name of the Florida Wine Advisory Council. The bill also provides that 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.

¹⁵⁴ Section 599.001 F.S.

¹⁵⁵ *Id.*

¹⁵⁶ *Id.*

Section 71 amends s. 599.012, F.S., to make conforming changes replacing viticulture with 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.¹⁵⁷

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.¹⁵⁸

Effect of Proposed Changes

Section 72 amends s. 616.12, F.S., to remove antiquated terms used in the department's fair permitting program.

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.¹⁵⁹

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."¹⁶⁰ The Florida Right to Farm Act was enacted in 1979.¹⁶¹

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

¹⁵⁷ 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 5, 2025).

¹⁵⁸ *Id.*

¹⁵⁹ Alexia B. Borden and Thomas R. Head, III, *The "Right To Farm" In The Southeast – Does it Go Too Far?* (2007).

¹⁶⁰ *Id.*

¹⁶¹ Chapter 79-61, ss. 1-2, Laws of Fla.

is an interference that affects the general public, for example, a condition that is dangerous to health or community standards.¹⁶²

The Florida Right to Farm Act protects farm operations from nuisance lawsuits if the operations comply with generally accepted agricultural and management practices.¹⁶³

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 1 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.¹⁶⁴

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
- The presence of unsanitary places where animals are slaughtered, which may give rise to diseases which are harmful to human or animal life.¹⁶⁵

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.¹⁶⁶

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.^{167,168}

¹⁶² BLACK'S LAW DICTIONARY (11th ed. 2019).

¹⁶³ Section 823.14, F.S.

¹⁶⁴ Section 823.14(4)(a), F.S.

¹⁶⁵ *Id.*

¹⁶⁶ Section 823.14(4)(b), F.S.

¹⁶⁷ Section 823.14(5), F.S.

¹⁶⁸ 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.

Effect of Proposed Changes

Section 73 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 violates paragraph (a). The bill also provides that 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.

The bill grants the Attorney General, in consultation with the Office of Financial Regulation, is authorization to enforce subsection (3). The bill provides that 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. The bill also permits that actions for damages may be sought by an aggrieved party.

Section 74 amends s. 741.0305, F.S., to make a conforming change related to religious institutions.

Section 81 reenacts s. 125.01, F.S., related to county government’s powers and duties related to levy taxes.

Section 82 reenacts s. 163.3162, F.S., related to governmental entities and bona fide farm operations.

Section 83 reenacts s. 163.3163, F.S., related to the definition of “sustainable agricultural land.”

Section 84 reenacts s. 163.3164, F.S., related to the definition of “agricultural enclave.”

Section 85 reenacts s. 163.3194, F.S., related to the tax-exempt status of lands classified as agricultural.

Section 86 reenacts s. 170.01, F.S., related to the authority for providing improvements and levying and collecting special assessments against property benefited.

Section 87 reenacts s. 193.052, F.S., related to real property and returns.

Section 88 reenacts s. 193.4615, F.S., related to the assessment of obsolete agricultural equipment.

Section 89 reenacts s. 212.08, F.S., related to tax exempt agricultural items and the Florida FARM TEAM card.

Section 90 reenacts s. 373.406, F.S., related to exemptions to lands classified as agricultural.

Section 98 reenacts s. 570.87, F.S., related to agritourism participation impact on land classification.

Section 102 reenacts s. 604.50, F.S., related to definitions of “bona fide agricultural purposes” and “nonresidential farm building.”

Section 103 reenacts s. 604.73, F.S., related to the definition of “urban agriculture.”

Section 104 reenacts s. 692.201, F.S., related to the definition of “agricultural land.”

Section 107 reenacts s. 823.14, F.S., related to the Florida Right to Farm Act.

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.¹⁶⁹ 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.¹⁷⁰

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.¹⁷¹

¹⁶⁹ Section 790.06(1), F.S.

¹⁷⁰ *Id.*

¹⁷¹ Section 790.06,(4)-(5) F.S.

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;¹⁷²
- Is 21 years of age or older;¹⁷³
- 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 3-year period immediately preceding the date on which the application is submitted;
- Does not chronically and habitually use alcoholic beverages or other substances to the extent that his or her normal faculties are impaired;¹⁷⁴
- 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 5 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 5 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 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;
- 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.¹⁷⁵

¹⁷² 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.

¹⁷³ 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.

¹⁷⁴ 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.

¹⁷⁵ Section 790.06(2), F.S.

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 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.¹⁷⁶

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 3 years.¹⁷⁷
- 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.¹⁷⁸
- 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.¹⁷⁹

A service member¹⁸⁰ or a veteran¹⁸¹ may request expedited processing of his or her application.¹⁸² 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.¹⁸³

Effect of Proposed Changes

Section 74 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.

¹⁷⁶ Section 790.06(3), F.S.

¹⁷⁷ *Id.*

¹⁷⁸ *Id.*

¹⁷⁹ *Id.*

¹⁸⁰ “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.

¹⁸¹ “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.

¹⁸² Section 790.06(4)(f), F.S.

¹⁸³ Section 790.06(4)(f), F.S.

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 chapter 120. The bill provides that 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 resulting in the department issuing an order lifting the suspension or 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 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 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 time frame prescribed in this subsection.

The bill permits the department to extend the 90-day time period for a license 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 permits the department to request information where the criminal history originated but also issue a license if does not obtain a disposition or sufficient information to make an eligibility determination within the additional 90-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 105 reenacts s. 741.30, F.S., related to domestic violence.

Section 117 reenacts s. 790.061, F.S., related to judges and justices exemption from concealed carry provisions.

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.¹⁸⁴

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.¹⁸⁵

The pulsers can be replaced by an altered pulser that interrupts the electrical signal.¹⁸⁶ 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.¹⁸⁷ 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.¹⁸⁸

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.¹⁸⁹

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.¹⁹⁰

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

¹⁸⁴ Florida Department of Agriculture and Consumer Services, Petroleum Inspection, available at <https://www.fdacs.gov/Business-Services/Petroleum-Inspection> (last visited March 5, 2025).

¹⁸⁵ Florida Department of Agriculture and Consumer Services, SB 1150 Analysis. On file with the Senate Commerce and Tourism Committee.

¹⁸⁶ *Id.*

¹⁸⁷ 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 5, 2025).

¹⁸⁸ 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 5, 2025).

¹⁸⁹ 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 5, 2025).

¹⁹⁰ Florida Department of Agriculture and Consumer Services, SB 1150 Analysis. On file with the Senate Commerce and Tourism Committee.

- 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,¹⁹¹ 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 merchant¹⁹² of possession, use, benefit, or full retail value.”¹⁹³

Section 812.015(8), F.S., provides that it is a third-degree felony¹⁹⁴ 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 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.

¹⁹¹ “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.

¹⁹² “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.

¹⁹³ Section 812.015(1)(d), F.S.

¹⁹⁴ 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.

Effect of Proposed Changes

Section 76 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 77 creates s. 812.136, F.S., to provide 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 provides criminal penalties for violation of this section.

Section 118 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 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.

Overall, the bill has an indeterminate, yet insignificant impact to the Department of Agriculture and Consumer Services. 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, 193.461, 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, 570.07, 570.544, 570.822, 581.1843, 595.404, 599.002, 599.003, 599.004, 599.012, 616.12, 741.0305, 790.06, 790.33, and 812.0151.

This bill creates the following sections of the Florida Statutes: 163.3162, 366.20, 496.431, 500.75, 500.93, 525.19, 526.147, 570.694, 570.546, 570.823, 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: 125.01, 163.3162, 163.3163, 163.3164, 163.3194, 170.01, 189.062, 193.052, 193.4615, 212.08, 295.07, 373.406, 403.182, 403.9337, 472.029, 474.2021, 474.2165, 482.072, 482.163, 487.081, 487.156, 496.4055, 496.406, 500.80, 500.121, 570.85, 570.87, 570.94, 582.19, 586.055, 604.50, 604.73, 692.201, 741.30, 790.061, 810.011, and 823.14.

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 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 surplus land suitable for bona fide agricultural production.
- Requires the department to provide a report of lands surplus to the board.
- Provides that any lands designated as a state forest, state park, or wildlife management area are ineligible to be surplus. 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.



292806

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/11/2025	.	
	.	
	.	
	.	

The Committee on Agriculture (Truenow) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

110.205 Career service; exemptions.—

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

(m) All assistant division director, deputy division



292806

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



292806

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



292806

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-



292806

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



292806

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

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

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

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

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



292806

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 shall be imposed 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



292806

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



292806

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

186.801 Ten-year site plans.—

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

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

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

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

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



292806

193.461, Florida Statutes, is amended to read:

193.461 Agricultural lands; classification and assessment;
mandated eradication or quarantine program; natural disasters.—

(3)

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

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

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

b. Whether the use has been continuous.

c. The purchase price paid.

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

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

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

g. Such other factors as may become applicable.

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



292806

sale.

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

Section 5. 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 6. 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 surplus, 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



292806

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 7. 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



292806

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.



292806

(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 do any of the following on private property, state wildlife management lands, or a sport shooting and training range:

1. Operate a drone.

2. Allow a drone to make contact with such property 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



292806

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 8. 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 9. Present paragraphs (3) and (4) of section



292806

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



292806

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 10. 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



292806

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 11. 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



292806

this chapter.

(2) It is the legislative intent that ~~these~~ 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 12. 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 13. 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



292806

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 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 14. Section 388.241, Florida Statutes, is amended



292806

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 15. 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,



292806

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.



292806

(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 16. 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



292806

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



292806

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 19. 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



292806

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

Section 20. 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 21. 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 22. 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 23. 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:



292806

(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 24. 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 25. 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



292806

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 26. 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.

Section 27. 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



292806

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

388.391 Control measures in municipalities and portions of



292806

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 30. 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 31. 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:



292806

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



292806

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,



292806

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



292806

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



292806

subparagraph (c)2. All agricultural producers enrolled by rule in a best management practice must annually submit nutrient records, including nitrogen and phosphorus fertilizer 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 33. 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 34. 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 35. 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



292806

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



292806

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 36. 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 37. 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



292806

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 38. 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



292806

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 39. 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 40. 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



292806

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 41. 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.



292806

(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 42. 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 43. 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:



292806

(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



292806

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 44. 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



292806

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:



292806

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



292806

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 46. 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 47. 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 48. Section 496.431, Florida Statutes, is created to read:



292806

496.431 Honest Service 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 49. 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 50. Paragraphs (a) and (b) of subsection (1) of



292806

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



292806

\$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 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.~~



292806

Section 51. 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 52. 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 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



292806

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

500.93 Mislabeling of plant-based products as milk, meat,



292806

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.

(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



292806

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



292806

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 55. Section 501.135, Florida Statutes, is repealed.

Section 56. 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 57. 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



292806

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 58. 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



292806

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



292806

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 60. 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 61. Present subsections (44), (45), and (46) of section 570.07, Florida Statutes, are redesignated as subsections (46), (47), and (48), respectively, and new subsections (44) and (45) 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.



292806

(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 62. 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 63. 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



292806

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 64. 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 65. 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:



292806

(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



292806

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 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.



292806

(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



292806

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



292806

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:



292806

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

570.823 Silviculture emergency recovery program.—

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



292806

(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



292806

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 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~~



292806

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

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



292806

~~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, 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



292806

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 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



292806

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~~



292806

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



292806

(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 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



292806

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 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.—

(a) “Agritourism activity” has the same meaning as provided in s. 570.86.

(b) “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.

(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.



292806

(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.



292806

(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



292806

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



292806

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



292806

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



292806

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
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.



292806

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 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



292806

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



292806

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 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.

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,



292806

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

812.136 Mail theft.—



292806

(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



292806

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



292806

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 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 193.461, Florida Statutes, in a reference thereto, paragraph (r) of subsection (1) of section



292806

125.01, Florida Statutes, is reenacted to read:

125.01 Powers and duties.—

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

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

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

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

Section 84. For the purpose of incorporating the amendment



292806

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

163.3162 Agricultural lands and practices.—

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

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

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



292806

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

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

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

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



292806

regional program;

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

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

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

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

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

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



292806

economic benefits to the rural communities.

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

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

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

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

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

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

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

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

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



292806

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

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

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

163.3194 Legal status of comprehensive plan.—

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

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

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

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



292806

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

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

193.052 Preparation and serving of returns.—

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

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

193.4615 Assessment of obsolete agricultural equipment.—For



292806

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

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

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

(5) EXEMPTIONS; ACCOUNT OF USE.—

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



292806

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



292806

commodity.

(19) FLORIDA FARM TEAM CARD.—

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

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

373.406 Exemptions.—The following exemptions shall apply:

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



292806

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

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

403.182 Local pollution control programs.—

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

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

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

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



292806

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

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

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

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

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

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

474.2021 Veterinary telehealth.—

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

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

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



292806

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

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

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

487.081 Exemptions.—

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



292806

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

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

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

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

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

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

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

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



292806

Statutes, is reenacted to read:

570.85 Agritourism.—

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

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

570.87 Agritourism participation impact on land classification.—

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



292806

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

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

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

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



292806

193.461.

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

582.19 Qualifications and tenure of supervisors.—

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

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

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

2. Is employed by an agricultural producer; or

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

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

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

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

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



292806

(2) As used in this section, the term:

(a) "Bona fide agricultural purposes" has the same meaning as provided in s. 193.461(3)(b).

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

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

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

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

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

1. Within a dense urban land area, as described in s. 380.0651(3)(a);

2. Not classified as agricultural pursuant to s. 193.461;

3. Not zoned as agricultural as its principal use; and

4. Designated by a municipality for inclusion in an urban agricultural pilot project that has been approved by the department.



292806

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

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

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

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

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

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

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

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

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

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



292806

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

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

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



292806

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

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

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

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

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

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



292806

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

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

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

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

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



292806

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

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

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

810.011 Definitions.—As used in this chapter:

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

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

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



292806

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

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

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

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

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

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

823.14 Florida Right to Farm Act.—

(6) LIMITATION ON DUPLICATION OF GOVERNMENT REGULATION.—It is the intent of the Legislature to eliminate duplication of regulatory authority over farm operations as expressed in this subsection. Except as otherwise provided for in this section and s. 487.051(2), and 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 an activity of a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, where such activity is



292806

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

Section 110. 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



292806

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



292806

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 111. 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 112. 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



292806

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 113. 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 114. 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 115. For the purpose of incorporating the amendment



292806

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 116. 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.



292806

(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 117. 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 118. 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



292806

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 119. 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



292806

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 120. 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 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 the discontinued use or removal of a housing site under certain circumstances; specifying applicability of permit allocation systems



292806

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



292806

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



292806

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



292806

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



292806

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



292806

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



292806

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



292806

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 Service Registry to provide residents with information relating to charitable



292806

3665 organizations; requiring a charitable organization
3666 included in the Honest Services Registry to submit an
3667 attestation statement to the department; requiring the
3668 department to publish the Honest Services Registry on
3669 the department's website; requiring the department to
3670 adopt rules; amending s. 500.03, F.S.; revising the
3671 definition of the term "cottage food product";
3672 amending s. 500.12, F.S.; providing that the
3673 department requires a food permit from any person or
3674 business that operates a food establishment; revising
3675 exceptions; revising the schedule for renewing certain
3676 food permits; authorizing the department to establish
3677 a single permit renewal date for certain food
3678 establishments; amending s. 500.166, F.S.; requiring
3679 certain persons engaged in interstate commerce to
3680 retain all records that show certain information for a
3681 specified timeframe; amending s. 500.172, F.S.;
3682 authorizing the department to facilitate the
3683 destruction of certain articles that violate specified
3684 provisions; prohibiting certain persons from certain
3685 actions without permission from, or in accord with a
3686 written agreement with, the department; creating s.
3687 500.75, F.S.; providing that it is unlawful to import,
3688 sell, offer for sale, furnish, or give away certain
3689 spores or mycelium; providing a penalty for
3690 violations; creating s. 500.93, F.S.; defining terms;
3691 requiring the department to adopt rules to enforce the
3692 Food and Drug Administration's standard of identity
3693 for milk, meat, poultry, and poultry products, and



292806

3694 eggs and egg products to prohibit the sale of plant-
3695 based products mislabeled as milk, meat, poultry, or
3696 poultry products, or egg or egg products; providing
3697 contingent effective dates; requiring the department
3698 to adopt rules; providing construction; repealing s.
3699 501.135, F.S., relating to consumer unit pricing;
3700 amending s. 501.912, F.S.; revising the definition of
3701 the term "antifreeze"; creating s. 525.19, F.S.;
3702 requiring the department to create an annual petroleum
3703 registration program for petroleum owners or
3704 operators; requiring the department to adopt rules for
3705 such registration which include specified information;
3706 requiring that the registration program be free for
3707 all registrants; authorizing the department to require
3708 registrants to provide certain information during a
3709 state of emergency; creating s. 526.147, F.S.;
3710 creating the Florida Retail Fuel Transfer Switch
3711 Modernization Grant Program within the department;
3712 requiring the grant program to provide funds up to a
3713 certain amount to be used for installation and
3714 equipment costs related to installing or modernizing
3715 transfer switch infrastructure at retail fuel
3716 facilities; requiring the department to award funds
3717 based on specified criteria; requiring retail fuel
3718 facilities awarded grant funds to comply with
3719 specified provisions; requiring such facilities to
3720 install a transfer switch with specified capabilities;
3721 requiring retail fuel facilities to provide specified
3722 documentation before being awarded funding;



292806

3723 prohibiting certain facilities from being awarded
3724 funding; requiring the department, in consultation
3725 with the Division of Emergency Management, to adopt
3726 rules; requiring that such rules include specified
3727 information; amending s. 531.48, F.S.; requiring that
3728 certain packages bear specified information on the
3729 outside of the package; amending s. 531.49, F.S.;
3730 revising requirements for the advertising of a
3731 packaged commodity; amending s. 570.07, F.S.;
3732 requiring the department to foster and encourage the
3733 employment and retention of qualified veterinary
3734 pathologists; providing that the department may
3735 reimburse the educational expenses of certain
3736 veterinary pathologists who enter into a certain
3737 agreement with the department; requiring the
3738 department to adopt certain rules; requiring the
3739 department to extend certain opportunities to public
3740 school students enrolled in agricultural education to
3741 support Future Farmers of America programming;
3742 requiring the department to use contracts procured by
3743 agencies; defining the term "agency"; amending s.
3744 570.544, F.S.; revising which provisions the director
3745 of the Division of Consumer Services must enforce;
3746 creating s. 570.546, F.S.; authorizing the department
3747 to create a process for the bulk renewal of licenses;
3748 authorizing the department to create a process that
3749 will allow licensees to align the expiration dates of
3750 licenses within a specified program; authorizing the
3751 department to change the expiration date for current



292806

3752 licenses for a certain purpose; requiring the
3753 department to prorate the licensing fee for certain
3754 licenses; requiring the department to adopt rules;
3755 amending s. 570.694, F.S.; creating the Florida
3756 Aquaculture Foundation as a direct support
3757 organization within the department; providing the
3758 purpose of the foundation; providing governance for
3759 the foundation; authorizing the department to appoint
3760 an advisory committee adjunct to the foundation;
3761 amending s. 570.822, F.S.; revising the definition of
3762 the terms "declared natural disaster" and "program";
3763 providing that loan funds from the department may be
3764 used to restock aquaculture; authorizing the
3765 department to renew a loan application under certain
3766 circumstances; authorizing the department to defer or
3767 waive loan payments under certain circumstances;
3768 conforming provisions to changes made by the act;
3769 creating s. 570.823, F.S.; defining terms;
3770 establishing the silviculture emergency recovery
3771 program within the department to administer a grant
3772 program to assist certain timber landowners; requiring
3773 that such grants be used for certain purposes;
3774 requiring that only timber lands located on
3775 agricultural property are eligible for the program;
3776 requiring the department to coordinate with state
3777 agencies to provide financial assistance to timber
3778 landowners after a specified declared emergency;
3779 providing construction; authorizing the department to
3780 adopt rules to implement this section; providing



292806

3781 construction; amending s. 581.1843, F.S.; deleting
3782 provisions that exclude certain citrus nurseries from
3783 certain requirements; deleting provisions relating to
3784 regulated areas around the perimeter of commercial
3785 citrus nurseries; repealing ss. 593.101, 593.102,
3786 593.103, 593.104, 593.105, 593.106, 593.107, 593.108,
3787 593.109, 593.11, 593.111, 593.112, 593.113, 593.114,
3788 593.1141, 593.1142, 593.115, 593.116, and 593.117,
3789 F.S., relating to the Florida Boll Weevil Eradication
3790 Law; definitions; powers and duties of Department of
3791 Agriculture and Consumer Services; the entry of
3792 premises to carry out boll weevil eradication
3793 activities and inspections; reports by persons growing
3794 cotton; quarantine areas and the regulation of
3795 articles within a boll weevil eradication zone; the
3796 regulation of collection, transportation,
3797 distribution, and movement of cotton; cooperative
3798 programs for persons engaged in growing, processing,
3799 marketing, or handling cotton; the department's
3800 authority to designate eradication zones, prohibit
3801 planting of cotton, and require participation in
3802 eradication program; regulation of the pasturage of
3803 livestock, entry by persons, and location of honeybee
3804 colonies in eradication zones and other areas;
3805 eligibility for certification of cotton growers'
3806 organization; the certification of cotton growers'
3807 organization; a referendum; an assessment; the
3808 department's authority to enter agreements with the
3809 Farm Service Agency; liens; mandamus or injunction;



292806

3810 penalty for violation; and the handling of moneys
3811 received, respectively; amending s. 595.404, F.S.;
3812 revising the department's powers and duties regarding
3813 school nutrition programs; amending s. 599.002, F.S.;
3814 renaming the Viticulture Advisory Council as the
3815 Florida Wine Advisory Council; revising the membership
3816 of the Florida Wine Advisory Council; conforming
3817 provisions to changes made by the act; amending s.
3818 599.003, F.S.; renaming the State Viticulture Plan as
3819 the State Wine Plan; conforming provisions to changes
3820 made by the act; amending s. 599.004, F.S.; making
3821 technical changes; providing that wineries that fail
3822 to recertify annually or pay a specified licensing fee
3823 are subject to certain actions and costs; conforming
3824 provisions to changes made by the act; amending s.
3825 599.012, F.S.; conforming provisions to changes made
3826 by the act; amending s. 616.12, F.S.; deleting
3827 provisions requiring a person who operates a minstrel
3828 show in connection with any certain public fairs to
3829 pay specified license taxes; deleting a provision that
3830 exempts such person from paying specified taxes;
3831 creating s. 687.16, F.S.; providing a short title;
3832 defining terms; prohibiting a financial institution
3833 from discriminating in the provision of financial
3834 services to an agricultural producer based on an ESG
3835 factor; providing an inference with regard to a
3836 certain violation; providing that the financial
3837 institution may overcome the inference by making
3838 certain demonstrations regarding its denial or



292806

3839 restriction of financial services to an agricultural
3840 producer; authorizing the Attorney General to enforce
3841 specified provisions; providing that a violation of
3842 specified provisions constitutes an unfair and
3843 deceptive trade practice; authorizing the Attorney
3844 General to investigate and seek remedies for such
3845 unfair trade practices; authorizing an aggrieved party
3846 to seek an action for damages; amending s. 741.0305,
3847 F.S.; conforming a cross-reference; amending s.
3848 790.06, F.S.; revising the circumstances under which
3849 the department may temporarily suspend a person's
3850 license to carry a concealed weapon or concealed
3851 firearm or the processing of an application for such
3852 license; requiring the department to notify certain
3853 licensees or applicants of his or her right to a
3854 hearing; requiring that the hearing regarding such
3855 suspension of license be for a limited purpose;
3856 requiring the department to issue an order lifting the
3857 suspension of an applicant's license upon a certain
3858 disposition of the criminal case; requiring that the
3859 suspension remain in effect upon a certain disposition
3860 of the criminal case; providing construction;
3861 providing legislative findings; revising the duties of
3862 the department after the date of receipt of a
3863 completed application for a license to carry a
3864 concealed weapon or concealed firearm; requiring that
3865 a license issued under this section be temporarily
3866 suspended or revoked if the license was issued in
3867 error or if the licensee commits certain actions;



292806

3868 amending s. 812.0151, F.S.; revising the elements of
3869 third degree and second degree felony retail fuel
3870 theft; creating s. 812.136, F.S.; defining terms;
3871 providing elements for the crime of mail theft;
3872 providing elements of theft of or unauthorized
3873 reproduction of a mail depository key or lock;
3874 providing criminal penalties; amending s. 934.50,
3875 F.S.; deleting certain exceptions from the prohibited
3876 uses of drones; creating s. 1013.373, F.S.;
3877 prohibiting a local government from adopting any
3878 measure to limit the activities of public educational
3879 facilities or auxiliary facilities constructed by
3880 certain organizations; requiring that lands used for
3881 agricultural education or for the Future Farmers of
3882 America or 4-H activities be considered agricultural
3883 lands; reenacting s. 295.07(5)(a), F.S., relating to
3884 preference in appointment and retention, to
3885 incorporate the amendment made to s. 110.205, F.S., in
3886 a reference thereto; reenacting ss. 125.01(1)(r),
3887 163.3162(3)(a) through (d), 163.3163(3)(c),
3888 163.3164(4), 163.3194(5), 170.01(4), 193.052(2),
3889 193.4615, 212.08(5)(a) and (19)(a), 373.406(2),
3890 403.182(11)(a), 403.9337(4), 472.029(2)(d),
3891 474.2021(5), 474.2165(4)(d), 487.081(6), 570.85(1),
3892 570.87(1), 570.94(3), 582.19(1)(a), 586.055,
3893 604.50(2)(a) and (d), 604.73(3)(b), 692.201(1),
3894 741.30(5)(a) and (6)(a), 810.011(5)(a), and 823.14(6),
3895 F.S., relating to powers and duties; agricultural
3896 lands and practices; applications for development



292806

3897 permits; community planning act; legal status of
3898 comprehensive plan; authority for providing
3899 improvements and levying and collecting special
3900 assessments against property benefited; preparation
3901 and serving of returns; assessment of obsolete
3902 agricultural equipment; storage tax; exemptions; local
3903 pollution control programs; the Model Ordinance for
3904 Florida-Friendly Fertilizer Use on Urban Landscapes;
3905 authorization to enter lands of third parties;
3906 veterinary telehealth; ownership and control of
3907 veterinary medical patient records; exemptions;
3908 agritourism; agritourism participation impact on land
3909 classification; best management practices for
3910 wildlife; qualifications and tenure of supervisors;
3911 location of apiaries; nonresidential farm buildings;
3912 urban agriculture pilot projects; definitions;
3913 domestic violence; definitions; and the Florida Right
3914 to Farm Act, respectively, to incorporate the
3915 amendment made to s. 193.461, F.S., in references
3916 thereto; reenacting ss. 189.062(1)(a) and 388.261(7),
3917 F.S., relating to special procedures for inactive
3918 districts and state aid to counties and districts for
3919 arthropod control, respectively, to incorporate the
3920 amendment made to s. 388.271, F.S., in references
3921 thereto; reenacting ss. 482.072(3)(b) and 482.163,
3922 F.S., relating to pest control customer contact
3923 centers and responsibility for pest control activities
3924 of employee, respectively, to incorporate the
3925 amendment made to s. 482.161, F.S., in references



292806

3926 thereto; reenacting s. 487.156, F.S., relating to
3927 governmental agencies, to incorporate the amendment
3928 made to s. 487.044, F.S., in a reference thereto;
3929 reenacting ss. 496.4055(2) and 496.406(2) and (4),
3930 F.S., relating to charitable organization or sponsor
3931 board duties and exemption from registration,
3932 respectively, to incorporate the amendment made to s.
3933 496.405, F.S., in references thereto; reenacting s.
3934 500.80(1)(a), F.S., relating to cottage food
3935 operations, to incorporate the amendment made to s.
3936 500.12, F.S., in a reference thereto; reenacting s.
3937 500.121(6), F.S., relating to disciplinary procedures,
3938 to incorporate the amendment made to s. 500.172, F.S.,
3939 in a reference thereto; reenacting s. 790.061, F.S.,
3940 relating to judges and justices, to incorporate the
3941 amendment made to s. 790.06, F.S., in a reference
3942 thereto; providing an effective date.



507790

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/11/2025	.	
	.	
	.	
	.	

The Committee on Agriculture (Truenow) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

110.205 Career service; exemptions.—

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

(m) All assistant division director, deputy division



507790

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



507790

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



507790

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-



507790

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



507790

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

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

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

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

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



507790

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



507790

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



507790

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 surplus, 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



507790

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



507790

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



507790

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



507790

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



507790

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



507790

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



507790

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 ~~these~~ 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



507790

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.



507790

(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 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,



507790

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



507790

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



507790

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 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



507790

591 programs must ~~counties or districts shall~~ be made in accordance
592 with the laws governing purchases by boards of county
593 commissioners or similar governing bodies, except that programs
594 ~~districts~~ with special laws relative to competitive bidding
595 shall make purchases in accordance therewith.

596 Section 15. Subsections (1) and (3) of section 388.281,
597 Florida Statutes, are amended to read:

598 388.281 Use of state matching funds.—

599 (1) All funds, supplies, and services released to programs
600 ~~counties and districts~~ hereunder must ~~shall~~ be used in
601 accordance with the integrated arthropod management ~~detailed~~
602 ~~work~~ plan and certified budget approved by both the department
603 and the board of county commissioners or an appropriate
604 representative county or district. The integrated arthropod
605 management plan and budget may be amended at any time upon prior
606 approval of the department.

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

613 Section 16. Subsections (1) and (2) of section 388.291,
614 Florida Statutes, are amended to read:

615 388.291 Source reduction measures; supervision by
616 department.—

617 (1) Any program ~~county or district~~ may perform source
618 reduction measures in conformity with good engineering practices
619 in any area, provided that the department cooperating with the



507790

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



507790

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.



507790

(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



507790

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.

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



507790

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



507790

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.



507790

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.



507790

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



507790

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;



507790

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



507790

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



507790

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).



507790

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



507790

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.~~



507790

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,



507790

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



507790

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.



507790

(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



507790

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



507790

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



507790

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



507790

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 Service 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.



507790

(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:



507790

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



507790

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 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



507790

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 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,



507790

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, 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



507790

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.

(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.



507790

(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



507790

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;



507790

(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



507790

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



507790

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



507790

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



507790

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



507790

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



507790

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 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



507790

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.



507790

(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



507790

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



507790

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



507790

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



507790

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. 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



507790

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~~



507790

~~seeking a stay from the district court of appeal.~~

Section 66. 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 67. 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 68. Section 599.002, Florida Statutes, is amended to read:

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

(1) There is created within the Department of Agriculture and Consumer Services the Florida Wine Viticulture ~~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,



507790

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 69. 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



507790

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



507790

~~shall~~ be submitted annually.

Section 70. 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 71. 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:



507790

(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 72. 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



507790

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 73. 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.—

(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”



507790

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).



507790

(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 74. 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



507790

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 75. 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



507790

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



507790

2186 probation or any other conditions set by the court have been
2187 fulfilled or the record has been sealed or expunged. The
2188 Department of Agriculture and Consumer Services shall revoke a
2189 license if the licensee has been found guilty of, had
2190 adjudication of guilt withheld for, or had imposition of
2191 sentence suspended for one or more crimes of violence within the
2192 preceding 3 years. The department shall, upon notification by a
2193 law enforcement agency, a court, clerk's office, or the Florida
2194 Department of Law Enforcement ~~and subsequent written~~
2195 ~~verification~~, temporarily suspend a license or the processing of
2196 an application for a license if the licensee or applicant is
2197 arrested or formally charged with a crime that would disqualify
2198 such person from having a license under this section, until
2199 final disposition of the case. The department shall suspend a
2200 license or the processing of an application for a license if the
2201 licensee or applicant is issued an injunction that restrains the
2202 licensee or applicant from committing acts of domestic violence
2203 or acts of repeat violence. The department shall notify the
2204 licensee or applicant suspended under this section of his or her
2205 right to a hearing pursuant to chapter 120. A hearing conducted
2206 regarding the temporary suspension must be for the limited
2207 purpose of determining whether the licensee has been arrested or
2208 charged with a disqualifying crime or issued an injunction or
2209 court order. If the criminal case or injunction results in a
2210 nondisqualifying disposition, the department must issue an order
2211 lifting the suspension upon the applicant or licensee's
2212 submission to the department of a certified copy of the final
2213 resolution. If the criminal case results in a disqualifying
2214 disposition, the suspension remains in effect and the department



507790

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



507790

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 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



507790

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



507790

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 76. 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



507790

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 77. 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,



507790

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



507790

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 78. 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 79. 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



507790

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 80. 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 81. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (r) of subsection (1) of section 125.01, Florida Statutes, is reenacted to read:

125.01 Powers and duties.—

(1) The legislative and governing body of a county shall have the power to carry on county government. To the extent not



507790

inconsistent with general or special law, this power includes, but is not restricted to, the power to:

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

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

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

Section 82. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in references thereto, paragraphs (a) through (d) of subsection (3) of section 163.3162, Florida Statutes, are reenacted to read:

163.3162 Agricultural lands and practices.—



507790

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

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

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

(c) A governmental entity may not charge an assessment or



507790

fee for stormwater management on a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, if the farm operation has a National Pollutant Discharge Elimination System permit, environmental resource permit, or works-of-the-district permit or implements best management practices adopted as rules under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program.

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

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

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



507790

permit; or

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

Section 83. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (c) of subsection (3) of section 163.3163, Florida Statutes, is reenacted to read:

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

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

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

Section 84. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (4) of section 163.3164, Florida



507790

Statutes, is reenacted to read:

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

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

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

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

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

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

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

(d) Has public services, including water, wastewater, transportation, schools, and recreation facilities, available or such public services are scheduled in the capital improvement element to be provided by the local government or can be provided by an alternative provider of local government infrastructure in order to ensure consistency with applicable concurrency provisions of s. 163.3180; and

(e) Does not exceed 1,280 acres; however, if the property is surrounded by existing or authorized residential development



507790

that will result in a density at buildout of at least 1,000 residents per square mile, then the area shall be determined to be urban and the parcel may not exceed 4,480 acres.

Section 85. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (5) of section 163.3194, Florida Statutes, is reenacted to read:

163.3194 Legal status of comprehensive plan.—

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

Section 86. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (4) of section 170.01, Florida Statutes, is reenacted to read:

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

(4) Notwithstanding any other provision of law, a municipality may not levy special assessments for the provision of fire protection services on lands classified as agricultural lands under s. 193.461 unless the land contains a residential dwelling or nonresidential farm building, with the exception of an agricultural pole barn, provided the nonresidential farm building exceeds a just value of \$10,000. Such special assessments must be based solely on the special benefit accruing to that portion of the land consisting of the residential dwelling and curtilage, and qualifying nonresidential farm buildings. As used in this subsection, the term "agricultural



507790

pole barn" means a nonresidential farm building in which 70 percent or more of the perimeter walls are permanently open and allow free ingress and egress.

Section 87. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (2) of section 193.052, Florida Statutes, is reenacted to read:

193.052 Preparation and serving of returns.—

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

Section 88. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, section 193.4615, Florida Statutes, is reenacted to read:

193.4615 Assessment of obsolete agricultural equipment.—For purposes of ad valorem property taxation, agricultural equipment that is located on property classified as agricultural under s. 193.461 and that is no longer usable for its intended purpose shall be deemed to have a market value no greater than its value



507790

for salvage.

Section 89. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in references thereto, paragraph (a) of subsection (5) and paragraph (a) of subsection (19) of section 212.08, Florida Statutes, are reenacted to read:

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

(5) EXEMPTIONS; ACCOUNT OF USE.—

(a) *Items in agricultural use and certain nets.*—There are exempt from the tax imposed by this chapter nets designed and used exclusively by commercial fisheries; disinfectants, fertilizers, insecticides, pesticides, herbicides, fungicides, and weed killers used for application on crops or groves, including commercial nurseries and home vegetable gardens, used in dairy barns or on poultry farms for the purpose of protecting poultry or livestock, or used directly on poultry or livestock; animal health products that are administered to, applied to, or consumed by livestock or poultry to alleviate pain or cure or prevent sickness, disease, or suffering, including, but not limited to, antiseptics, absorbent cotton, gauze for bandages, lotions, vaccines, vitamins, and worm remedies; aquaculture health products that are used by aquaculture producers, as defined in s. 597.0015, to prevent or treat fungi, bacteria, and parasitic diseases; portable containers or movable receptacles



507790

in which portable containers are placed, used for processing farm products; field and garden seeds, including flower seeds; nursery stock, seedlings, cuttings, or other propagative material purchased for growing stock; seeds, seedlings, cuttings, and plants used to produce food for human consumption; cloth, plastic, and other similar materials used for shade, mulch, or protection from frost or insects on a farm; hog wire and barbed wire fencing, including gates and materials used to construct or repair such fencing, used in agricultural production on lands classified as agricultural lands under s. 193.461; materials used to construct or repair permanent or temporary fencing used to contain, confine, or process cattle, including gates and energized fencing systems, used in agricultural operations on lands classified as agricultural lands under s. 193.461; stakes used by a farmer to support plants during agricultural production; generators used on poultry farms; and liquefied petroleum gas or other fuel used to heat a structure in which started pullets or broilers are raised; however, such exemption is not allowed unless the purchaser or lessee signs a certificate stating that the item to be exempted is for the exclusive use designated herein. Also exempt are cellophane wrappers, glue for tin and glass (apiarists), mailing cases for honey, shipping cases, window cartons, and baling wire and twine used for baling hay, when used by a farmer to contain, produce, or process an agricultural commodity.

(19) FLORIDA FARM TEAM CARD.—

(a) Notwithstanding any other law, a farmer whose property has been classified as agricultural pursuant to s. 193.461 or



507790

who has implemented agricultural best management practices adopted by the Department of Agriculture and Consumer Services pursuant to s. 403.067(7)(c)2. may apply to the department for a Florida farm tax exempt agricultural materials (TEAM) card to claim the applicable sales tax exemptions provided in this section. A farmer may present the Florida farm TEAM card to a selling dealer in lieu of a certificate or affidavit otherwise required by this chapter.

Section 90. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (2) of section 373.406, Florida Statutes, is reenacted to read:

373.406 Exemptions.—The following exemptions shall apply:

(2) Notwithstanding s. 403.927, nothing herein, or in any rule, regulation, or order adopted pursuant hereto, shall be construed to affect the right of any person engaged in the occupation of agriculture, silviculture, floriculture, or horticulture to alter the topography of any tract of land, including, but not limited to, activities that may impede or divert the flow of surface waters or adversely impact wetlands, for purposes consistent with the normal and customary practice of such occupation in the area. However, such alteration or activity may not be for the sole or predominant purpose of impeding or diverting the flow of surface waters or adversely impacting wetlands. This exemption applies to lands classified as agricultural pursuant to s. 193.461 and to activities requiring an environmental resource permit pursuant to this part. This exemption does not apply to any activities previously authorized by an environmental resource permit or a management



507790

and storage of surface water permit issued pursuant to this part or a dredge and fill permit issued pursuant to chapter 403. This exemption has retroactive application to July 1, 1984.

Section 91. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (a) of subsection (11) of section 403.182, Florida Statutes, is reenacted to read:

403.182 Local pollution control programs.—

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

Section 92. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (4) of section 403.9337, Florida Statutes, is reenacted to read:

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

(4) This section does not apply to the use of fertilizer on farm operations as defined in s. 823.14 or on lands classified as agricultural lands pursuant to s. 193.461.

Section 93. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a



507790

reference thereto, paragraph (d) of subsection (2) of section 472.029, Florida Statutes, is reenacted to read:

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

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

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

Section 94. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (5) of section 474.2021, Florida Statutes, is reenacted to read:

474.2021 Veterinary telehealth.—

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

Section 95. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (d) of subsection (4) of section 474.2165, Florida Statutes, is reenacted to read:

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

(4) Except as otherwise provided in this section, such records may not be furnished to, and the medical condition of a patient may not be discussed with, any person other than the client or the client's legal representative or other



507790

veterinarians involved in the care or treatment of the patient, except upon written authorization of the client. However, such records may be furnished without written authorization under the following circumstances:

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

Section 96. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (6) of section 487.081, Florida Statutes, is reenacted to read:

487.081 Exemptions.—

(6) The Department of Environmental Protection is not authorized to institute proceedings against any property owner or leaseholder of property under the provisions of s. 376.307(5) to recover any costs or damages associated with pesticide contamination of soil or water, or the evaluation, assessment, or remediation of pesticide contamination of soil or water,



507790

including sampling, analysis, and restoration of soil or potable water supplies, subject to the following conditions:

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

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

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

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

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

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

Section 97. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (1) of section 570.85, Florida Statutes, is reenacted to read:

570.85 Agritourism.—

(1) It is the intent of the Legislature to promote agritourism as a way to support bona fide agricultural



507790

production by providing a stream of revenue and by educating the general public about the agricultural industry. It is also the intent of the Legislature to eliminate duplication of regulatory authority over agritourism as expressed in this section. Except as otherwise provided for in this section, and notwithstanding any other law, a local government may not adopt or enforce a local ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land under s. 193.461. This subsection does not limit the powers and duties of a local government to address substantial offsite impacts of agritourism activities or an emergency as provided in chapter 252.

Section 98. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (1) of section 570.87, Florida Statutes, is reenacted to read:

570.87 Agritourism participation impact on land classification.—

(1) In order to promote and perpetuate agriculture throughout this state, farm operations are encouraged to engage in agritourism. An agricultural classification pursuant to s. 193.461 may not be denied or revoked solely due to the conduct of agritourism activity on a bona fide farm or the construction, alteration, or maintenance of a nonresidential farm building, structure, or facility on a bona fide farm which is used to conduct agritourism activities. So long as the building, structure, or facility is an integral part of the agricultural operation, the land it occupies shall be considered agricultural



507790

in nature. However, such buildings, structures, and facilities, and other improvements on the land, must be assessed under s. 193.011 at their just value and added to the agriculturally assessed value of the land.

Section 99. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (3) of section 570.94, Florida Statutes, is reenacted to read:

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

(3) Notwithstanding any other provision of law, including s. 163.3162, the implementation of the best management practices pursuant to this section is voluntary and except as specifically provided under this section and s. 9, Art. IV of the State Constitution, an agency, department, district, or unit of local government may not adopt or enforce any ordinance, resolution, regulation, rule, or policy regarding the best management practices on land classified as agricultural land pursuant to s. 193.461.

Section 100. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section



507790

582.19, Florida Statutes, is reenacted to read:

582.19 Qualifications and tenure of supervisors.—

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

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

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

2. Is employed by an agricultural producer; or

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

Section 101. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, section 586.055, Florida Statutes, is reenacted to read:

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

Section 102. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in references thereto, paragraphs (a) and (d) of subsection (2) of section 604.50, Florida Statutes, are reenacted to read:

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

(2) As used in this section, the term:

(a) “Bona fide agricultural purposes” has the same meaning as provided in s. 193.461(3)(b).

(d) “Nonresidential farm building” means any temporary or



507790

permanent building or support structure that is classified as a nonresidential farm building on a farm under s. 553.73(10)(c) or that is used primarily for agricultural purposes, is located on land that is an integral part of a farm operation or is classified as agricultural land under s. 193.461, and is not intended to be used as a residential dwelling. The term may include, but is not limited to, a barn, greenhouse, shade house, farm office, storage building, or poultry house.

Section 103. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (b) of subsection (3) of section 604.73, Florida Statutes, is reenacted to read:

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

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

(b) “Urban agriculture” means any new or existing noncommercial agricultural uses on land that is:

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

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

Section 104. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a



507790

reference thereto, subsection (1) of section 692.201, Florida Statutes, is reenacted to read:

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

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

Section 105. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in references thereto, paragraph (a) of subsection (5) and paragraph (a) of subsection (6) of section 741.30, Florida Statutes, are reenacted to read:

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

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

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

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

3. On the same basis as provided in s. 61.13, providing the petitioner a temporary parenting plan, including a time-sharing schedule, which may award the petitioner up to 100 percent of the time-sharing. If temporary time-sharing is awarded to the respondent, the exchange of the child must occur at a neutral



507790

safe exchange location as provided in s. 125.01(8) or a location authorized by a supervised visitation program as defined in s. 753.01 if the court determines it is in the best interests of the child after consideration of all of the factors specified in s. 61.13(3). The temporary parenting plan remains in effect until the order expires or an order is entered by a court of competent jurisdiction in a pending or subsequent civil action or proceeding affecting the placement of, access to, parental time with, adoption of, or parental rights and responsibilities for the minor child.

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

5. Awarding to the petitioner the temporary exclusive care, possession, or control of an animal that is owned, possessed, harbored, kept, or held by the petitioner, the respondent, or a minor child residing in the residence or household of the petitioner or respondent. The court may order the respondent to temporarily have no contact with the animal and prohibit the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal. This subparagraph does not apply to an animal owned primarily for a bona fide agricultural purpose, as defined under s. 193.461, or to a service animal, as defined under s. 413.08, if the respondent is



507790

the service animal's handler.

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

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

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

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

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

5. On the same basis as provided in chapter 61,



507790

establishing temporary support for a minor child or children or the petitioner. An order of temporary support remains in effect until the order expires or an order is entered by a court of competent jurisdiction in a pending or subsequent civil action or proceeding affecting child support.

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

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

8. Awarding to the petitioner the exclusive care, possession, or control of an animal that is owned, possessed, harbored, kept, or held by the petitioner, the respondent, or a minor child residing in the residence or household of the petitioner or respondent. The court may order the respondent to have no contact with the animal and prohibit the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal. This subparagraph does not apply to an animal owned primarily for a bona fide agricultural purpose, as defined under s. 193.461, or to a service animal, as defined under s. 413.08, if the respondent is the service animal's handler.

9. Ordering such other relief as the court deems necessary



507790

for the protection of a victim of domestic violence, including injunctions or directives to law enforcement agencies, as provided in this section.

Section 106. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (a) of subsection (5) of section 810.011, Florida Statutes, is reenacted to read:

810.011 Definitions.—As used in this chapter:

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

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

2.a. A conspicuous no trespassing notice is painted on trees or posts on the property, provided that the notice is:

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



507790

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

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

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

Section 107. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (6) of section 823.14, Florida Statutes, is reenacted to read:

823.14 Florida Right to Farm Act.—

(6) LIMITATION ON DUPLICATION OF GOVERNMENT REGULATION.—It is the intent of the Legislature to eliminate duplication of regulatory authority over farm operations as expressed in this subsection. Except as otherwise provided for in this section and s. 487.051(2), and 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 an activity of a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, where such activity is regulated through implemented best management practices or interim measures developed by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or water management districts and adopted under chapter 120 as



507790

part of a statewide or regional program. When an activity of a farm operation takes place within a wellfield protection area as defined in any wellfield protection ordinance adopted by a local government, and the adopted best management practice or interim measure does not specifically address wellfield protection, a local government may regulate that activity pursuant to such ordinance. This subsection does not limit the powers and duties provided for in s. 373.4592 or limit the powers and duties of any local government to address an emergency as provided for in chapter 252.

Section 108. 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



507790

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



507790

detailed work plan budget as required by s. 388.271.

Section 109. 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 110. 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



507790

the licensee participates in the violation.

Section 111. 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 112. 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 113. 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.—



507790

(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 114. 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



507790

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 115. 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 116. 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



507790

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 117. 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 118. This act shall take effect July 1, 2025.



507790

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to the Department of Agriculture and
Consumer Services; amending s. 110.205, F.S.;
providing that certain positions in the department are
exempt from the Career Service System; amending s.
163.3162, F.S.; defining terms; prohibiting
governmental entities from adopting or enforcing any
legislation that inhibits the construction of housing
for legally verified agricultural workers on
agricultural land operated as a bona fide farm;
requiring that the construction or installation of
such housing units on agricultural lands satisfies
certain criteria; requiring that local ordinances
comply with certain regulations; authorizing
governmental entities to adopt local land use
regulations that are less restrictive; requiring
property owners to maintain certain records for a
specified timeframe; requiring that use of a housing
site be discontinued and authorizing the removal of a
such site under certain circumstances; specifying
applicability of permit allocation systems in certain
areas of critical state concern; authorizing the
continued use of housing sites constructed before the
effective date of the act if certain conditions are



507790

3375 met; requiring the department to adopt certain rules;
3376 providing for enforcement; requiring the department to
3377 submit certain information to the State Board of
3378 Immigration Enforcement on a certain schedule;
3379 amending s. 201.25, F.S.; conforming a provision to
3380 changes made by the act; amending s. 253.0341, F.S.;
3381 authorizing the department to surplus certain lands
3382 determined to be suitable for bona fide agricultural
3383 production; requiring the department to consult with
3384 the Department of Environmental Protection before
3385 making such determination; requiring the Department of
3386 Agriculture and Consumer Services to retain a rural-
3387 lands-protection easement for all surplus lands and
3388 deposit all proceeds into a specified trust fund;
3389 requiring the department to provide a report of lands
3390 surplus to the board of trustees; providing that
3391 certain lands are ineligible to be surplus;
3392 providing for retroactive applicability; amending s.
3393 330.41, F.S.; defining terms; prohibiting a person
3394 from knowingly or willfully performing certain actions
3395 on lands classified as agricultural; providing
3396 criminal penalties; providing applicability;
3397 prohibiting a person from knowingly or willfully
3398 performing certain actions on private property, state
3399 wildlife management lands, or a sport shooting and
3400 training range; providing criminal penalties;
3401 providing applicability; creating s. 366.20, F.S.;
3402 requiring that certain lands acquired or owned by an
3403 electric utility be offered for fee simple acquisition



507790

3404 by the department before the land may be offered for
3405 sale or transfer to a private individual or entity;
3406 providing retroactive applicability; amending s.
3407 366.94, F.S.; defining the term "electric vehicle
3408 charging station"; authorizing the department to adopt
3409 rules; requiring local governmental entities to issue
3410 permits for electric vehicle charging stations based
3411 on specified standards and provisions of law;
3412 requiring that an electric vehicle charger be
3413 registered with the department before being placed
3414 into service for use by the public; providing the
3415 department with certain authority relating to electric
3416 vehicle charging stations; providing a penalty;
3417 authorizing the department to issue an immediate final
3418 order to an electric vehicle charging station under
3419 certain circumstances; providing that the department
3420 may bring an action to enjoin a violation of specified
3421 provisions or rules; requiring the court to issue a
3422 temporary or permanent injunction under certain
3423 circumstances; amending s. 388.011, F.S.; revising the
3424 definition of the terms "board of commissioners" and
3425 "district"; defining the term "program"; amending s.
3426 388.021, F.S.; making a technical change; amending s.
3427 388.181, F.S.; authorizing programs to perform
3428 specified actions; amending s. 388.201, F.S.;
3429 conforming provisions to changes made by the act;
3430 requiring that the tentative work plan budget covering
3431 the proposed operations and requirements for arthropod
3432 control measures show the estimated amount to be



507790

3433 raised by county, municipality, or district taxes;
3434 requiring that county commissioners' or a similar
3435 governing body's mosquito control budget be made and
3436 adopted pursuant to specified provisions and requiring
3437 that summary figures be incorporated into the county
3438 budgets as prescribed by the department; amending s.
3439 388.241, F.S.; providing that certain rights, powers,
3440 and duties be vested in the board of county
3441 commissioners or similar governing body of a county,
3442 city, or town; amending s. 388.261, F.S.; increasing
3443 the amount of state funds, supplies, services, or
3444 equipment for a certain number of years for any new
3445 program for the control of mosquitos and other
3446 arthropods which serves an area not previously served
3447 by a county, municipality, or district; conforming a
3448 provision to changes made by the act; amending s.
3449 388.271, F.S.; requiring each program participating in
3450 arthropod control activities to file a tentative
3451 integrated arthropod management plan with the
3452 department by a specified date; conforming provisions
3453 to changes made by the act; amending s. 388.281, F.S.;
3454 requiring that all funds, supplies, and services
3455 released to programs be used in accordance with the
3456 integrated arthropod management plan and certified
3457 budget; requiring that such integrated arthropod
3458 management plan and certified budget be approved by
3459 both the department and the board of county
3460 commissioners and an appropriate representative;
3461 conforming provisions to changes made by the act;



507790

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



507790

3491 the act; amending s. 388.351, F.S.; conforming
3492 provisions to changes made by the act; amending s.
3493 388.361, F.S.; conforming provisions to changes made
3494 by the act; amending s. 388.3711, F.S.; revising the
3495 department's enforcement powers; amending s. 388.381,
3496 F.S.; conforming provisions to changes made by the
3497 act; amending s. 388.391, F.S.; conforming provisions
3498 to changes made by the act; amending s. 388.401, F.S.;
3499 conforming provisions to changes made by the act;
3500 amending s. 388.46, F.S.; revising the composition of
3501 the Florida Coordinating Council on Mosquito Control;
3502 amending s. 403.067, F.S.; providing an exception for
3503 inspection requirements for certain agricultural
3504 producers; authorizing the department to adopt rules
3505 establishing an enrollment in best management
3506 practices by rule process; authorizing the department
3507 to identify best management practices for specified
3508 landowners; requiring the department to perform onsite
3509 inspections annually of a certain percentage of all
3510 enrollments that meet specified qualifications within
3511 a specified area; providing requirements for such
3512 inspections; requiring agricultural producers enrolled
3513 by rule in a best management practice to submit
3514 nutrient records annually to the department; requiring
3515 the department to collect and retain such records;
3516 amending s. 403.852, F.S.; defining the term "water
3517 quality additive"; amending s. 403.859, F.S.;
3518 providing that the use of certain additives in a water
3519 system which do not meet the definition of water



507790

3520 quality additive or certain other additives is
3521 prohibited and violates specified provisions; amending
3522 s. 482.111, F.S.; revising requirements for the
3523 renewal of a pest control operator's certificate;
3524 authorizing a third-party vendor to collect and retain
3525 a convenience fee; amending s. 482.141, F.S.;
3526 requiring the department to provide in-person and
3527 remote testing for the examination through a third-
3528 party vendor for an individual seeking pest control
3529 operator certification; authorizing a third-party
3530 vendor to collect and retain a convenience fee;
3531 amending s. 482.155, F.S.; requiring the department to
3532 provide in-person and remote testing for the
3533 examination through a third-party vendor for an
3534 individual seeking limited certification for a
3535 governmental pesticide applicator or a private
3536 applicator; authorizing a third-party vendor to
3537 collect and retain a convenience fee; deleting
3538 provisions requiring the department to make such
3539 examination readily accessible and available to all
3540 applicants on a specified schedule; amending s.
3541 482.156, F.S.; requiring the department to provide in-
3542 person and remote testing for the examination through
3543 a third-party vendor for an individual seeking a
3544 limited certification for commercial landscape
3545 maintenance; authorizing a third-party vendor to
3546 collect and retain a convenience fee; deleting
3547 provisions requiring the department to make such
3548 examination readily accessible and available to all



507790

3549 applicants on a specified schedule; amending s.
3550 482.157, F.S.; revising requirements for issuance of a
3551 limited certification for commercial wildlife
3552 management personnel; authorizing a third-party vendor
3553 to collect and retain a convenience fee; deleting
3554 provisions requiring the department to make an
3555 examination readily accessible and available to all
3556 applicants on a specified schedule; amending s.
3557 482.161, F.S.; authorizing the department to take
3558 specified disciplinary action upon the issuance of a
3559 final order imposing civil penalties or a criminal
3560 conviction pursuant to the Federal Insecticide,
3561 Fungicide, and Rodenticide Act; amending s. 487.044,
3562 F.S.; requiring the department to provide in-person
3563 and remote testing through a third-party vendor for
3564 the examination of an individual seeking a limited
3565 certification for pesticide application; authorizing a
3566 third-party vendor to collect and retain a convenience
3567 fee; amending s. 487.175, F.S.; providing that the
3568 department may suspend, revoke, or deny licensure of a
3569 pesticide applicator upon issuance of a final order to
3570 a licensee which imposes civil penalties or a criminal
3571 conviction under the Federal Insecticide, Fungicide,
3572 and Rodenticide Act; amending s. 496.404, F.S.;
3573 defining the terms "foreign country of concern" and
3574 "foreign source of concern"; amending s. 496.405,
3575 F.S.; revising which documents a charitable
3576 organization or sponsor must file before engaging in
3577 specified activities; requiring that any changes to



507790

3578 such documents be reported to the department on a
3579 specified form in a specified timeframe; revising the
3580 requirements of the charitable organization's initial
3581 registration statement; authorizing the department to
3582 investigate or refer to the Florida Elections
3583 Commission certain violations of the charitable
3584 organization or sponsor; amending s. 496.415, F.S.;
3585 prohibiting specified persons from soliciting or
3586 accepting anything of value from a foreign source of
3587 concern; amending s. 496.417, F.S.; authorizing the
3588 department to investigate or refer to the Florida
3589 Elections Commission certain violations of a
3590 charitable organization or sponsor; amending s.
3591 496.419, F.S.; providing penalties for a charitable
3592 organization or sponsor whose registration is denied
3593 or revoked for submitting a false attestation;
3594 creating s. 496.431, F.S.; requiring the department to
3595 create the Honest Service Registry to provide
3596 residents with information relating to charitable
3597 organizations; requiring a charitable organization
3598 included in the Honest Services Registry to submit an
3599 attestation statement to the department; requiring the
3600 department to publish the Honest Services Registry on
3601 the department's website; requiring the department to
3602 adopt rules; amending s. 500.03, F.S.; revising the
3603 definition of the term "cottage food product";
3604 amending s. 500.12, F.S.; providing that the
3605 department requires a food permit from any person or
3606 business that operates a food establishment; revising



507790

3607 exceptions; revising the schedule for renewing certain
3608 food permits; authorizing the department to establish
3609 a single permit renewal date for certain food
3610 establishments; amending s. 500.166, F.S.; requiring
3611 certain persons engaged in interstate commerce to
3612 retain all records that show certain information for a
3613 specified timeframe; amending s. 500.172, F.S.;
3614 authorizing the department to facilitate the
3615 destruction of certain articles that violate specified
3616 provisions; prohibiting certain persons from certain
3617 actions without permission from, or in accord with a
3618 written agreement with, the department; creating s.
3619 500.75, F.S.; providing that it is unlawful to import,
3620 sell, offer for sale, furnish, or give away certain
3621 spores or mycelium; providing a penalty for
3622 violations; creating s. 500.93, F.S.; defining terms;
3623 requiring the department to adopt rules to enforce the
3624 Food and Drug Administration's standard of identity
3625 for milk, meat, poultry, and poultry products, and
3626 eggs and egg products to prohibit the sale of plant-
3627 based products mislabeled as milk, meat, poultry, or
3628 poultry products, or egg or egg products; providing
3629 contingent effective dates; requiring the department
3630 to adopt rules; providing construction; repealing s.
3631 501.135, F.S., relating to consumer unit pricing;
3632 amending s. 501.912, F.S.; revising the definition of
3633 the term "antifreeze"; creating s. 525.19, F.S.;
3634 requiring the department to create an annual petroleum
3635 registration program for petroleum owners or



507790

3636 operators; requiring the department to adopt rules for
3637 such registration which include specified information;
3638 requiring that the registration program be free for
3639 all registrants; authorizing the department to require
3640 registrants to provide certain information during a
3641 state of emergency; creating s. 526.147, F.S.;
3642 creating the Florida Retail Fuel Transfer Switch
3643 Modernization Grant Program within the department;
3644 requiring the grant program to provide funds up to a
3645 certain amount to be used for installation and
3646 equipment costs related to installing or modernizing
3647 transfer switch infrastructure at retail fuel
3648 facilities; requiring the department to award funds
3649 based on specified criteria; requiring retail fuel
3650 facilities awarded grant funds to comply with
3651 specified provisions; requiring such facilities to
3652 install a transfer switch with specified capabilities;
3653 requiring retail fuel facilities to provide specified
3654 documentation before being awarded funding;
3655 prohibiting certain facilities from being awarded
3656 funding; requiring the department, in consultation
3657 with the Division of Emergency Management, to adopt
3658 rules; requiring that such rules include specified
3659 information; amending s. 531.48, F.S.; requiring that
3660 certain packages bear specified information on the
3661 outside of the package; amending s. 531.49, F.S.;
3662 revising requirements for the advertising of a
3663 packaged commodity; amending s. 570.07, F.S.;
3664 requiring the department to foster and encourage the



507790

3665 employment and retention of qualified veterinary
3666 pathologists; providing that the department may
3667 reimburse the educational expenses of certain
3668 veterinary pathologists who enter into a certain
3669 agreement with the department; requiring the
3670 department to adopt certain rules; requiring the
3671 department to extend certain opportunities to public
3672 school students enrolled in agricultural education to
3673 support Future Farmers of America programming;
3674 requiring the department to use contracts procured by
3675 agencies; defining the term "agency"; amending s.
3676 570.544, F.S.; revising which provisions the director
3677 of the Division of Consumer Services must enforce;
3678 creating s. 570.546, F.S.; authorizing the department
3679 to create a process for the bulk renewal of licenses;
3680 authorizing the department to create a process that
3681 will allow licensees to align the expiration dates of
3682 licenses within a specified program; authorizing the
3683 department to change the expiration date for current
3684 licenses for a certain purpose; requiring the
3685 department to prorate the licensing fee for certain
3686 licenses; requiring the department to adopt rules;
3687 amending s. 570.694, F.S.; creating the Florida
3688 Aquaculture Foundation as a direct support
3689 organization within the department; providing the
3690 purpose of the foundation; providing governance for
3691 the foundation; authorizing the department to appoint
3692 an advisory committee adjunct to the foundation;
3693 amending s. 570.822, F.S.; revising the definition of



507790

3694 the terms "declared natural disaster" and "program";
3695 providing that loan funds from the department may be
3696 used to restock aquaculture; authorizing the
3697 department to renew a loan application under certain
3698 circumstances; authorizing the department to defer or
3699 waive loan payments under certain circumstances;
3700 conforming provisions to changes made by the act;
3701 creating s. 570.823, F.S.; defining terms;
3702 establishing the silviculture emergency recovery
3703 program within the department to administer a grant
3704 program to assist certain timber landowners; requiring
3705 that such grants be used for certain purposes;
3706 requiring that only timber lands located on
3707 agricultural property are eligible for the program;
3708 requiring the department to coordinate with state
3709 agencies to provide financial assistance to timber
3710 landowners after a specified declared emergency;
3711 providing construction; authorizing the department to
3712 adopt rules to implement this section; providing
3713 construction; amending s. 581.1843, F.S.; deleting
3714 provisions that exclude certain citrus nurseries from
3715 certain requirements; deleting provisions relating to
3716 regulated areas around the perimeter of commercial
3717 citrus nurseries; repealing ss. 593.101, 593.102,
3718 593.103, 593.104, 593.105, 593.106, 593.107, 593.108,
3719 593.109, 593.11, 593.111, 593.112, 593.113, 593.114,
3720 593.1141, 593.1142, 593.115, 593.116, and 593.117,
3721 F.S., relating to the Florida Boll Weevil Eradication
3722 Law; definitions; powers and duties of Department of



507790

3723 Agriculture and Consumer Services; the entry of
3724 premises to carry out boll weevil eradication
3725 activities and inspections; reports by persons growing
3726 cotton; quarantine areas and the regulation of
3727 articles within a boll weevil eradication zone; the
3728 regulation of collection, transportation,
3729 distribution, and movement of cotton; cooperative
3730 programs for persons engaged in growing, processing,
3731 marketing, or handling cotton; the department's
3732 authority to designate eradication zones, prohibit
3733 planting of cotton, and require participation in
3734 eradication program; regulation of the pasturage of
3735 livestock, entry by persons, and location of honeybee
3736 colonies in eradication zones and other areas;
3737 eligibility for certification of cotton growers'
3738 organization; the certification of cotton growers'
3739 organization; a referendum; an assessment; the
3740 department's authority to enter agreements with the
3741 Farm Service Agency; liens; mandamus or injunction;
3742 penalty for violation; and the handling of moneys
3743 received, respectively; amending s. 595.404, F.S.;
3744 revising the department's powers and duties regarding
3745 school nutrition programs; amending s. 599.002, F.S.;
3746 renaming the Viticulture Advisory Council as the
3747 Florida Wine Advisory Council; revising the membership
3748 of the Florida Wine Advisory Council; conforming
3749 provisions to changes made by the act; amending s.
3750 599.003, F.S.; renaming the State Viticulture Plan as
3751 the State Wine Plan; conforming provisions to changes



507790

3752 made by the act; amending s. 599.004, F.S.; making
3753 technical changes; providing that wineries that fail
3754 to recertify annually or pay a specified licensing fee
3755 are subject to certain actions and costs; conforming
3756 provisions to changes made by the act; amending s.
3757 599.012, F.S.; conforming provisions to changes made
3758 by the act; amending s. 616.12, F.S.; deleting
3759 provisions requiring a person who operates a minstrel
3760 show in connection with any certain public fairs to
3761 pay specified license taxes; deleting a provision that
3762 exempts such person from paying specified taxes;
3763 creating s. 687.16, F.S.; providing a short title;
3764 defining terms; prohibiting a financial institution
3765 from discriminating in the provision of financial
3766 services to an agricultural producer based on an ESG
3767 factor; providing an inference with regard to a
3768 certain violation; providing that the financial
3769 institution may overcome the inference by making
3770 certain demonstrations regarding its denial or
3771 restriction of financial services to an agricultural
3772 producer; authorizing the Attorney General to enforce
3773 specified provisions; providing that a violation of
3774 specified provisions constitutes an unfair and
3775 deceptive trade practice; authorizing the Attorney
3776 General to investigate and seek remedies for such
3777 unfair trade practices; authorizing an aggrieved party
3778 to seek an action for damages; amending s. 741.0305,
3779 F.S.; conforming a cross-reference; amending s.
3780 790.06, F.S.; revising the circumstances under which



507790

3781 the department may temporarily suspend a person's
3782 license to carry a concealed weapon or concealed
3783 firearm or the processing of an application for such
3784 license; requiring the department to notify certain
3785 licensees or applicants of his or her right to a
3786 hearing; requiring that the hearing regarding such
3787 suspension of license be for a limited purpose;
3788 requiring the department to issue an order lifting the
3789 suspension of an applicant's license upon a certain
3790 disposition of the criminal case; requiring that the
3791 suspension remain in effect upon a certain disposition
3792 of the criminal case; providing construction;
3793 providing legislative findings; revising the duties of
3794 the department after the date of receipt of a
3795 completed application for a license to carry a
3796 concealed weapon or concealed firearm; requiring that
3797 a license issued under this section be temporarily
3798 suspended or revoked if the license was issued in
3799 error or if the licensee commits certain actions;
3800 amending s. 812.0151, F.S.; revising the elements of
3801 third degree and second degree felony retail fuel
3802 theft; creating s. 812.136, F.S.; defining terms;
3803 providing elements for the crime of mail theft;
3804 providing elements of theft of or unauthorized
3805 reproduction of a mail depository key or lock;
3806 providing criminal penalties; amending s. 934.50,
3807 F.S.; deleting certain exceptions from the prohibited
3808 uses of drones; creating s. 1013.373, F.S.;
3809 prohibiting a local government from adopting any



507790

3810 measure to limit the activities of public educational
3811 facilities or auxiliary facilities constructed by
3812 certain organizations; requiring that lands used for
3813 agricultural education or for the Future Farmers of
3814 America or 4-H activities be considered agricultural
3815 lands; reenacting s. 295.07(5)(a), F.S., relating to
3816 preference in appointment and retention, to
3817 incorporate the amendment made to s. 110.205, F.S., in
3818 a reference thereto; reenacting ss. 125.01(1)(r),
3819 163.3162(3)(a) through (d), 163.3163(3)(c),
3820 163.3164(4), 163.3194(5), 170.01(4), 193.052(2),
3821 193.4615, 212.08(5)(a) and (19)(a), 373.406(2),
3822 403.182(11)(a), 403.9337(4), 472.029(2)(d),
3823 474.2021(5), 474.2165(4)(d), 487.081(6), 570.85(1),
3824 570.87(1), 570.94(3), 582.19(1)(a), 586.055,
3825 604.50(2)(a) and (d), 604.73(3)(b), 692.201(1),
3826 741.30(5)(a) and (6)(a), 810.011(5)(a), and 823.14(6),
3827 F.S., relating to powers and duties; agricultural
3828 lands and practices; applications for development
3829 permits; community planning act; legal status of
3830 comprehensive plan; authority for providing
3831 improvements and levying and collecting special
3832 assessments against property benefited; preparation
3833 and serving of returns; assessment of obsolete
3834 agricultural equipment; storage tax; exemptions; local
3835 pollution control programs; the Model Ordinance for
3836 Florida-Friendly Fertilizer Use on Urban Landscapes;
3837 authorization to enter lands of third parties;
3838 veterinary telehealth; ownership and control of



507790

3839 veterinary medical patient records; exemptions;
3840 agritourism; agritourism participation impact on land
3841 classification; best management practices for
3842 wildlife; qualifications and tenure of supervisors;
3843 location of apiaries; nonresidential farm buildings;
3844 urban agriculture pilot projects; definitions;
3845 domestic violence; definitions; and the Florida Right
3846 to Farm Act, respectively, to incorporate the
3847 amendment made to s. 193.461, F.S., in references
3848 thereto; reenacting ss. 189.062(1)(a) and 388.261(7),
3849 F.S., relating to special procedures for inactive
3850 districts and state aid to counties and districts for
3851 arthropod control, respectively, to incorporate the
3852 amendment made to s. 388.271, F.S., in references
3853 thereto; reenacting ss. 482.072(3)(b) and 482.163,
3854 F.S., relating to pest control customer contact
3855 centers and responsibility for pest control activities
3856 of employee, respectively, to incorporate the
3857 amendment made to s. 482.161, F.S., in references
3858 thereto; reenacting s. 487.156, F.S., relating to
3859 governmental agencies, to incorporate the amendment
3860 made to s. 487.044, F.S., in a reference thereto;
3861 reenacting ss. 496.4055(2) and 496.406(2) and (4),
3862 F.S., relating to charitable organization or sponsor
3863 board duties and exemption from registration,
3864 respectively, to incorporate the amendment made to s.
3865 496.405, F.S., in references thereto; reenacting s.
3866 500.80(1)(a), F.S., relating to cottage food
3867 operations, to incorporate the amendment made to s.



507790

3868 500.12, F.S., in a reference thereto; reenacting s.
3869 500.121(6), F.S., relating to disciplinary procedures,
3870 to incorporate the amendment made to s. 500.172, F.S.,
3871 in a reference thereto; reenacting s. 790.061, F.S.,
3872 relating to judges and justices, to incorporate the
3873 amendment made to s. 790.06, F.S., in a reference
3874 thereto; providing an effective date.

By Senator Truenow

13-00671B-25

2025700__

1 A bill to be entitled
 2 An act relating to the Department of Agriculture and
 3 Consumer Services; amending s. 110.205, F.S.;
 4 providing that certain positions in the department are
 5 exempt from the Career Service System; amending s.
 6 186.801, F.S.; requiring an electric utility to submit
 7 a 10-year site plan for a proposed power plant on
 8 certain lands to the county commission where such
 9 proposed power plant is located; requiring a county
 10 commission receiving such site plans to fulfill
 11 certain requirements; amending s. 193.461, F.S.;
 12 revising requirements for land to be classified as
 13 agricultural; amending s. 201.25, F.S.; conforming a
 14 provision to changes made by the act; amending s.
 15 330.41, F.S.; defining terms; prohibiting a person
 16 from knowingly or willfully performing certain actions
 17 on lands classified as agricultural; providing
 18 criminal penalties; providing applicability;
 19 prohibiting a person from knowingly or willfully
 20 performing certain actions on private property, state
 21 wildlife management lands, or a sport shooting and
 22 training range; providing criminal penalties;
 23 providing applicability; creating s. 366.20, F.S.;
 24 requiring that certain lands acquired by an electric
 25 utility be offered for sale for less than fee simple
 26 acquisition of development rights by the state;
 27 requiring that certain lands owned by an electric
 28 utility be offered for sale for less than fee simple
 29 acquisition of development rights by this state before

Page 1 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700__

30 certain circumstances; providing retroactive
 31 applicability; amending s. 366.94, F.S.; defining the
 32 term "electric vehicle charging station"; authorizing
 33 the department to adopt rules; requiring local
 34 governmental entities to issue permits for electric
 35 vehicle charging stations based on specified standards
 36 and provisions of law; requiring an electric vehicle
 37 charger to register with the department before being
 38 placed into service for use by the public; providing
 39 the department with certain authority relating to
 40 electric vehicle charging stations; providing a
 41 penalty; authorizing the department to issue an
 42 immediate final order to an electric vehicle charging
 43 station under certain circumstances; providing that
 44 the department may bring an action to enjoin a
 45 violation of specified provisions or rules; requiring
 46 the court to issue a temporary or permanent injunction
 47 under certain circumstances; amending s. 388.011,
 48 F.S.; revising the definition of "board of
 49 commissioners"; defining the term "program"; amending
 50 s. 388.021, F.S.; making a technical change; amending
 51 s. 388.181, F.S.; authorizing programs to perform
 52 specified actions; amending s. 388.201, F.S.;
 53 conforming provisions to changes made by the act;
 54 requiring that the tentative work plan budget covering
 55 the proposed operations and requirements for arthropod
 56 control measures show the estimated amount to be
 57 raised by county, municipality, or district taxes;
 58 requiring that county commissioners' or a similar

Page 2 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

59 governing body's mosquito control budget be made and
 60 adopted pursuant to specified provisions and requiring
 61 that summary figures be incorporated into the county
 62 budgets as prescribed by the department; amending s.
 63 388.241, F.S.; providing that certain rights, powers,
 64 and duties be vested in the board of county
 65 commissioners or similar governing body of a county,
 66 city, or town; amending s. 388.261, F.S.; increasing
 67 the amount of state funds, supplies, services, or
 68 equipment for a certain number of years for any new
 69 program for the control of mosquitos and other
 70 arthropods which serves an area not previously served
 71 by a county, municipality, or district; conforming a
 72 provision to changes made by the act; amending s.
 73 388.271, F.S.; requiring each program participating in
 74 arthropod control activities to file a tentative
 75 integrated arthropod management plan with the
 76 department by a specified date; conforming provisions
 77 with changes made by the act; amending s. 388.281,
 78 F.S.; requiring that all funds, supplies, and services
 79 released to programs be used in accordance with the
 80 integrated arthropod management plan and certified
 81 budget; requiring that such integrated arthropod
 82 management plan and certified budget be approved by
 83 both the board of county commissioners and appropriate
 84 representative; conforming provisions to changes made
 85 by the act; amending s. 388.291, F.S.; providing that
 86 a program may perform certain source reduction
 87 measures in any area providing that the department has

Page 3 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

88 approved the operating or construction plan as
 89 outlined in the integrated arthropod management plan;
 90 conforming provisions to changes made by the act;
 91 amending s. 388.301, F.S.; revising the schedule by
 92 which state funds for the control of mosquitos and
 93 other arthropods may be paid; conforming provisions to
 94 changes made by the act; amending s. 388.311, F.S.;
 95 conforming provisions to changes made by the act;
 96 amending s. 388.321, F.S.; conforming provisions to
 97 changes made by the act; amending s. 388.322, F.S.;
 98 requiring the department to maintain a record and
 99 inventory of certain property purchased with state
 100 funds for arthropod control use; conforming provisions
 101 to changes made by the act; amending s. 388.323, F.S.;
 102 providing that certain equipment no longer needed by a
 103 program be first offered for sale to other programs
 104 engaged in arthropod control at a specified price;
 105 requiring that all proceeds from the sale of certain
 106 property owned by a program and purchased using state
 107 funds be deposited in the program's state fund
 108 account; conforming provisions to changes made by the
 109 act; amending s. 388.341, F.S.; requiring a program
 110 receiving state aid to submit a monthly report of all
 111 expenditures from all funds for arthropod control by a
 112 specified timeframe as may be required by the
 113 department; conforming provisions to changes made by
 114 the act; amending s. 388.351, F.S.; conforming
 115 provisions to changes made by the act; amending s.
 116 388.361, F.S.; conforming provisions to changes made

Page 4 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

117 by the act; amending s. 388.3711, F.S.; revising the
 118 department's enforcement powers; amending s. 388.381,
 119 F.S.; conforming provisions to changes made by the
 120 act; amending s. 388.391, F.S.; conforming provisions
 121 to changes made by the act; amending s. 388.401, F.S.;
 122 conforming provisions to changes made by the act;
 123 amending s. 388.46, F.S.; revising the composition of
 124 the Florida Coordinating Council on Mosquito Control;
 125 amending s. 403.067, F.S.; providing an exception for
 126 inspection requirements for certain agricultural
 127 producers; authorizing the department to adopt rules
 128 establishing an enrollment in best management
 129 practices by rule process; authorizing the department
 130 to identify best management practices for specified
 131 landowners; requiring the department to annually
 132 perform onsite inspections of a certain percentage of
 133 all enrollments that meet specified qualifications
 134 within a specified area; providing requirements for
 135 such inspections; requiring agricultural producers
 136 enrolled by rule in a best management practice to
 137 annually submit nutrient records to the department;
 138 requiring the department to collect and retain such
 139 records; amending s. 403.852, F.S.; defining the term
 140 "water quality additive"; amending s. 403.859, F.S.;
 141 providing that the use of certain additives in a water
 142 system which do not meet the definition of water
 143 quality additive or certain other additives is
 144 prohibited and violates specified provisions; amending
 145 s. 482.111, F.S.; revising requirements for the

Page 5 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

146 renewal of a pest control operator's certificate;
 147 authorizing a third-party vendor to collect and retain
 148 a convenience fee; amending s. 482.141, F.S.;
 149 requiring the department to provide in-person and
 150 remote testing for the examination through a third-
 151 party vendor for an individual seeking pest control
 152 operator certification; authorizing a third-party
 153 vendor to collect and retain a convenience fee;
 154 amending s. 482.155, F.S.; requiring the department to
 155 provide in-person and remote testing for the
 156 examination through a third-party vendor for an
 157 individual seeking limited certification for a
 158 governmental pesticide applicator or a private
 159 applicator; authorizing a third-party vendor to
 160 collect and retain a convenience fee; deleting
 161 provisions requiring the department to make such
 162 examination readily accessible and available to all
 163 applicants on a specified schedule; amending s.
 164 482.156, F.S.; requiring the department to provide in-
 165 person and remote testing for the examination through
 166 a third-party vendor for an individual seeking a
 167 limited certification for commercial landscape
 168 maintenance; authorizing a third-party vendor to
 169 collect and retain a convenience fee; deleting
 170 provisions requiring the department to make such
 171 examination readily accessible and available to all
 172 applicants on a specified schedule; amending s.
 173 482.157, F.S.; revising requirements for issuance of a
 174 limited certification for commercial wildlife

Page 6 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

175 management personnel; authorizing a third-party vendor
 176 to collect and retain a convenience fee; deleting
 177 provisions requiring the department to make an
 178 examination readily accessible and available to all
 179 applicants on a specified schedule; amending s.
 180 482.161, F.S.; authorizing the department to take
 181 specified disciplinary action upon the issuance of a
 182 final order imposing civil penalties or a criminal
 183 conviction pursuant to the Federal Insecticide,
 184 Fungicide, and Rodenticide Act; amending s. 487.044,
 185 F.S.; requiring the department to provide in-person
 186 and remote testing through a third-party vendor for
 187 the examination of an individual seeking a limited
 188 certification for pesticide application; authorizing a
 189 third-party vendor to collect and retain a convenience
 190 fee; amending s. 487.175, F.S.; providing that the
 191 department may suspend, revoke, or deny licensure of a
 192 pesticide applicator upon issuance of a final order to
 193 a licensee which imposes civil penalties or a criminal
 194 conviction under the Federal Insecticide, Fungicide,
 195 and Rodenticide Act; amending s. 496.404, F.S.;
 196 defining the terms "foreign country of concern" and
 197 "foreign source of concern"; amending s. 496.405,
 198 F.S.; revising which documents a charitable
 199 organization or sponsor must file before engaging in
 200 specified activities; requiring that any changes to
 201 such documents be reported to the department on a
 202 specified form in a specified timeframe; revising the
 203 requirements of the charitable organization's initial

Page 7 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

204 registration statement; authorizing the department to
 205 investigate or refer to the Florida Elections
 206 Commission certain violations of the charitable
 207 organization or sponsor; amending s. 496.415, F.S.;
 208 prohibiting specified persons from soliciting or
 209 accepting anything of value from a foreign source of
 210 concern; amending s. 496.417, F.S.; authorizing the
 211 department to investigate or refer to the Florida
 212 Elections Commission certain violations of a
 213 charitable organization or sponsor; amending s.
 214 496.419, F.S.; prohibiting a charitable organization
 215 or sponsor from registering as a charitable
 216 organization for a specified timeframe if the
 217 charitable organization or sponsor submits a false
 218 attestation; prohibiting specified persons from
 219 serving in any capacity in the charitable organization
 220 for a specified timeframe if such person was serving
 221 in such charitable organization at the time the
 222 charitable organization submitted a false attestation;
 223 creating s. 496.431, F.S.; requiring the department to
 224 create the Honest Service Registry to provide
 225 residents with information relating to charitable
 226 organizations; requiring a charitable organization
 227 included in the Honest Services Registry to submit an
 228 attestation statement to the department; requiring the
 229 department to publish the Honest Services Registry on
 230 the department's website; requiring the department to
 231 adopt rules; amending s. 500.03, F.S.; revising the
 232 definition of the term "cottage food product";

Page 8 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

233 amending s. 500.12, F.S.; providing that the
 234 department requires a food permit from any person or
 235 business that operates a food establishment; revising
 236 exceptions; revising the schedule for renewing certain
 237 food permits; authorizing the department to establish
 238 a single permit renewal date for certain food
 239 establishments; amending s. 500.166, F.S.; requiring
 240 certain persons engaged in interstate commerce to
 241 retain all records that show certain information for a
 242 specified timeframe; amending s. 500.172, F.S.;
 243 authorizing the department to facilitate the
 244 destruction of certain articles that violate specified
 245 provisions; prohibiting certain persons from certain
 246 actions without permission from, or in accord with a
 247 written agreement with, the department; creating s.
 248 500.75, F.S.; providing that it is unlawful to import,
 249 sell, offer for sale, furnish, or give away certain
 250 spores or mycelium; providing a penalty for
 251 violations; creating s. 500.93, F.S.; defining terms;
 252 requiring the department to adopt rules to enforce the
 253 Food and Drug Administration's (FDA's) standard of
 254 identity for milk to prohibit the sale of plant-based
 255 products mislabeled as milk; providing a contingent
 256 effective date; requiring the department to adopt
 257 rules to enforce the FDA's standard of identity for
 258 meat, poultry, and poultry products to prohibit the
 259 sale of plant-based products mislabeled as meat;
 260 providing a contingent effective date; requiring the
 261 department to adopt rules; providing construction;

13-00671B-25

2025700

262 repealing s. 501.135, F.S., relating to consumer unit
 263 pricing; amending s. 501.912, F.S.; revising the
 264 definition of "antifreeze"; creating s. 525.19, F.S.;
 265 requiring the department to create an annual petroleum
 266 registration program for petroleum owners or operators
 267 who own and operate vehicles for transporting
 268 petroleum; requiring the department to adopt rules for
 269 such registration which include specified information;
 270 requiring that the registration program be free for
 271 all registrants; authorizing the department to require
 272 registrants to provide certain information during a
 273 state of emergency; creating s. 526.147, F.S.;
 274 creating the Florida Retail Fuel Transfer Switch
 275 Modernization Grant Program within the department;
 276 requiring the grant program to provide funds up to a
 277 certain amount to be used for installation and
 278 equipment costs related to installing or modernizing
 279 transfer switch infrastructure at retail fuel
 280 facilities; requiring the department to award funds
 281 based on specified criteria; requiring retail fuel
 282 facilities awarded grant funds to comply with
 283 specified provisions; requiring such facilities to
 284 install a transfer switch with specified capabilities;
 285 requiring retail fuel facilities to provide specified
 286 documentation before being awarded funding;
 287 prohibiting certain facilities from being awarded
 288 funding; requiring the department, in consultation
 289 with the Division of Emergency Management, to adopt
 290 rules; requiring that such rules include specified

13-00671B-25

2025700__

291 information; amending s. 531.48, F.S.; requiring that
 292 certain packages bear specified information on the
 293 outside of the package; amending s. 531.49, F.S.;
 294 revising requirements for the advertising of a
 295 packaged commodity; amending s. 570.07, F.S.;
 296 requiring the department to foster and encourage the
 297 employment and retention of qualified veterinary
 298 pathologists; providing that the department may
 299 reimburse the educational expenses of certain
 300 veterinary pathologists who enter into a certain
 301 agreement with the department; requiring the
 302 department to administer rules; requiring the
 303 department to extend certain opportunities to public
 304 school students enrolled in agricultural education to
 305 support Future Farmers of America programming;
 306 amending s. 570.544, F.S.; revising which provisions
 307 the director of the Division of Consumer Services must
 308 enforce; creating s. 570.546, F.S.; authorizing the
 309 department to create a process for the bulk renewal of
 310 licenses; authorizing the department to create a
 311 process that will allow licensees to align the
 312 expiration dates of licenses within a specified
 313 program; authorizing the department to change the
 314 expiration date for current licenses for a certain
 315 purpose; requiring the department to pro-rate the
 316 licensing fee for certain licenses; requiring the
 317 department to adopt rules; amending s. 570.822, F.S.;
 318 defining the term "declared emergency"; revising the
 319 definition of the term "program"; providing that loan

13-00671B-25

2025700__

320 funds from the department may be used to restock
 321 aquaculture; authorizing the department to renew a
 322 loan application under certain circumstances;
 323 authorizing the department to defer or waive loan
 324 payments under certain circumstances; conforming
 325 provisions to changes made by the act; creating s.
 326 570.823, F.S.; defining terms; establishing the
 327 silviculture emergency recovery program within the
 328 department to administer a grant program to assist
 329 certain timber landowners; requiring that such grants
 330 be used for certain purposes; requiring that only
 331 timber lands located on agricultural property are
 332 eligible for the program; requiring the department to
 333 coordinate with state agencies to provide financial
 334 assistance to timber landowners after a specified
 335 declared emergency; providing construction;
 336 authorizing the department to adopt rules to implement
 337 this section; providing construction; amending s.
 338 581.1843, F.S.; deleting provisions that exclude
 339 certain citrus nurseries from certain requirements;
 340 deleting provisions relating to regulated areas around
 341 the perimeter of commercial citrus nurseries;
 342 repealing ss. 593.101, 593.102, 593.103, 593.104,
 343 593.105, 593.106, 593.107, 593.108, 593.109, 593.11,
 344 593.111, 593.112, 593.113, 593.114, 593.1141,
 345 593.1142, 593.115, 593.116, and 593.117, F.S.,
 346 relating to the Florida Boll Weevil Eradication Law;
 347 definitions; powers and duties of Department of
 348 Agriculture and Consumer Services; the entry of

13-00671B-25

2025700

349 premises to carry out boll weevil eradication
 350 activities and inspections; reports by persons growing
 351 cotton; quarantine areas and the regulation of
 352 articles within a boll weevil eradication zone; the
 353 regulation of collection, transportation,
 354 distribution, and movement of cotton; cooperative
 355 programs for persons engaged in growing, processing,
 356 marketing, or handling cotton; the department's
 357 authority to designate eradication zones, prohibit
 358 planting of cotton, and require participation in
 359 eradication program; regulation of the pasturage of
 360 livestock, entry by persons, and location of honeybee
 361 colonies in eradication zones and other areas;
 362 eligibility for certification of cotton growers'
 363 organization; the certification of cotton growers'
 364 organization; a referendum; an assessment; the
 365 department's authority to enter agreements with the
 366 Farm Service Agency; liens; mandamus or injunction;
 367 penalty for violation; and the handling of moneys
 368 received, respectively; amending s. 595.404, F.S.;
 369 revising the department's powers and duties regarding
 370 school nutrition programs; amending s. 599.002, F.S.;
 371 renaming the Viticulture Advisory Council as the
 372 Florida Wine Advisory Council; revising the membership
 373 of the Florida Wine Advisory council; conforming
 374 provisions to changes made by the act; amending s.
 375 599.003, F.S.; renaming the State Viticulture Plan as
 376 the State Wine Plan; conforming provisions to changes
 377 made by the act; amending s. 599.004, F.S.; making

13-00671B-25

2025700

378 technical changes; providing that wineries that fail
 379 to recertify annually or pay a specified licensing fee
 380 are subject to certain actions and costs; conforming
 381 provisions to changes made by the act; amending s.
 382 599.012, F.S.; conforming provisions to changes made
 383 by the act; amending s. 616.12, F.S.; deleting
 384 provisions requiring a person who operates a minstrel
 385 show in connection with any certain public fairs to
 386 pay specified license taxes; deleting a provision that
 387 exempts such person from paying specified taxes;
 388 creating s. 687.16, F.S.; providing a short title;
 389 defining terms; prohibiting a financial institution
 390 from discriminating in the provision of financial
 391 services to an agricultural producer based on an ESG
 392 factor; providing an inference with regard to a
 393 certain violation; providing that the financial
 394 institution may overcome the inference by making
 395 certain demonstrations regarding its denial or
 396 restriction of financial services to an agricultural
 397 producer; authorizing the Attorney General to enforce
 398 specified provisions; providing that a violation of
 399 specified provisions constitutes an unfair and
 400 deceptive trade practice; authorizing the Attorney
 401 General to investigate and seek remedies for such
 402 unfair trade practices; authorizing an aggrieved party
 403 to seek an action for damages; amending s. 741.0305,
 404 F.S.; conforming a cross-reference; amending s.
 405 790.06, F.S.; revising the circumstances under which
 406 the department may temporarily suspend a person's

13-00671B-25

2025700

407 license to carry a concealed weapon or concealed
 408 firearm or the processing of an application for such
 409 license; requiring the department to notify certain
 410 licensees or applicants of his or her right to a
 411 hearing; requiring that the hearing regarding such
 412 suspension of license be for a limited purpose;
 413 requiring the department to issue an order lifting the
 414 suspension of an applicant's license upon a certain
 415 disposition of the criminal case; requiring that the
 416 suspension remain in effect upon a certain disposition
 417 of the criminal case; providing construction;
 418 providing legislative findings; revising the duties of
 419 the department after the date of receipt of a
 420 completed application for a license to carry a
 421 concealed weapon or concealed firearm; requiring that
 422 a license issued under this section be temporarily
 423 suspended or revoked if the license was issued in
 424 error or if the licensee commits certain actions;
 425 amending s. 790.33, F.S.; specifying requirements for
 426 the assessment of certain civil fines and attorney
 427 fees and costs; amending s. 812.0151, F.S.; revising
 428 the elements of third degree and second degree felony
 429 retail fuel theft; creating s. 812.136, F.S.; defining
 430 terms; providing elements for the crime of mail theft;
 431 providing elements of theft of or unauthorized
 432 reproduction of a mail depository key or lock;
 433 providing criminal penalties; creating s. 1013.373,
 434 F.S.; prohibiting a local government from adopting any
 435 measure to limit the activities of public educational

Page 15 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

436 facilities or auxiliary facilities constructed by
 437 certain organizations; requiring that lands used for
 438 agricultural education or for the Future Farmers of
 439 America or 4-H activities be considered agricultural
 440 lands; reenacting s. 295.07(5)(a), F.S., relating to
 441 preference in appointment and retention, to
 442 incorporate the amendment made to s. 110.205, F.S., in
 443 references thereto; reenacting ss. 125.01(1)(r),
 444 163.3162(3)(a)-(d), 163.3163(3)(c), 163.3164(4),
 445 163.3194(5), 170.01(4), 193.052(2), 193.4615,
 446 212.08(5)(a) and (19)(a), 373.406(2), 403.182(11)(a),
 447 403.9337(4), 472.029(2)(d), 474.2021(5),
 448 474.2165(4)(d), 487.081(6), 570.85(1), 570.87(1),
 449 570.94(3), 582.19(1)(a), 586.055, 604.50(2)(a) and
 450 (d), 604.73(3)(b), 692.201(1), 741.30(5)(a) and
 451 (6)(a), 810.011(5)(a), and 823.14(6), F.S., relating
 452 to powers and duties; agricultural lands and
 453 practices; applications for development permits;
 454 community planning act; legal status of comprehensive
 455 plan; authority for providing improvements and levying
 456 and collecting special assessments against property
 457 benefited; preparation and serving of returns;
 458 assessment of obsolete agricultural equipment; storage
 459 tax; exemptions; local pollution control programs; the
 460 Model Ordinance for Florida-Friendly Fertilizer Use on
 461 Urban Landscapes; authorization to enter lands of
 462 third parties; veterinary telehealth; ownership and
 463 control of veterinary medical patient records;
 464 exemptions; agritourism; agritourism participation

Page 16 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

465 impact on land classification; best management
 466 practices for wildlife; qualifications and tenure of
 467 supervisors; location of apiaries; nonresidential farm
 468 buildings; urban agriculture pilot projects;
 469 definitions; definitions; domestic violence; and the
 470 Florida Right to Farm Act, respectively, to
 471 incorporate the amendment made to s. 193.461, F.S., in
 472 references thereto; reenacting ss. 189.062(1)(a) and
 473 388.261(7), F.S., relating to special procedures for
 474 inactive districts and state aid to counties and
 475 districts for arthropod control, respectively, to
 476 incorporate the amendment made to s. 388.271, F.S., in
 477 references thereto; reenacting ss. 482.072(3)(b) and
 478 482.163, relating to pest control customer contact
 479 centers and responsibility for pest control activities
 480 of employee, respectively, to incorporate the
 481 amendment made to s. 482.161, F.S., in references
 482 thereto; reenacting s. 487.156, F.S., relating to
 483 governmental agencies, to incorporate the amendment
 484 made to s. 487.044, F.S., in a reference thereto;
 485 reenacting ss. 496.4055(2) and 496.406(2) and (4),
 486 F.S., relating to charitable organization or sponsor
 487 board duties and exemption from registration,
 488 respectively, to incorporate the amendment made to s.
 489 496.405, F.S., in references thereto; reenacting s.
 490 500.80(1)(a), F.S., relating to cottage food
 491 operations, to incorporate the amendment made to s.
 492 500.12, F.S., in a reference thereto; reenacting s.
 493 500.121(6), F.S., relating to disciplinary procedures,

Page 17 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

494 to incorporate the amendment made to s. 500.172, F.S.,
 495 in a reference thereto; reenacting s. 790.061, F.S.,
 496 relating to judges and justices, to incorporate the
 497 amendment made to s. 790.06, F.S., in a reference
 498 thereto; providing an effective date.
 499

500 Be It Enacted by the Legislature of the State of Florida:
 501

502 Section 1. Paragraph (m) of subsection (2) of section
 503 110.205, Florida Statutes, is amended to read:

504 110.205 Career service; exemptions.—

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

507 (m) All assistant division director, deputy division
 508 director, and bureau chief positions in any department, and
 509 those positions determined by the department to have managerial
 510 responsibilities comparable to such positions, which include,
 511 but are not limited to:

512 1. Positions in the Department of Health and the Department
 513 of Children and Families which are assigned primary duties of
 514 serving as the superintendent or assistant superintendent of an
 515 institution.

516 2. Positions in the Department of Corrections which are
 517 assigned primary duties of serving as the warden, assistant
 518 warden, colonel, or major of an institution or that are assigned
 519 primary duties of serving as the circuit administrator or deputy
 520 circuit administrator.

521 3. Positions in the Department of Transportation which are
 522 assigned primary duties of serving as regional toll managers and

Page 18 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

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

186.801 Ten-year site plans.—

(1) Each electric utility shall submit to the Public Service Commission a 10-year site plan which shall estimate its power-generating needs and the general location of its proposed power plant sites. If the proposed power plant site is located

13-00671B-25

2025700

on land that has, at any time during the previous 5 years, been classified as agricultural lands pursuant to s. 193.461, the electric utility must submit the plan to the county commission of the county in which the proposed site is located. The county commission shall comply with subsection (3). The 10-year plan shall be reviewed and submitted not less frequently than every 2 years.

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

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

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

Section 3. Paragraph (b) of subsection (3) of section 193.461, Florida Statutes, is amended to read:

193.461 Agricultural lands; classification and assessment; mandated eradication or quarantine program; natural disasters.—

(3)

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

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

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

13-00671B-25

2025700__

581 b. Whether the use has been continuous.

582 c. The purchase price paid.

583 d. Size, as it relates to specific agricultural use, but a

584 minimum acreage may not be required for agricultural assessment.

585 e. Whether an indicated effort has been made to care

586 sufficiently and adequately for the land in accordance with

587 accepted commercial agricultural practices, including, without

588 limitation, fertilizing, liming, tilling, mowing, reforestation,

589 and other accepted agricultural practices.

590 f. Whether the land is under lease and, if so, the

591 effective length, terms, and conditions of the lease.

592 g. Such other factors as may become applicable.

593 2. Offering property for sale does not constitute a primary

594 use of land and may not be the basis for denying an agricultural

595 classification if the land continues to be used primarily for

596 bona fide agricultural purposes while it is being offered for

597 sale.

598 3. Lands owned or leased by an electric utility as defined

599 in s. 361.11(2) which may also be the site of solar energy

600 systems as defined in s. 212.02(26) and bona fide agricultural

601 uses of the land, and which comply with all other provisions of

602 this section, must be classified agricultural by the property

603 appraiser.

604 Section 4. Subsection (3) of section 201.25, Florida

605 Statutes, is amended to read:

606 201.25 Tax exemptions for certain loans.—There shall be

607 exempt from all taxes imposed by this chapter:

608 (3) Any loan made by the Agriculture and Aquaculture

609 Producers Emergency Natural Disaster Recovery Loan Program

Page 21 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700__

610 pursuant to s. 570.822.

611 Section 5. Present paragraphs (a) through (d) and (e) of

612 subsection (2) and subsection (6) of section 330.41, Florida

613 Statutes, are redesignated as paragraphs (b) through (e) and (j)

614 of subsection (2) and subsection (8), respectively, new

615 paragraphs (a) and (f) and paragraphs (g), (h), and (i) are

616 added to subsection (2) and new subsection (6) and subsection

617 (7) are added to that section, and paragraph (d) of subsection

618 (4) of that section is amended, to read:

619 330.41 Unmanned Aircraft Systems Act.—

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

621 (a) "Commercial property" means real property other than

622 residential property. The term includes, but is not limited to,

623 a property zoned multifamily residential which is composed of

624 five or more dwelling units, and real property used for

625 commercial, industrial, or agricultural purposes.

626 (f) "Private property" means any residential or commercial

627 property.

628 (g) "Property owner" means the owner or owners of record of

629 real property. The term includes real property held in trust for

630 the benefit of one or more individuals, in which case the

631 individual or individuals may be considered as the property

632 owner or owners, provided that the trustee provides written

633 consent. The term does not include persons renting, using,

634 living, or otherwise occupying real property.

635 (h) "Residential property" means real property zoned as

636 residential or multifamily residential and composed of four or

637 fewer dwelling units.

638 (i) "Sport shooting and training range" has the same

Page 22 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

meaning as 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 close enough distance of 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 law enforcement agency that is in compliance with s. 934.50 or a person under contract with or otherwise acting under the direction of such law enforcement agency.

13-00671B-25

2025700

3. 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.

(7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING

LANDS.—

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

1. Operate a drone.

2. Allow a drone to make contact with such property 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:

13-00671B-25

2025700

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 law enforcement agency that is in compliance with s. 934.50 or a person under contract with or otherwise acting under the direction of such law enforcement agency.

3. 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 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 less than fee simple acquisition of development rights by the state.

(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 less than fee simple acquisition of development rights by this state before offering for sale or transferring the land to a private individual or entity.

(3) This section is retroactive to January 1, 2024.

Section 7. Present paragraphs (3) and (4) of section 366.94, Florida Statutes, are redesignated as subsections (4)

13-00671B-25

2025700

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.

13-00671B-25

2025700

(e) The department shall have the authority to inspect electric vehicle charging stations, conduct investigations, and enforce the provisions of this subsection and any 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:

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 shall 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:

Page 27 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

388.011 Definitions.—As used in this chapter:

(2) "Board of commissioners" means the governing body of any mosquito control ~~programs~~ 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 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.

Page 28 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

(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 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

13-00671B-25

2025700

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 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:

(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 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~~ shall be made and adopted as prescribed by subsections (1) and (2); summary figures 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

13-00671B-25

2025700

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. Subsections (1), (2), and (5) through (8) of section 388.261, Florida Statutes, are amended to read:

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

(1) A county 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 shall

13-00671B-25

2025700

distribute the funds as prescribed by rule. Such rules 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 shall be distributed as equally as possible within the category of counties pursuant to this section. The remaining funds shall be distributed as prescribed by rule among the remaining counties to support mosquito control and to support research, education, and outreach.

(5) If more than one program ~~local mosquito control agency~~ exists in a county or municipality, the funds 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,

13-00671B-25

2025700

929 municipalities, or districts, or to purchase equipment,
 930 supplies, or services necessary to administer the provisions of
 931 this chapter.

932 Section 14. Subsections (1) and (2) of section 388.271,
 933 Florida Statutes, are amended to read:

934 388.271 Prerequisites to participation.—

935 (1) When state funds are involved, it is the duty of the
 936 department to guide, review, approve, and coordinate the
 937 activities of all county and municipal governments and special
 938 districts receiving state funds in furtherance of the goal of
 939 integrated arthropod control. Each program ~~county~~ eligible to
 940 participate may, and each district must, begin participation on
 941 October 1 of any year by filing with the department not later
 942 than July 15 a tentative integrated arthropod management plan
 943 ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for
 944 the control of arthropods. Following approval of the plan and
 945 budget by the department, a copy ~~two copies~~ of the program's
 946 ~~county's or district's~~ certified budget based on the approved
 947 integrated arthropod management ~~work plan~~ and detailed ~~work plan~~
 948 budget shall be submitted to the department by September 30
 949 following. State funds, supplies, and services shall be made
 950 available to such program ~~county or district~~ by and through the
 951 department immediately upon release of funds by the Executive
 952 Office of the Governor.

953 (2) All purchases of supplies, materials, and equipment by
 954 programs ~~counties or districts~~ shall be made in accordance with
 955 the laws governing purchases by boards of county commissioners
 956 or similar governing bodies, except that programs ~~districts~~ with
 957 special laws relative to competitive bidding shall make

13-00671B-25

2025700

958 purchases in accordance therewith.

959 Section 15. Subsections (1) and (3) of section 388.281,
 960 Florida Statutes, are amended to read:

961 388.281 Use of state matching funds.—

962 (1) All funds, supplies, and services released to programs
 963 ~~counties and districts~~ hereunder shall be used in accordance
 964 with the integrated arthropod management ~~detailed work~~ plan and
 965 certified budget approved by both the board of commissioners and
 966 appropriate representative department and the county or
 967 ~~district~~. The integrated arthropod management plan and budget
 968 may be amended at any time upon prior approval of the
 969 department.

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

976 Section 16. Subsections (1) and (2) of section 388.291,
 977 Florida Statutes, are amended to read:

978 388.291 Source reduction measures; supervision by
 979 department.—

980 (1) Any program ~~county or district~~ may perform source
 981 reduction measures in conformity with good engineering practices
 982 in any area, provided that the department cooperating with the
 983 county, municipality, or district has approved the operating or
 984 construction plan as outlined in the integrated arthropod
 985 management plan and it has been determined by criteria contained
 986 in rule that the area or areas to be controlled would produce

13-00671B-25

2025700

987 arthropods in significant numbers to constitute a health or
988 nuisance problem.

989 (2) The ~~program county or district~~ shall manage the
990 detailed business affairs and supervise said work, and the
991 department shall advise the ~~programs districts~~ as to the best
992 and most effective measures to be used in bringing about better
993 temporary control and the permanent elimination of breeding
994 conditions. The department may at its discretion discontinue any
995 state aid provided hereunder in the event it finds the jointly
996 agreed upon program is not being followed or is not efficiently
997 and effectively administered.

998 Section 17. Section 388.301, Florida Statutes, is amended
999 to read:

1000 388.301 Payment of state funds; supplies and services.—
1001 State funds shall be payable ~~quarterly~~, in accordance with the
1002 rules of the department, upon requisition by the department to
1003 the Chief Financial Officer. The department is authorized to
1004 furnish insecticides, chemicals, materials, equipment, vehicles,
1005 and personnel in lieu of state funds where mass purchasing may
1006 save funds for the state, or where it would be more practical
1007 and economical to use equipment, supplies, and services between
1008 two or more ~~programs counties or districts~~.

1009 Section 18. Section 388.311, Florida Statutes, is amended
1010 to read:

1011 388.311 Carry over of state funds and local funds.—State
1012 and local funds budgeted for the control of mosquitoes and other
1013 arthropods shall be carried over at the end of the program's
1014 ~~county or district's~~ fiscal year, and rebudgeted for such
1015 control measures the following fiscal year.

13-00671B-25

2025700

1016 Section 19. Section 388.321, Florida Statutes, is amended
1017 to read:

1018 388.321 Equipment to become property of a program ~~the~~
1019 ~~county or district~~.—All equipment purchased under this chapter
1020 with state funds made available directly to a program ~~the county~~
1021 ~~or district~~ shall become the property of the program ~~county or~~
1022 ~~district~~ unless otherwise provided, and may be traded in on
1023 other equipment, or sold, when no longer needed by the program
1024 ~~county or district~~.

1025 Section 20. Section 388.322, Florida Statutes, is amended
1026 to read:

1027 388.322 Record and inventory of certain property.—A record
1028 and inventory of certain property purchased with state funds for
1029 arthropod control use owned by the program ~~district~~ shall be
1030 maintained in accordance with s. 274.02.

1031 Section 21. Section 388.323, Florida Statutes, is amended
1032 to read:

1033 388.323 Disposal of surplus property.—Surplus property
1034 shall be disposed of according to the provisions set forth in s.
1035 274.05 with the following exceptions:

1036 (1) Serviceable equipment purchased using state funds for
1037 arthropod control use no longer needed by a program ~~county or~~
1038 ~~district~~ shall first be offered to any or all other programs
1039 ~~counties or districts~~ engaged in arthropod control at a price
1040 established by the board of commissioners owning the equipment.

1041 (2) The alternative procedure for disposal of surplus
1042 property, as prescribed in s. 274.06, shall be followed if it is
1043 determined that no other programs ~~county or district~~ engaged in
1044 arthropod control has need for the equipment.

13-00671B-25

2025700

(3) All proceeds from the sale of any real or tangible personal property owned by the program ~~county or district~~ and purchased using state funds 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

13-00671B-25

2025700

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.

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

13-00671B-25

2025700

nature or circumstances that imposition of a fine, denial, revocation, or suspension of a certification or license or disbursement 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:

13-00671B-25

2025700

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 ~~shall obstructs 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 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:

13-00671B-25

2025700

- 1161 a. The University of Florida, Institute of Food and
 1162 Agricultural Sciences, Florida Medical Entomological Research
 1163 Laboratory.
- 1164 b. The United States Environmental Protection Agency.
- 1165 c. The United States Department of Agriculture, Center of
 1166 Medical, Agricultural, and Veterinary Entomology Insects
 1167 Affecting Man Laboratory.
- 1168 d. The United States Fish and Wildlife Service.
- 1169 8. Four ~~Two~~ mosquito control directors to be nominated by
 1170 the Florida Mosquito Control Association, two representatives of
 1171 Florida environmental groups, and two private citizens who are
 1172 property owners whose lands are regularly subject to mosquito
 1173 control operations, to be appointed to 4-year terms by the
 1174 Commissioner of Agriculture and serve until his or her successor
 1175 is appointed.
- 1176 Section 30. Paragraph (d) of subsection (7) of section
 1177 403.067, Florida Statutes, is amended to read:
- 1178 403.067 Establishment and implementation of total maximum
 1179 daily loads.—
- 1180 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND
 1181 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—
- 1182 (d) *Enforcement and verification of basin management action*
 1183 *plans and management strategies*.—
- 1184 1. Basin management action plans are enforceable pursuant
 1185 to this section and ss. 403.121, 403.141, and 403.161.
 1186 Management strategies, including best management practices and
 1187 water quality monitoring, are enforceable under this chapter.
- 1188 2. No later than January 1, 2017:
- 1189 a. The department, in consultation with the water

Page 41 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

- 1190 management districts and the Department of Agriculture and
 1191 Consumer Services, shall initiate rulemaking to adopt procedures
 1192 to verify implementation of water quality monitoring required in
 1193 lieu of implementation of best management practices or other
 1194 measures pursuant to sub-subparagraph (b)2.g.;
- 1195 b. The department, in consultation with the water
 1196 management districts and the Department of Agriculture and
 1197 Consumer Services, shall initiate rulemaking to adopt procedures
 1198 to verify implementation of nonagricultural interim measures,
 1199 best management practices, or other measures adopted by rule
 1200 pursuant to subparagraph (c)1.; and
- 1201 c. The Department of Agriculture and Consumer Services, in
 1202 consultation with the water management districts and the
 1203 department, shall initiate rulemaking to adopt procedures to
 1204 verify implementation of agricultural interim measures, best
 1205 management practices, or other measures adopted by rule pursuant
 1206 to subparagraph (c)2.
- 1207
- 1208 The rules required under this subparagraph shall include
 1209 enforcement procedures applicable to the landowner, discharger,
 1210 or other responsible person required to implement applicable
 1211 management strategies, including best management practices or
 1212 water quality monitoring as a result of noncompliance.
- 1213 3. At least every 2 years, the Department of Agriculture
 1214 and Consumer Services shall perform onsite inspections of each
 1215 agricultural producer that enrolls in a best management
 1216 practice, except those enrolled by rule in subparagraph 4., to
 1217 ensure that such practice is being properly implemented. Such
 1218 verification must include a collection and review of the best

Page 42 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

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 utilize 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 be less 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 vegetable crop, agronomic crop, a nursery, or a dairy operation;

e. A parcel not abutting an impaired water body identified

13-00671B-25

2025700

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 shall 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 utilize enrollment by rule and to revoke enrollment by rule.

5. The Department of Agriculture and Consumer Services shall annually perform onsite inspections of twenty 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 inspection must include a collection and review of the identified best management practice documentation from the previous two 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 fertilizer 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,

13-00671B-25

2025700

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 additives in a public water system which do not meet the definition of a water quality additive as defined in s. 403.852, or the use of any additives 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

13-00671B-25

2025700

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

13-00671B-25

2025700

1335 satisfactorily pass an examination which must be written but
 1336 which may include practical demonstration. The department shall
 1337 provide in-person and remote testing through a third-party
 1338 vendor. A third-party vendor may collect and retain a
 1339 convenience fee hold at least two examinations each year. An
 1340 applicant may seek certification in one or more categories.

1341 Section 35. Paragraph (b) of subsection (1) of section
 1342 482.155, Florida Statutes, is amended to read:

1343 482.155 Limited certification for governmental pesticide
 1344 applicators or private applicators.—

1345 (1)

1346 (b) A person seeking limited certification under this
 1347 subsection must pass an examination that the department shall
 1348 provide in person and remotely through a third-party vendor. The
 1349 third-party vendor may collect and retain a convenience fee
 1350 given or approved by the department. Each application for
 1351 examination must be accompanied by an examination fee set by the
 1352 department, in an amount of not more than \$150 or less than \$50;
 1353 and a recertification fee of \$25 every 4 years. Until rules
 1354 setting these fees are adopted by the department, the
 1355 examination fee is \$50. Application for recertification must be
 1356 accompanied by proof of having completed 4 classroom hours of
 1357 acceptable continuing education. The limited certificate expires
 1358 4 years after the date of issuance. If the certificateholder
 1359 fails to renew his or her certificate and provide proof of
 1360 completion of the required continuing education units within 60
 1361 days after the expiration date, the certificateholder may be
 1362 recertified only after reexamination. The department shall make
 1363 available ~~provide~~ the appropriate reference material and ~~make~~

13-00671B-25

2025700

1364 ~~the examination readily accessible and available to all~~
 1365 ~~applicants at least quarterly or as necessary in each county.~~

1366 Section 36. Subsection (2) of section 482.156, Florida
 1367 Statutes, is amended to read:

1368 482.156 Limited certification for commercial landscape
 1369 maintenance personnel.—

1370 (2) (a) A person seeking limited certification under this
 1371 section must pass an examination that the department shall
 1372 provide in person and remotely through a third-party vendor. The
 1373 third-party vendor may collect and retain a convenience fee
 1374 given by the department. Each application for examination must
 1375 be accompanied by an examination fee set by rule of the
 1376 department, in an amount of not more than \$150 or less than \$50.
 1377 Before the department issues a limited certification under this
 1378 section, each person applying for the certification must furnish
 1379 proof of having a certificate of insurance which states that the
 1380 employer meets the requirements for minimum financial
 1381 responsibility for bodily injury and property damage required by
 1382 s. 482.071(4).

1383 (b) The department shall make available ~~provide~~ the
 1384 appropriate reference materials for the examination and provide
 1385 in-person and remote testing through a third-party vendor. A
 1386 third-party vendor may collect and retain a convenience fee ~~make~~
 1387 ~~the examination readily accessible and available to applicants~~
 1388 ~~at least quarterly or as necessary in each county.~~

1389 Section 37. Subsection (2) of section 482.157, Florida
 1390 Statutes, is amended to read:

1391 482.157 Limited certification for commercial wildlife
 1392 management personnel.—

13-00671B-25

2025700

1393 (2) The department shall issue a limited certificate to an
 1394 applicant who:

1395 (a) Submits an application and examination fee of at least
 1396 \$150, but not more than \$300, as prescribed by the department by
 1397 rule;

1398 (b) Passes an examination that the department shall provide
 1399 in person and remotely through a third-party vendor. The third-
 1400 party vendor may collect and retain a convenience fee
 1401 administered by the department. The department shall make
 1402 available ~~provide~~ the appropriate study materials for the
 1403 examination ~~and make the examination readily available to~~
 1404 ~~applicants in each county as necessary, but not less frequently~~
 1405 ~~than quarterly;~~ and

1406 (c) Provides proof, including a certificate of insurance,
 1407 that the applicant has met the minimum bodily injury and
 1408 property damage insurance requirements in s. 482.071(4).

1409 Section 38. Paragraph (m) is added to subsection (1) of
 1410 section 482.161, Florida Statutes, to read:

1411 482.161 Disciplinary grounds and actions; reinstatement.—

1412 (1) The department may issue a written warning to or impose
 1413 a fine against, or deny the application for licensure or
 1414 licensure renewal of, a licensee, certified operator, limited
 1415 certificateholder, identification cardholder, or special
 1416 identification cardholder or any other person, or may suspend,
 1417 revoke, or deny the issuance or renewal of any license,
 1418 certificate, limited certificate, identification card, or
 1419 special identification card that is within the scope of this
 1420 chapter, in accordance with chapter 120, upon any of the
 1421 following grounds:

13-00671B-25

2025700

1422 (m) Upon the issuance of a final order imposing civil
 1423 penalties under subsection 14(a) of the Federal Insecticide,
 1424 Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction
 1425 under subsection 14(b), of FIFRA.

1426 Section 39. Subsection (2) of section 487.044, Florida
 1427 Statutes, is amended to read:

1428 487.044 Certification; examination.—

1429 (2) The department shall require each applicant for a
 1430 certified applicator's license to demonstrate competence by a
 1431 written or oral examination in which the applicant must
 1432 demonstrate adequate knowledge concerning the proper use and
 1433 application of restricted-use pesticides in each classification
 1434 for which application for license is made. The department shall
 1435 provide in-person and remote testing through a third-party
 1436 vendor. A third-party vendor may collect and retain a
 1437 convenience fee. The examination may be prepared, administered,
 1438 and evaluated by the department. Each applicant for a certified
 1439 applicator's license shall demonstrate minimum competence as to:

1440 (a) The proper use of the equipment.

1441 (b) The environmental hazards that may be involved in
 1442 applying restricted-use pesticides.

1443 (c) Calculating the concentration of restricted-use
 1444 pesticides to be used in particular circumstances.

1445 (d) Identification of common pests to be controlled and the
 1446 damages caused by such pests.

1447 (e) Protective clothing and respiratory equipment required
 1448 during the handling and application of restricted-use
 1449 pesticides.

1450 (f) General precautions to be followed in the disposal of

13-00671B-25

2025700

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. Subsections (13) through (28) of section 496.404, Florida Statutes, are redesignated as subsections (15) through (30), respectively, and 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

13-00671B-25

2025700

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 paragraph (b) of subsection (1) and paragraph (b) of subsection (7) of that section are amended, to read:

13-00671B-25

2025700__

1509 496.405 Registration statements by charitable organizations
1510 and sponsors.—

1511 (1) A charitable organization or sponsor, unless exempted
1512 pursuant to s. 496.406, which intends to solicit contributions
1513 in or from this state by any means or have funds solicited on
1514 its behalf by any other person, charitable organization,
1515 sponsor, commercial co-venturer, or professional solicitor, or
1516 that participates in a charitable sales promotion or sponsor
1517 sales promotion, must, before engaging in any of these
1518 activities, file an initial registration statement, which
1519 includes an attestation statement, and a renewal statement
1520 annually thereafter, with the department.

1521 (b) Any changes to the information submitted to the
1522 department pursuant to paragraph (2) (f) ~~(2) (d)~~ on the initial
1523 registration statement, which includes an attestation statement,
1524 or the last renewal statement must be reported to the department
1525 on a form prescribed by the department within 10 days after the
1526 change occurs.

1527 (2) The initial registration statement must be submitted on
1528 a form prescribed by the department, signed by an authorized
1529 official of the charitable organization or sponsor who shall
1530 certify that the registration statement is true and correct, and
1531 include the following information or material:

1532 (d) An attestation statement, which must be submitted on a
1533 form prescribed by the department and signed by an authorized
1534 official of the charitable organization, who shall certify and
1535 attest that the charitable organization, if engaged in
1536 activities that would require registration pursuant to chapter
1537 106 is registered with the Department of State, pursuant to

Page 53 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700__

1538 chapter 106.

1539 (e) An attestation statement on a form prescribed by the
1540 department, signed by an authorized official of the charitable
1541 organization, who shall certify and attest that the charitable
1542 organization, if prohibited by applicable federal or state law,
1543 is not engaged in activities that would require registration
1544 with the Department of State pursuant to chapter 106.

1545 (7)

1546 (b) If a charitable organization or sponsor discloses
1547 information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~
1548 in the initial registration statement or annual renewal
1549 statement, the time limits set forth in paragraph (a) are
1550 waived, and the department shall process such initial
1551 registration statement or annual renewal statement in accordance
1552 with the time limits set forth in chapter 120. The registration
1553 of a charitable organization or sponsor shall be automatically
1554 suspended for failure to disclose any information specified in
1555 subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the
1556 required information is submitted to the department.

1557 (11) The department may investigate and refer the
1558 charitable organization or sponsor to the Florida Elections
1559 Commission for investigation of violations pursuant to chapters
1560 104 and 106.

1561 Section 43. Subsection (20) is added to section 496.415,
1562 Florida Statutes, to read:

1563 496.415 Prohibited acts.—It is unlawful for any person in
1564 connection with the planning, conduct, or execution of any
1565 solicitation or charitable or sponsor sales promotion to:

1566 (20) Solicit or accept contributions or anything of value

Page 54 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700__

1567 from a foreign source of concern.

1568 Section 44. Section 496.417, Florida Statutes, is amended
1569 to read:

1570 496.417 Criminal penalties.—Except as otherwise provided in
1571 ss. 496.401-496.424, and in addition to any administrative or
1572 civil penalties, any person who willfully and knowingly violates
1573 ss. 496.401-496.424 commits a felony of the third degree,
1574 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
1575 For a second or subsequent conviction, such violation
1576 constitutes a felony of the second degree, punishable as
1577 provided in s. 775.082, s. 775.083, or s. 775.084. The
1578 department may also investigate and refer the charitable
1579 organization or sponsor to the Florida Elections Commission for
1580 investigation of violations pursuant to chapters 104 and 106.

1581 Section 45. Subsection (11) is added to section 496.419,
1582 Florida Statutes, to read:

1583 496.419 Powers of the department.—

1584 (11)(a) A charitable organization or sponsor whose
1585 registration is denied or revoked for submitting a false
1586 attestation required pursuant to s. 496.405(2)(d) or s.
1587 496.405(2)(e) may not register as a charitable organization or
1588 sponsor for 5 years for an initial violation, and may not
1589 register as a charitable organization or sponsor following any
1590 subsequent violations.

1591 (b) A person serving as a board member, executive
1592 leadership team member, or registering agent of a charitable
1593 organization at the time in which the charitable organization is
1594 found to have submitted a false attestation as required by s.
1595 496.405(2)(d) or (e) may not serve in any capacity with a

13-00671B-25

2025700__

1596 charitable organization required to comply with the requirements
1597 of ss. 496.405 and 496.406 for 5 years after the date of the
1598 violation of this subsection.

1599 Section 46. Section 496.431, Florida Statutes, is created
1600 to read:

1601 496.431 Honest Service Registry.—

1602 (1) The department shall create the Honest Services
1603 Registry to provide the residents of this state with the
1604 information necessary to make an informed choice when deciding
1605 which charitable organizations to support.

1606 (2) To be included on the Honest Services Registry, a
1607 charitable organization must, at a minimum, submit to the
1608 department an attestation statement on a form prescribed by the
1609 department, verified as provided in s. 92.525, attesting to all
1610 of the following:

1611 (a) That the organization does not solicit or accept,
1612 directly or indirectly, contributions, funding, support, or
1613 services from a foreign source of concern.

1614 (b) That the organization's messaging and content are not
1615 directly or indirectly produced or influenced by a foreign
1616 source of concern.

1617 (3) The department shall publish the Honest Services
1618 Registry on the department's website.

1619 (4) The department shall adopt rules to implement this
1620 section.

1621 Section 47. Paragraph (j) of subsection (1) of section
1622 500.03, Florida Statutes, is amended to read:

1623 500.03 Definitions; construction; applicability.—

1624 (1) For the purpose of this chapter, the term:

13-00671B-25

2025700

1625 (j) "Cottage food product" means food that is not time or
 1626 temperature controlled for safety, a potentially hazardous food
 1627 as defined by department rule which is sold by a cottage food
 1628 operation in accordance with s. 500.80.

1629 Section 48. Paragraphs (a) and (b) of subsection (1) of
 1630 section 500.12, Florida Statutes, are amended to read:

1631 500.12 Food permits; building permits.—

1632 (1)(a) A food permit from the department is required of any
 1633 person or business that ~~who~~ operates a food establishment,
 1634 except:

1635 1. Persons or businesses operating minor food outlets that
 1636 sell food that is commercially prepackaged, not potentially
 1637 hazardous, not age restricted, and not time or temperature
 1638 controlled for safety, if the shelf space for those items does
 1639 not exceed 12 total linear feet and no other food is sold by the
 1640 person or business minor food outlet.

1641 2. Persons subject to continuous, onsite federal or state
 1642 inspection.

1643 3. Persons selling only legumes in the shell, either
 1644 parched, roasted, or boiled.

1645 4. Persons selling sugar cane or sorghum syrup that has
 1646 been boiled and bottled on a premise located within this state.
 1647 Such bottles must contain a label listing the producer's name
 1648 and street address, all added ingredients, the net weight or
 1649 volume of the product, and a statement that reads, "This product
 1650 has not been produced in a facility permitted by the Florida
 1651 Department of Agriculture and Consumer Services."

1652 (b) Each food establishment regulated under this chapter
 1653 must apply for and receive a food permit before operation

13-00671B-25

2025700

1654 begins. An application for a food permit from the department
 1655 must be accompanied by a fee in an amount determined by
 1656 department rule. The department shall adopt by rule a schedule
 1657 of fees to be paid by each food establishment as a condition of
 1658 issuance or renewal of a food permit. Such fees may not exceed
 1659 \$650 and must be used solely for the recovery of costs for the
 1660 services provided, except that the fee accompanying an
 1661 application for a food permit for operating a bottled water
 1662 plant may not exceed \$1,000 and the fee accompanying an
 1663 application for a food permit for operating a packaged ice plant
 1664 may not exceed \$250. The fee for operating a bottled water plant
 1665 or a packaged ice plant must be set by rule of the department.
 1666 Food permits are not transferable from one person or physical
 1667 location to another. Food permits must be renewed in accordance
 1668 with subparagraphs 1.-3. If an application for renewal of a food
 1669 permit is not received by the department on or before its due
 1670 date, a late fee not exceeding \$100 must be paid in addition to
 1671 the food permit fee before the department may issue the food
 1672 permit. The moneys collected must be deposited in the General
 1673 Inspection Trust Fund.

1674 1. A food permit issued to a new food establishment ~~on or~~
 1675 ~~after September 1, 2023~~, is valid for 1 calendar year after the
 1676 date of issuance and must be renewed annually on or before that
 1677 date thereafter.

1678 2. ~~Effective January 1, 2024~~, A food permit issued before
 1679 September 1, 2023, expires on the month and day the initial
 1680 permit was issued to the food establishment and must be renewed
 1681 annually on or before that date thereafter. The department may
 1682 charge a prorated permit fee for purposes of this subparagraph.

13-00671B-25

2025700

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 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

13-00671B-25

2025700

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. Every person who transports, imports into this state, sells, offers for sale, 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

13-00671B-25

2025700

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 Mislabeled of plant-based products as milk, meat, or poultry.—

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

(a) "FDA" means the United States Food and Drug Administration.

(b) "Meat" has the same meaning as in 9 C.F.R. s. 301.2 and the Federal Meat Inspection Act.

(c) "Milk" has the same meaning as in 21 C.F.R. s. 131.110 and the Grade "A" pasteurized milk ordinance.

(d) "Poultry" or "Poultry Product" has the same meaning 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.

(3)(a) In accordance with the established standard of

13-00671B-25

2025700

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) 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).

(5) The department shall adopt rules to implement this section.

(6) 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:

13-00671B-25

2025700

1799 501.912 Definitions.—As used in ss. 501.91-501.923:

1800 (1) "Antifreeze" means any substance or preparation,
1801 including, but not limited to, coolant, antifreeze-coolant,
1802 antifreeze and summer coolant, or summer coolant, that is sold,
1803 distributed, or intended for use:

1804 (a) As the cooling liquid, or to be added to the cooling
1805 liquid, in the cooling system of ~~internal combustion engines of~~
1806 motor vehicles to prevent freezing of the cooling liquid or to
1807 lower its freezing point; or

1808 (b) To raise the boiling point of water, aid in vehicle
1809 component cooling, or for the prevention of engine overheating,
1810 whether or not the liquid is used as a year-round cooling system
1811 fluid.

1812 Section 55. Section 525.19, Florida Statutes, is created to
1813 read:

1814 525.19 Petroleum registration.—

1815 (1) The department shall create an annual petroleum
1816 registration program for petroleum owners or operators that own
1817 and operate vehicles for transporting petroleum products and
1818 shall adopt rules detailing the requirements for such
1819 registration that include, at minimum:

1820 (a) Name of the petroleum owner or operator;

1821 (b) Address of the petroleum owner or operator;

1822 (c) Phone number of the petroleum owner or operator;

1823 (d) E-mail address of the petroleum owner or operator;

1824 (e) Requirements for the transfer switch;

1825 (f) Fuel and petroleum infrastructure; and

1826 (g) Fuel and petroleum inventory and delivery information.

1827 (2) The registration program must be free for all

13-00671B-25

2025700

1828 registrants.

1829 (3) The department has the authority to require registrants
1830 to provide updates related to the status of infrastructure,
1831 inventory, and delivery information during a state of emergency
1832 as declared by an executive order issued by the Governor.

1833 Section 56. Section 526.147, Florida Statutes, is created
1834 to read:

1835 526.147 Florida Retail Fuel Transfer Switch Modernization
1836 Grant Program.—

1837 (1)(a) There is created, subject to appropriation, the
1838 Florida Retail Fuel Transfer Switch Modernization Grant Program
1839 within the Department of Agriculture and Consumer Services.

1840 (b) The grant program shall provide grant funds, not to
1841 exceed \$10,000 per retail fuel facility, to be used for
1842 installation and equipment costs related to installing or
1843 modernizing transfer switch infrastructure at retail fuel
1844 facilities to allow for the continuity of fueling operations
1845 under generated power.

1846 (c) The department shall award funds based upon the
1847 following criteria:

1848 1. Up to \$10,000, of costs for transfer switch purchase and
1849 installation for retail fuel locations in fiscally constrained
1850 counties, as defined in s. 218.67.

1851 2. Up to \$5,000, of costs for transfer switch purchase and
1852 installation for all other retail fuel locations.

1853 (d) Retail fuel facilities which are awarded grant funds
1854 must comply with s. 526.143 and must install a transfer switch
1855 capable of operating all fuel pumps, dispensing equipment, life
1856 safety systems, and payment acceptance equipment using an

13-00671B-25

2025700

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 ~~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

13-00671B-25

2025700

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 (46), (47), and (48), respectively, and new subsections (44) and (45) 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.

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.—

13-00671B-25

2025700

(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 171, 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 570.822, 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:

13-00671B-25

2025700

(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

13-00671B-25

2025700

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 may be renewed upon a determination from the department and an active declared emergency declaration.

(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.

13-00671B-25

2025700

(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

13-00671B-25

2025700

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

Page 71 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

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:

Page 72 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

2089 1. Tax returns.

2090 2. Credit history information, credit reports, and credit

2091 scores.

2092 (b) This subsection does not prohibit the disclosure of

2093 information held by the department pursuant to its

2094 administration of the program in an aggregated and anonymized

2095 format.

2096 (c) This subsection is subject to the Open Government

2097 Sunset Review Act in accordance with s. 119.15 and shall stand

2098 repealed on October 2, 2029, unless reviewed and saved from

2099 repeal through reenactment by the Legislature.

2100 (9) RULES.—The department shall adopt rules to implement

2101 this section.

2102 (10) REPORTS.—By December 1, 2024, and each December 1

2103 thereafter, the department shall provide a report on program

2104 activities during the previous fiscal year to the President of

2105 the Senate and the Speaker of the House of Representatives. The

2106 report must include information on noticed application periods,

2107 the number and value of loans awarded under the program for each

2108 application period, the number and value of loans outstanding,

2109 the number and value of any loan repayments received, and an

2110 anticipated repayment schedule for all loans.

2111 (11) SUNSET.—This section expires July 1, 2043, unless

2112 reviewed and saved from repeal through reenactment by the

2113 Legislature.

2114 Section 63. Section 570.823, Florida Statutes, is created

2115 to read:

2116 570.823 Silviculture emergency recovery program.—

2117 (1) DEFINITIONS.—As used in this section, the term:

Page 73 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

2118 (a) "Bona fide farm operation" means a farm operation

2119 engaged in a good faith commercial agricultural use of land on

2120 land classified as agricultural pursuant to s. 193.461 that

2121 produces agricultural products within the definition of

2122 agriculture under s. 570.02.

2123 (b) "Declared emergency" means an emergency for which a

2124 state of emergency is declared pursuant to s. 252.36 or s.

2125 570.07(21).

2126 (c) "Department" means the Department of Agriculture and

2127 Consumer Services.

2128 (d) "Program" means the Silviculture Emergency Recovery

2129 Program.

2130 (2) USE OF GRANT FUNDS; GRANT TERMS.—

2131 (a) The silviculture emergency recovery program is

2132 established within the department to administer a grant program

2133 to assist timber landowners whose timber land was damaged as a

2134 result of a declared emergency. Grants provided to eligible

2135 timber landowners must be used for:

2136 1. Timber stand restoration, including downed tree removal

2137 on land which will retain the existing trees on site which are

2138 lightly or completely undamaged; or

2139 2. Site preparation, and tree replanting.

2140 3. Road and trail clearing on private timber lands to

2141 provide emergency access and facilitate salvage operations.

2142 (b) Only timber land located on lands classified as

2143 agricultural lands under s. 193.461 are eligible for the

2144 program.

2145 (c) The department shall coordinate with state agencies and

2146 other entities to ensure to the greatest extent possible that

Page 74 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

2147 timber landowners have access to the maximum financial
 2148 assistance available following a specified declared emergency.
 2149 The coordination must endeavor to ensure that there is no
 2150 duplication of financial assistance between these funds and
 2151 other funding sources, such as any federal or other state
 2152 programs, including public assistance requests to the Federal
 2153 Emergency Management Agency or financial assistance from the
 2154 United States Department of Agriculture, which would render the
 2155 approved applicant ineligible for other financial assistance.

2156 (d) The department is authorized to adopt rules to
 2157 implement this section, including emergency rules.
 2158 Notwithstanding any other provision of law, emergency rules
 2159 adopted pursuant to this subsection are effective for 6 months
 2160 after adoption and may be renewed during the pendency of
 2161 procedures to adopt permanent rules addressing the subject of
 2162 the emergency rules.

2163 Section 64. Subsections (2) and (5) of section 581.1843,
 2164 Florida Statutes, are amended to read:

2165 581.1843 Citrus nursery stock propagation and production
 2166 and the establishment of regulated areas around citrus
 2167 nurseries.—

2168 (2) Effective January 1, 2007, it is unlawful for any
 2169 person to propagate for sale or movement any citrus nursery
 2170 stock that was not propagated or grown on a site and within a
 2171 protective structure approved by the department ~~and that is not~~
 2172 ~~at least 1 mile away from commercial citrus groves. A citrus~~
 2173 ~~nursery registered with the department prior to April 1, 2006,~~
 2174 ~~shall not be required to comply with the 1-mile setback from~~
 2175 ~~commercial citrus groves while continuously operating at the~~

Page 75 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

2176 ~~same location for which it was registered.~~ However, the nursery
 2177 shall be required to propagate citrus within a protective
 2178 structure approved by the department. Effective January 1, 2008,
 2179 ~~it is shall be~~ unlawful to distribute any citrus nursery stock
 2180 that was not produced in a protective structure approved by the
 2181 department.

2182 ~~(5) The department shall establish regulated areas around~~
 2183 ~~the perimeter of commercial citrus nurseries that were~~
 2184 ~~established on sites after April 1, 2006, not to exceed a radius~~
 2185 ~~of 1 mile. The planting of citrus in an established regulated~~
 2186 ~~area is prohibited. The planting of citrus within a 1-mile~~
 2187 ~~radius of commercial citrus nurseries that were established on~~
 2188 ~~sites prior to April 1, 2006, must be approved by the~~
 2189 ~~department. Citrus plants planted within a regulated area prior~~
 2190 ~~to the establishment of the regulated area may remain in the~~
 2191 ~~regulated area unless the department determines the citrus~~
 2192 ~~plants to be infected or infested with citrus canker or citrus~~
 2193 ~~greening. The department shall require the removal of infected~~
 2194 ~~or infested citrus, nonapproved planted citrus, and citrus that~~
 2195 ~~has sprouted by natural means in regulated areas. The property~~
 2196 ~~owner shall be responsible for the removal of citrus planted~~
 2197 ~~without proper approval. Notice of the removal of citrus trees,~~
 2198 ~~by immediate final order of the department, shall be provided to~~
 2199 ~~the owner of the property on which the trees are located. An~~
 2200 ~~immediate final order issued by the department under this~~
 2201 ~~section shall notify the property owner that the citrus trees,~~
 2202 ~~which are the subject of the immediate final order, must be~~
 2203 ~~removed and destroyed unless the property owner, no later than~~
 2204 ~~10 days after delivery of the immediate final order, requests~~

Page 76 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

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 65. 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 66. 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 67. 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 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

13-00671B-25

2025700

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 68. 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

13-00671B-25

2025700

2263 and the University of Florida in their efforts to address
 2264 current and future needs of the industry.

2265 (d) The potential for viticulture products in terms of
 2266 market and needs for development.

2267 (e) Evaluation of wine policy alternatives, including, but
 2268 not limited to, continued improvement in wine quality, blending
 2269 considerations, promotion and advertising, labeling and vineyard
 2270 designations, and development of production and marketing
 2271 strategies.

2272 (f) Evaluation of production and fresh fruit policy
 2273 alternatives, including, but not limited to, setting minimum
 2274 grades and standards, promotion and advertising, development of
 2275 production and marketing strategies, and setting minimum
 2276 standards on types and quality of nursery plants.

2277 (g) Evaluation of policy alternatives for nonwine processed
 2278 products, including, but not limited to, setting minimum quality
 2279 standards and development of production and marketing
 2280 strategies.

2281 (h) Research and service priorities for further development
 2282 of the wine and viticulture industry.

2283 (i) The identification of state agencies and public and
 2284 private institutions concerned with research, education,
 2285 extension, services, planning, promotion, and marketing
 2286 functions related to wine and viticultural development and the
 2287 delineation of contributions and responsibilities.

2288 (j) Business planning, investment potential, financial
 2289 risks, and economics of production and utilization.

2290 (2) A revision and update of the State Wine Viticulture
 2291 Plan shall be submitted biennially to the President of the

13-00671B-25

2025700

2292 Senate, the Speaker of the House of Representatives, and the
 2293 chairs of appropriate committees of the Senate and House of
 2294 Representatives, and a progress report and budget request shall
 2295 be submitted annually.

2296 Section 69. Paragraph (a) of subsection (2) and subsection
 2297 (3) of section 599.004, Florida Statutes, are amended, and
 2298 paragraph (d) is added to subsection (2) of that section, to
 2299 read:

2300 599.004 Florida Farm Winery Program; registration; logo;
 2301 fees.—

2302 (2)(a) The department, in coordination with the Florida
 2303 Wine Viticulture Advisory Council, shall develop and designate
 2304 by rule a Florida Farm Winery logo, emblem, and directional sign
 2305 to guide the public to certified Florida Farm Wineries Winery
 2306 ~~tourist attractions~~. The logo and emblem of certified Florida
 2307 Farm Winery signs shall be uniform.

2308 (d) Wineries that fail to recertify annually or pay the
 2309 licensing fee required in paragraph (c) are subject to having
 2310 the signs referenced in paragraph (b) removed and will be
 2311 responsible for all costs incurred by the Department of
 2312 Transportation in connection with the removal.

2313 (3) All fees collected, except as otherwise provided by
 2314 this section, shall be deposited into the Florida Wine
 2315 Viticulture Trust Fund and used to develop consumer information
 2316 on the native characteristics and proper use of wines.

2317 Section 70. Paragraph (a) of subsection (1) of section
 2318 599.012, Florida Statutes, is amended to read:

2319 599.012 Wine Viticulture Trust Fund; creation.—

2320 (1) There is established the Viticulture Trust Fund within

13-00671B-25

2025700

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.

Section 71. 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.

13-00671B-25

2025700

Section 72. 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.—

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

(b) "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.

(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

13-00671B-25

2025700

2379 financial risk and includes the promotion, furtherance, or
 2380 achievement of environmental, social, or political goals,
 2381 objectives, or outcomes, which may include the agriculture
 2382 producer's greenhouse gas emissions, use of fossil-fuel derived
 2383 fertilizer, or use of fossil-fuel powered machinery.

2384 (h) "Farm" means the land, buildings, support facilities,
 2385 machinery, and other appurtenances used in the production of
 2386 farm or aquaculture products.

2387 (i) "Financial institution" means a company authorized to
 2388 do business in this state which has total assets of more than
 2389 \$100 million and offers financial services. A financial
 2390 institution includes any affiliate or subsidiary company, even
 2391 if that affiliate or subsidiary company is also a financial
 2392 institution.

2393 (j) "Financial service" means any product or service that
 2394 is of a financial nature and is offered by a financial
 2395 institution.

2396 (3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

2397 (a) A financial institution may not discriminate in the
 2398 provision of financial services to an agriculture producer
 2399 based, in whole or in part, upon an ESG factor.

2400 (b) If a financial institution has made any ESG commitment
 2401 related to agriculture, there is an inference that the
 2402 institution's denial or restriction of a financial service to an
 2403 agriculture producer violates paragraph (a).

2404 (c) A financial institution may overcome the inference in
 2405 paragraph (b) by demonstrating that its denial or restriction of
 2406 a financial service was based solely on documented risk
 2407 analysis, and not on any ESG factor.

Page 83 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

2408 (4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney
 2409 General, in consultation with the Office of Financial
 2410 Regulation, is authorized to enforce subsection (3). Any
 2411 violation of subsection (3) constitutes an unfair trade practice
 2412 under part II of chapter 501 and the Attorney General is
 2413 authorized to investigate and seek remedies as provided in
 2414 general law. Actions for damages may be sought by an aggrieved
 2415 party.

2416 Section 73. Paragraph (a) of subsection (3) of section
 2417 741.0305, Florida Statutes, is amended to read:

2418 741.0305 Marriage fee reduction for completion of
 2419 premarital preparation course.—

2420 (3)(a) All individuals electing to participate in a
 2421 premarital preparation course shall choose from the following
 2422 list of qualified instructors:

- 2423 1. A psychologist licensed under chapter 490.
- 2424 2. A clinical social worker licensed under chapter 491.
- 2425 3. A marriage and family therapist licensed under chapter
- 2426 491.
- 2427 4. A mental health counselor licensed under chapter 491.
- 2428 5. An official representative of a religious institution
- 2429 which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the
- 2430 representative has relevant training.

2431 6. Any other provider designated by a judicial circuit,
 2432 including, but not limited to, school counselors who are
 2433 certified to offer such courses. Each judicial circuit may
 2434 establish a roster of area course providers, including those who
 2435 offer the course on a sliding fee scale or for free.

2436 Section 74. Paragraph (h) of subsection (2), subsection

Page 84 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

(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

13-00671B-25

2025700

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

13-00671B-25

2025700

2495 adjudication of guilt withheld for, or had imposition of
 2496 sentence suspended for one or more crimes of violence within the
 2497 preceding 3 years. The department shall, upon notification by a
 2498 law enforcement agency, a court, clerk's office, or the Florida
 2499 Department of Law Enforcement ~~and subsequent written~~
 2500 ~~verification~~, temporarily suspend a license or the processing of
 2501 an application for a license if the licensee or applicant is
 2502 arrested or formally charged with a crime that would disqualify
 2503 such person from having a license under this section, until
 2504 final disposition of the case. The department shall suspend a
 2505 license or the processing of an application for a license if the
 2506 licensee or applicant is issued an injunction that restrains the
 2507 licensee or applicant from committing acts of domestic violence
 2508 or acts of repeat violence. The department shall notify the
 2509 licensee or applicant suspended under this section of his or her
 2510 right to a hearing pursuant to chapter 120. A hearing conducted
 2511 regarding the temporary suspension must be for the limited
 2512 purpose of determining whether the licensee has been arrested or
 2513 charged with a disqualifying crime or issued an injunction or
 2514 court order. If the criminal case or injunction results in a
 2515 nondisqualifying disposition, the department must issue an order
 2516 lifting the suspension upon the applicant or licensee's
 2517 submission to the department of a certified copy of the final
 2518 resolution. If the criminal case results in a disqualifying
 2519 disposition, the suspension remains in effect and the department
 2520 must proceed with denial or revocation proceedings pursuant to
 2521 chapter 120.

2522 (b) This subsection may not be construed to limit,
 2523 restrict, or inhibit the constitutional right to bear arms and

13-00671B-25

2025700

2524 carry a concealed weapon in this state. The Legislature finds it
 2525 a matter of public policy and public safety that it is necessary
 2526 to ensure that potentially disqualifying information about an
 2527 applicant or licensee is investigated and processed in a timely
 2528 manner by the department pursuant to this section. The
 2529 Legislature intends to clarify that suspensions pursuant to this
 2530 section are temporary, and the department has the duty to make
 2531 an eligibility determination and issue a license in the time
 2532 frame prescribed in this subsection.

2533 (6)

2534 (c) The Department of Agriculture and Consumer Services
 2535 shall, within 90 days after the date of receipt of the items
 2536 listed in subsection (5):

2537 1. Issue the license; or
 2538 2. Deny the application based solely on the ground that the
 2539 applicant fails to qualify under the criteria listed in
 2540 subsection (2) or subsection (3). If the Department of
 2541 Agriculture and Consumer Services denies the application, it
 2542 shall notify the applicant in writing, stating the ground for
 2543 denial and informing the applicant of any right to a hearing
 2544 pursuant to chapter 120.

2545 3. In the event the result of the criminal history
 2546 screening identifies ~~department receives~~ criminal history
 2547 information related to a crime that may disqualify the applicant
 2548 but does not contain ~~with no~~ final disposition of the crime or
 2549 lacks sufficient information to make an eligibility
 2550 determination on a crime which may disqualify the applicant, the
 2551 time limitation prescribed by this paragraph may be extended for
 2552 up to an additional 90 days from the receipt of the information

13-00671B-25

2025700

~~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 shall issue a license if it does not obtain a disposition or sufficient information to make an eligibility determination within the additional 90 days if the applicant is otherwise eligible. The department shall 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 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

13-00671B-25

2025700

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 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.

13-00671B-25

2025700

Section 75. Paragraph (f) of subsection (3) of section 790.33, Florida Statutes, is amended to read:

790.33 Field of regulation of firearms and ammunition preempted.—

(3) PROHIBITIONS; PENALTIES.—

(f)1. A person or an organization whose membership is adversely affected by any ordinance, regulation, measure, directive, rule, enactment, order, or policy, whether written or unwritten, promulgated or caused to be enforced in violation of this section may file suit against any county, agency, municipality, district, or other entity in any court of this state having jurisdiction over any defendant to the suit for declaratory and injunctive relief and for actual damages, as limited herein, caused by the violation. Civil fines assessed pursuant to paragraph (3)(c) and any attorney fees and costs shall be assessed only upon a finding that the entity received notice of the local ordinance or administrative rule or regulation impinging upon such exclusive occupation of the field of regulation of firearms and ammunition at least 30 days before a suit under this paragraph was filed and that the entity failed to change the ordinance, regulation, measure, directive, rule, enactment, order, or policy within that 30-day period. A court shall award the prevailing ~~party~~ plaintiff in any such suit:

a. Reasonable attorney fees and costs in accordance with the laws of this state, including a contingency fee multiplier, as authorized by law; and

b. The actual damages incurred, but not more than \$100,000.

2. If after the filing of a complaint a defendant voluntarily changes the ordinance, regulation, measure,

13-00671B-25

2025700

directive, rule, enactment, order, or policy, written or unwritten, promulgated or caused to be enforced in violation of this section, with or without court action, the plaintiff is considered a prevailing plaintiff for purposes of this section.

Interest on the sums awarded pursuant to this subsection shall accrue at the legal rate from the date on which suit was filed.

Section 76. 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.

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:

13-00671B-25

2025700

2669 1. Physically tampers with, manipulates, removes, replaces,
 2670 or interrupts any mechanical or electronic component located on
 2671 ~~within~~ the internal or external portion of a retail fuel
 2672 dispenser; or

2673 2. Uses any form of electronic communication to
 2674 fraudulently alter, manipulate, or interrupt the normal
 2675 functioning of a retail fuel dispenser.

2676 (c) A person commits a felony of the third degree,
 2677 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
 2678 if he or she:

2679 1. Obtains fuel as a result of violating paragraph (a) or
 2680 paragraph (b); ~~or~~

2681 2. Modifies a vehicle's factory installed fuel tank or
 2682 possesses any item used to hold fuel which was not fitted to a
 2683 vehicle or conveyance at the time of manufacture with the intent
 2684 to use such fuel tank or item to hold or transport fuel obtained
 2685 as a result of violating paragraph (a) or paragraph (b); or

2686 3. Uses any form of a payment instrument that can be used,
 2687 alone or in conjunction with another access device, to authorize
 2688 a fuel transaction or obtain fuel, including, but not limited
 2689 to, a plastic payment card with a magnetic stripe or a chip
 2690 encoded with account information or both, with the intent to
 2691 defraud the fuel retailer, the authorized payment instrument
 2692 financial account holder, or the banking institution that issued
 2693 the payment instrument financial account.

2694 Section 77. Section 812.136, Florida Statutes, is created
 2695 to read:

2696 812.136 Mail theft.-

2697 (1) As used in this section, unless the context otherwise

13-00671B-25

2025700

2698 requires:

2699 (a) "Mail" means any letter, postal card, parcel, envelope,
 2700 package, bag, or any other sealed article addressed to another,
 2701 along with its contents.

2702 (b) "Mail depository" means a mail box, letter box, mail
 2703 route, or mail receptacle of a postal service, an office of a
 2704 postal service, or mail carrier of a postal service, or a
 2705 vehicle of a postal service.

2706 (c) "Postal service" means the United States Postal Service
 2707 or its contractors, or any commercial courier that delivers
 2708 mail.

2709 (2) Any of the following acts shall constitute mail theft:

2710 (a) Removing mail from a mail depository or taking mail
 2711 from a mail carrier of a postal service with an intent to steal.

2712 (b) Obtaining custody of mail by fraud or deception with an
 2713 intent to steal.

2714 (c) Selling, receiving, possessing, transferring, buying,
 2715 or concealing mail obtained by acts described in paragraph (a)
 2716 or paragraph (b) of this subsection, while knowing or having
 2717 reason to know the mail was obtained illegally.

2718 (3) Any of the following shall constitute theft of or
 2719 unauthorized reproduction of a mail depository key or lock:

2720 (a) Stealing or obtaining by false pretense any key or lock
 2721 adopted by a postal service for a mail depository or other
 2722 authorized receptacle for the deposit or delivery of mail.

2723 (b) Knowingly and unlawfully making, forging, or
 2724 counterfeiting any such key or possessing any such key or lock
 2725 adopted by a postal service with the intent to unlawfully or
 2726 improperly use, sell, or otherwise dispose of the key or lock,

13-00671B-25

2025700

or to cause the key or lock to be unlawfully or improperly used,
sold, or otherwise disposed.

(4) The first violation of this section shall constitute 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 shall
constitute 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 78. 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 animals or equipment therein.

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

Section 79. 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

13-00671B-25

2025700

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 80. For the purpose of incorporating the amendment
made by this act to section 193.461, Florida Statutes, in a
reference thereto, paragraph (r) of subsection (1) of section
125.01, Florida Statutes, is reenacted to read:

125.01 Powers and duties.-

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

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

13-00671B-25

2025700

service taxing unit.

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

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

Section 81. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraphs (a) through (d) of subsection (3) of section 163.3162, Florida Statutes, are reenacted to read:

163.3162 Agricultural lands and practices.—

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

(a) A governmental entity may not exercise any of its powers to adopt or enforce any ordinance, resolution, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit an activity of a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, if such activity is regulated through implemented best management practices, interim measures, or regulations adopted as rules under chapter 120 by the Department of Environmental Protection,

13-00671B-25

2025700

the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program; or if such activity is expressly regulated by the United States Department of Agriculture, the United States Army Corps of Engineers, or the United States Environmental Protection Agency.

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

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

(d) For each governmental entity that, before March 1, 2009, adopted a stormwater utility ordinance or resolution,

13-00671B-25

2025700

adopted an ordinance or resolution establishing a municipal services benefit unit, or adopted a resolution stating the governmental entity's intent to use the uniform method of collection pursuant to s. 197.3632 for such stormwater ordinances, the governmental entity may continue to charge an assessment or fee for stormwater management on a bona fide farm operation on land classified as agricultural pursuant to s. 193.461, if the ordinance or resolution provides credits against the assessment or fee on a bona fide farm operation for the water quality or flood control benefit of:

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

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

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

13-00671B-25

2025700

permit, or works-of-the-district permit.

Section 82. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (c) of subsection (3) of section 163.3163, Florida Statutes, is reenacted to read:

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

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

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

Section 83. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (4) of section 163.3164, Florida Statutes, is reenacted to read:

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

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

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

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

(c) Is surrounded on at least 75 percent of its perimeter

13-00671B-25

2025700

by:

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

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

(d) Has public services, including water, wastewater, transportation, schools, and recreation facilities, available or such public services are scheduled in the capital improvement element to be provided by the local government or can be provided by an alternative provider of local government infrastructure in order to ensure consistency with applicable concurrency provisions of s. 163.3180; and

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

Section 84. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (5) of section 163.3194, Florida Statutes, is reenacted to read:

163.3194 Legal status of comprehensive plan.—

(5) The tax-exempt status of lands classified as agricultural under s. 193.461 shall not be affected by any comprehensive plan adopted under this act as long as the land

13-00671B-25

2025700

meets the criteria set forth in s. 193.461.

Section 85. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (4) of section 170.01, Florida Statutes, is reenacted to read:

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

(4) Notwithstanding any other provision of law, a municipality may not levy special assessments for the provision of fire protection services on lands classified as agricultural lands under s. 193.461 unless the land contains a residential dwelling or nonresidential farm building, with the exception of an agricultural pole barn, provided the nonresidential farm building exceeds a just value of \$10,000. Such special assessments must be based solely on the special benefit accruing to that portion of the land consisting of the residential dwelling and curtilage, and qualifying nonresidential farm buildings. As used in this subsection, the term "agricultural pole barn" means a nonresidential farm building in which 70 percent or more of the perimeter walls are permanently open and allow free ingress and egress.

Section 86. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (2) of section 193.052, Florida Statutes, is reenacted to read:

193.052 Preparation and serving of returns.—

(2) No return shall be required for real property the ownership of which is reflected in instruments recorded in the public records of the county in which the property is located,

13-00671B-25

2025700

unless otherwise required in this title. In order for land to be considered for agricultural classification under s. 193.461 or high-water recharge classification under s. 193.625, an application for classification must be filed on or before March 1 of each year with the property appraiser of the county in which the land is located, except as provided in s. 193.461(3)(a). The application must state that the lands on January 1 of that year were used primarily for bona fide commercial agricultural or high-water recharge purposes.

Section 87. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, section 193.4615, Florida Statutes, is reenacted to read:

193.4615 Assessment of obsolete agricultural equipment.—For purposes of ad valorem property taxation, agricultural equipment that is located on property classified as agricultural under s. 193.461 and that is no longer usable for its intended purpose shall be deemed to have a market value no greater than its value for salvage.

Section 88. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (a) of subsection (5) and paragraph (a) of subsection (19) of section 212.08, Florida Statutes, are reenacted to read:

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

13-00671B-25

2025700

chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(a) *Items in agricultural use and certain nets.*—There are exempt from the tax imposed by this chapter nets designed and used exclusively by commercial fisheries; disinfectants, fertilizers, insecticides, pesticides, herbicides, fungicides, and weed killers used for application on crops or groves, including commercial nurseries and home vegetable gardens, used in dairy barns or on poultry farms for the purpose of protecting poultry or livestock, or used directly on poultry or livestock; animal health products that are administered to, applied to, or consumed by livestock or poultry to alleviate pain or cure or prevent sickness, disease, or suffering, including, but not limited to, antiseptics, absorbent cotton, gauze for bandages, lotions, vaccines, vitamins, and worm remedies; aquaculture health products that are used by aquaculture producers, as defined in s. 597.0015, to prevent or treat fungi, bacteria, and parasitic diseases; portable containers or movable receptacles in which portable containers are placed, used for processing farm products; field and garden seeds, including flower seeds; nursery stock, seedlings, cuttings, or other propagative material purchased for growing stock; seeds, seedlings, cuttings, and plants used to produce food for human consumption; cloth, plastic, and other similar materials used for shade, mulch, or protection from frost or insects on a farm; hog wire and barbed wire fencing, including gates and materials used to construct or repair such fencing, used in agricultural production on lands classified as agricultural lands under s. 193.461; materials used to construct or repair permanent or

13-00671B-25

2025700

temporary fencing used to contain, confine, or process cattle, including gates and energized fencing systems, used in agricultural operations on lands classified as agricultural lands under s. 193.461; stakes used by a farmer to support plants during agricultural production; generators used on poultry farms; and liquefied petroleum gas or other fuel used to heat a structure in which started pullets or broilers are raised; however, such exemption is not allowed unless the purchaser or lessee signs a certificate stating that the item to be exempted is for the exclusive use designated herein. Also exempt are cellophane wrappers, glue for tin and glass (apiarists), mailing cases for honey, shipping cases, window cartons, and baling wire and twine used for baling hay, when used by a farmer to contain, produce, or process an agricultural commodity.

(19) FLORIDA FARM TEAM CARD.—

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

Section 89. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (2) of section 373.406, Florida

13-00671B-25

2025700

Statutes, is reenacted to read:

373.406 Exemptions.—The following exemptions shall apply:

(2) Notwithstanding s. 403.927, nothing herein, or in any rule, regulation, or order adopted pursuant hereto, shall be construed to affect the right of any person engaged in the occupation of agriculture, silviculture, floriculture, or horticulture to alter the topography of any tract of land, including, but not limited to, activities that may impede or divert the flow of surface waters or adversely impact wetlands, for purposes consistent with the normal and customary practice of such occupation in the area. However, such alteration or activity may not be for the sole or predominant purpose of impeding or diverting the flow of surface waters or adversely impacting wetlands. This exemption applies to lands classified as agricultural pursuant to s. 193.461 and to activities requiring an environmental resource permit pursuant to this part. This exemption does not apply to any activities previously authorized by an environmental resource permit or a management and storage of surface water permit issued pursuant to this part or a dredge and fill permit issued pursuant to chapter 403. This exemption has retroactive application to July 1, 1984.

Section 90. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (a) of subsection (11) of section 403.182, Florida Statutes, is reenacted to read:

403.182 Local pollution control programs.—

(11)(a) Notwithstanding this section or any existing local pollution control programs, the Secretary of Environmental Protection has exclusive jurisdiction in setting standards or

13-00671B-25

2025700

procedures for evaluating environmental conditions and assessing potential liability for the presence of contaminants on land that is classified as agricultural land pursuant to s. 193.461 and being converted to a nonagricultural use. The exclusive jurisdiction includes defining what constitutes all appropriate inquiry consistent with 40 C.F.R. part 312 and guidance thereunder.

Section 91. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (4) of section 403.9337, Florida Statutes, is reenacted to read:

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

(4) This section does not apply to the use of fertilizer on farm operations as defined in s. 823.14 or on lands classified as agricultural lands pursuant to s. 193.461.

Section 92. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (d) of subsection (2) of section 472.029, Florida Statutes, is reenacted to read:

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

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

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

Section 93. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (5) of section 474.2021, Florida Statutes, is reenacted to read:

13-00671B-25

2025700

474.2021 Veterinary telehealth.—

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

Section 94. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (d) of subsection (4) of section 474.2165, Florida Statutes, is reenacted to read:

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

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

(d) In any criminal action or situation where a veterinarian suspects a criminal violation. If a criminal violation is suspected, a veterinarian may, without notice to or authorization from the client, report the violation to a law enforcement officer, an animal control officer who is certified pursuant to s. 828.27(4)(a), or an agent appointed under s. 828.03. However, if a suspected violation occurs at a commercial

13-00671B-25

2025700

3133 food-producing animal operation on land classified as
 3134 agricultural under s. 193.461, the veterinarian must provide
 3135 notice to the client or the client's legal representative before
 3136 reporting the suspected violation to an officer or agent under
 3137 this paragraph. The report may not include written medical
 3138 records except upon the issuance of an order from a court of
 3139 competent jurisdiction.

3140 Section 95. For the purpose of incorporating the amendment
 3141 made by this act to section 193.461, Florida Statutes, in a
 3142 reference thereto, subsection (6) of section 487.081, Florida
 3143 Statutes, is reenacted to read:

3144 487.081 Exemptions.—

3145 (6) The Department of Environmental Protection is not
 3146 authorized to institute proceedings against any property owner
 3147 or leaseholder of property under the provisions of s. 376.307(5)
 3148 to recover any costs or damages associated with pesticide
 3149 contamination of soil or water, or the evaluation, assessment,
 3150 or remediation of pesticide contamination of soil or water,
 3151 including sampling, analysis, and restoration of soil or potable
 3152 water supplies, subject to the following conditions:

3153 (a) The pesticide contamination of soil or water is
 3154 determined to be the result of the use of pesticides by the
 3155 property owner or leaseholder, in accordance with state and
 3156 federal law, applicable registered labels, and rules on property
 3157 classified as agricultural land pursuant to s. 193.461;

3158 (b) The property owner or leaseholder maintains records of
 3159 such pesticide applications and such records are provided to the
 3160 department upon request;

3161 (c) In the event of pesticide contamination of soil or

Page 109 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

3162 water, the department, upon request, shall make such records
 3163 available to the Department of Environmental Protection;

3164 (d) This subsection does not limit regulatory authority
 3165 under a federally delegated or approved program; and

3166 (e) This subsection is remedial in nature and shall apply
 3167 retroactively.

3168
 3169 The department, in consultation with the secretary of the
 3170 Department of Environmental Protection, may adopt rules
 3171 prescribing the format, content, and retention time for records
 3172 to be maintained under this subsection.

3173 Section 96. For the purpose of incorporating the amendment
 3174 made by this act to section 193.461, Florida Statutes, in a
 3175 reference thereto, subsection (1) of section 570.87, Florida
 3176 Statutes, is reenacted to read:

3177 570.87 Agritourism participation impact on land
 3178 classification.—

3179 (1) In order to promote and perpetuate agriculture
 3180 throughout this state, farm operations are encouraged to engage
 3181 in agritourism. An agricultural classification pursuant to s.
 3182 193.461 may not be denied or revoked solely due to the conduct
 3183 of agritourism activity on a bona fide farm or the construction,
 3184 alteration, or maintenance of a nonresidential farm building,
 3185 structure, or facility on a bona fide farm which is used to
 3186 conduct agritourism activities. So long as the building,
 3187 structure, or facility is an integral part of the agricultural
 3188 operation, the land it occupies shall be considered agricultural
 3189 in nature. However, such buildings, structures, and facilities,
 3190 and other improvements on the land, must be assessed under s.

Page 110 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

193.011 at their just value and added to the agriculturally assessed value of the land.

Section 97. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (3) of section 570.94, Florida Statutes, is reenacted to read:

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

(3) Notwithstanding any other provision of law, including s. 163.3162, the implementation of the best management practices pursuant to this section is voluntary and except as specifically provided under this section and s. 9, Art. IV of the State Constitution, an agency, department, district, or unit of local government may not adopt or enforce any ordinance, resolution, regulation, rule, or policy regarding the best management practices on land classified as agricultural land pursuant to s. 193.461.

Section 98. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 582.19, Florida Statutes, is reenacted to read:

582.19 Qualifications and tenure of supervisors.—

Page 111 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

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

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

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

2. Is employed by an agricultural producer; or

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

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

570.85 Agritourism.—

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

Page 112 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700__

252.

Section 100. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, section 586.055, Florida Statutes, is reenacted to read:

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

Section 101. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in references thereto, paragraphs (a) and (d) of subsection (2) of section 604.50, Florida Statutes, are reenacted to read:

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

(2) As used in this section, the term:

(a) "Bona fide agricultural purposes" has the same meaning as provided in s. 193.461(3)(b).

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

Section 102. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (b) of subsection (3) of section

Page 113 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700__

604.73, Florida Statutes, is reenacted to read:

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

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

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

1. Within a dense urban land area, as described in s.

380.0651(3)(a);

2. Not classified as agricultural pursuant to s. 193.461;

3. Not zoned as agricultural as its principal use; and

4. Designated by a municipality for inclusion in an urban agricultural pilot project that has been approved by the department.

The term does not include vegetable gardens, as defined in s.

604.71(4), for personal consumption on residential properties.

Section 103. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (1) of section 692.201, Florida Statutes, is reenacted to read:

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

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

Section 104. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (a) of subsection (5) of section 810.011, Florida Statutes, is reenacted to read:

810.011 Definitions.—As used in this chapter:

(5)(a) "Posted land" is land upon which any of the

Page 114 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

following are placed:

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

2.a. A conspicuous no trespassing notice is painted on trees or posts on the property, provided that the notice is:

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

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

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

b. When a landowner uses the painted no trespassing posting to identify a no trespassing area, those painted notices must be accompanied by signs complying with subparagraph 1. and must be

13-00671B-25

2025700

placed conspicuously at all places where entry to the property is normally expected or known to occur.

Section 105. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (a) of subsection (5) and paragraph (a) of subsection (6) of section 741.30, Florida Statutes, are reenacted to read:

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

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

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

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

3. On the same basis as provided in s. 61.13, providing the petitioner a temporary parenting plan, including a time-sharing schedule, which may award the petitioner up to 100 percent of the time-sharing. If temporary time-sharing is awarded to the respondent, the exchange of the child must occur at a neutral safe exchange location as provided in s. 125.01(8) or a location authorized by a supervised visitation program as defined in s. 753.01 if the court determines it is in the best interests of

13-00671B-25

2025700

the child after consideration of all of the factors specified in s. 61.13(3). The temporary parenting plan remains in effect until the order expires or an order is entered by a court of competent jurisdiction in a pending or subsequent civil action or proceeding affecting the placement of, access to, parental time with, adoption of, or parental rights and responsibilities for the minor child.

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

5. Awarding to the petitioner the temporary exclusive care, possession, or control of an animal that is owned, possessed, harbored, kept, or held by the petitioner, the respondent, or a minor child residing in the residence or household of the petitioner or respondent. The court may order the respondent to temporarily have no contact with the animal and prohibit the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal. This subparagraph does not apply to an animal owned primarily for a bona fide agricultural purpose, as defined under s. 193.461, or to a service animal, as defined under s. 413.08, if the respondent is the service animal's handler.

(6)(a) Upon notice and hearing, when it appears to the court that the petitioner is either the victim of domestic

13-00671B-25

2025700

violence as defined by s. 741.28 or has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence, the court may grant such relief as the court deems proper, including an injunction:

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

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

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

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

5. On the same basis as provided in chapter 61, establishing temporary support for a minor child or children or the petitioner. An order of temporary support remains in effect until the order expires or an order is entered by a court of

13-00671B-25

2025700

competent jurisdiction in a pending or subsequent civil action or proceeding affecting child support.

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

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

8. Awarding to the petitioner the exclusive care, possession, or control of an animal that is owned, possessed, harbored, kept, or held by the petitioner, the respondent, or a minor child residing in the residence or household of the petitioner or respondent. The court may order the respondent to have no contact with the animal and prohibit the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal. This subparagraph does not apply to an animal owned primarily for a bona fide agricultural purpose, as defined under s. 193.461, or to a service animal, as defined under s. 413.08, if the respondent is the service animal's handler.

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

Page 119 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

Section 106. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (6) of section 823.14, Florida Statutes, is reenacted to read:

823.14 Florida Right to Farm Act.—

(6) LIMITATION ON DUPLICATION OF GOVERNMENT REGULATION.—It is the intent of the Legislature to eliminate duplication of regulatory authority over farm operations as expressed in this subsection. Except as otherwise provided for in this section and s. 487.051(2), and 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 an activity of a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, where such activity is regulated through implemented best management practices or interim measures developed by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or water management districts and adopted under chapter 120 as part of a statewide or regional program. When an activity of a farm operation takes place within a wellfield protection area as defined in any wellfield protection ordinance adopted by a local government, and the adopted best management practice or interim measure does not specifically address wellfield protection, a local government may regulate that activity pursuant to such ordinance. This subsection does not limit the powers and duties provided for in s. 373.4592 or limit the powers and duties of any local government to address an emergency as provided for in chapter 252.

Section 107. For the purpose of incorporating the amendment

Page 120 of 127

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

13-00671B-25

2025700

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

13-00671B-25

2025700

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 108. 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

13-00671B-25

2025700__

eligible to receive state funds under s. 388.271.

Section 109. 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 110. 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

13-00671B-25

2025700__

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 111. 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 112. 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 113. For the purpose of incorporating the amendment made by this act to section 496.405, Florida Statutes, in a

13-00671B-25 2025700

reference 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

13-00671B-25 2025700

this section to a charitable organization or sponsor.

Section 114. 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 115. 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

13-00671B-25

2025700__

subsection.

Section 116. 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 117. This act shall take effect July 1, 2025.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Agriculture, *Chair*
Appropriations Committee on Agriculture, Environment,
and General Government
Appropriations Committee on Transportation,
Tourism, and Economic Development
Banking and Insurance
Fiscal Policy
Military and Veterans Affairs, Space, and
Domestic Security
Transportation

SENATOR KEITH TRUENOW

13th District

February 26, 2025

Senator Keith Truenow
304 Senate Office Building
404 So Monroe Street
Tallahassee, FL 32399

Dear Chair Truenow,

I would like to request SB 700 Department of Agriculture and Consumer Services be placed on the next available Agriculture Committee agenda.

This good bill provides that certain positions in the department are exempt from the Career Service System, requires an electric utility to submit 10-year site plan for a proposed power plant on certain lands to the county commission where such proposed power plant is located, and requires a county commission receiving such site plans to fulfill certain requirements. It also, revises requirements for land to be classified as agricultural and prohibits a person from knowingly or willfully performing certain actions on lands classified as agricultural, it provides criminal penalties, prohibiting a person from knowingly or willfully performing certain actions on private property, state wildlife management lands, or a sport shooting and training range.

I appreciate your favorable consideration.

Sincerely,

A handwritten signature in blue ink that reads "Keith Truenow".

Senator Keith Truenow
Senate District 13

KT/dd

cc: Katherine Becker, Staff Director
Evan Denney, Administrative Assistant

REPLY TO:

- ☐ Lake County Agricultural Center, 1951 Woodlea Road, Tavares, Florida 32778 (352) 750-3133
- ☐ 16207 State Road 50, Suite 401, Clermont, Florida 34711
- ☐ 304 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5013

Senate's Website: www.flsenate.gov

BEN ALBRITTON
President of the Senate

JASON BRODEUR
President Pro Tempore

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

700

Bill Number or Topic

3/11/25

Meeting Date

Agriculture

Committee

Amendment Barcode (if applicable)

Name

Kathy Mears

Phone

350 617-7700

Address

400 S. Monroe St

Email

Street

Tallahassee

City

FL

State

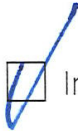
32349

Zip

Speaking:

☐ For

☐ Against



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:

FDACS



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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

3/11/2025

Meeting Date

Ag

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

7CO

Bill Number or Topic

507790

Amendment Barcode (if applicable)

Name Andrew Liebert Phone 239-595-5990

Address 119 S Monroe Street Suite 503 Email Andrew.Liebert@
Street

vogelgroupdc.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 Citrus Mutual

☐ 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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/11/25

Meeting Date

Ag

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

700

Bill Number or Topic

507790

Amendment Barcode (if applicable)

Name

Andrew Liebert

Phone

239-595-5990

Address

119 S Monroe Street Suite 500

Street

Email

Andrew.Liebert@Vogelgroupdc.com

Tallahassee FL

City

State

32301

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 Fruit and Vegetable Assn.

☐

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. [2020-2022 Joint Rules.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

03/11/2025

Meeting Date

Agriculture

Committee

700

Bill Number or Topic

507790

Amendment Barcode (if applicable)

Name **Alex Haley**

Phone **8506177700**

Address **400 S. Monroe St**

Email **N/A**

Street

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 (FDACS)**

☐ 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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

700

3/11/25

Meeting Date

Bill Number or Topic

Ag

Committee

507790

Amendment Barcode (if applicable)

Name

Jim Spratt

Phone

858-228-1296

Address

119 S Monroe St

Email

Jimemagnoliastrategiesllc.com

Street

TLH

City

FL

State

32301

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 NURSERY, GROWERS & LANDSCAPE
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. [2020-2022 Joint Rules.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

3/11/25

Meeting Date

AG

Committee

SB700

Bill Number or Topic

507790

Amendment Barcode (if applicable)

Name

Tripp Hunter

Phone

850-408-6092

Address

210 W College

Email

Street

TLH

City

FL

State

32301

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:

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. [2020-2022 Joint Rules.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

3-11-25

Meeting Date

Agriculture

Committee

SB 700

Bill Number or Topic

507790

Amendment Barcode (if applicable)

Name Eric Friday

Phone 904-722-3333

Address 225-E Church St.

Street

Jacksonville

City

FL

State

32202

Zip

Email efriday@kingryfriday.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 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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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

03/11/2025

Meeting Date

Agriculture

Committee

700

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Alex Haley**

Phone **8506177700**

Address **400 S. Monroe St**
Street

Email **N/A**

Tallahassee
City

FL
State

32399
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 (FDACS)**

☐ 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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

APPEARANCE RECORDSB 700
Agriculture
Bill Number or Topic

3-11-25

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Agriculture

Committee

Amendment Barcode (if applicable)

Name

Barbara DeVane

Phone

Address

625 E. Brevard St

Email

Street

Tallahassee

City

State

FL

32308

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 700

March 11, 2025

Meeting Date

Agriculture

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name Nancy Stewart

Phone 850 - 385 - 7805

Address 1400 Village Square Blvd Ste 3-156

Email nancy.stewart@nancyblackstewart.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:

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Florida Poultry Federation

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. [2020-2022 Joint Rules.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

3/11/25

Meeting Date

AG

Committee

SB 700

Bill Number or Topic

Name

Tripp Hunter

Phone

850-408-6012

Address

W O W College

Email

Street

TLH

City

FL

State

32301

Zip

Amendment Barcode (if applicable)

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:

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

3/11/25

Meeting Date

AGRICULTURE

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 700

Bill Number or Topic

Amendment Barcode (if applicable)

Name

LENA JUAREZ

Phone

850 212 8330

Address

P.O. Box 10390

Street

Email

lena@ejassoc.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:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

FLORIDA AGRITOURISM ASSOCIATION

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

3/11/2025

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

700

Bill Number or Topic

Ag

Committee

Amendment Barcode (if applicable)

Name

Andrew Liebert

Phone

239-595-5990

Address

119 S Monroe Street Suite 500

Street

Email

AndrewLiebert@Vogel
groupdc.com

Tallahassee FL

City

State

32301

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 Fruit and Vegetable Assn

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 \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

03/11/23

Meeting Date

SB 700

Bill Number or Topic

Ag

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Jackson Oberlinic

Phone

772-532-1371

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/11/25

Meeting Date

Ag

Committee

700

Bill Number or Topic

Amendment Barcode (if applicable)

Deliver both copies of this form to
Senate professional staff conducting the meeting

Name

Andrew Liebert

Phone

239-595 5940

Address

119 S Monroe Street

Street

Tallahassee FL 32301

City

State

Zip

Email

Andrew.Liebert@

Vogelgroup.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 Citrus Mutual

☐

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. [2020-2022 Joint Rules.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

SB 700 Farm Bill

Bill Number or Topic

3-11-25

Meeting Date

Agriculture

Committee

Amendment Barcode (if applicable)

Name

Brandon D. Tucker

Phone

(772) 201-8722

Address

104 NW 7th Avenue

Street

Email

brandon@floridalandownersassociation.org

Okeechobee

City

FL

State

34972

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:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Florida Landowners Association

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

3-11-25

Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 700

Bill Number or Topic

Agriculture

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Eric Friday

Phone 904-722-3333

Address 225 E Church St
Street

Email eFriday@kingofridays.com

Jacksonville FL
City State

32202
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 Curry, 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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

APPEARANCE RECORD

SB700

Bill Number or Topic

03/11/2023

Meeting Date

Agriculture

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Brandon Edmonston

Phone

850-681-3629

Address

545 John Knox Rd #200

Street

Email

bedmonston@floridadnr.com

Tallahassee FL

City

State

32303

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

03/11/25

Meeting Date

Agriculture

Committee

SB 700

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Matthew Grocholske

Phone 863 224 7501

Address 1701 Lee Rd

Email matthew.grocholske@gmail.com

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:

Orange County Soil and Water
Supervisor District 5

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

03/11/2025
Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 700

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Name HOWARD E. "GENE" ADAMS

Amendment Barcode (if applicable)

Phone 850-933-6222

Address 215 SOUTH MONROE ST., SUITE 200

Email GENE@PENNINGTONLAW.COM

Street

TALLAHASSEE

City

FL

State

32301

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:

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 Agriculture

BILL: SB 786

INTRODUCER: Senator Truenow

SUBJECT: Improvements to Structures on Agricultural Lands

DATE: March 10, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Burse	Becker	AG	Favorable
2.			FT	
3.			AP	

I. Summary:

SB 786, permits any agricultural improvements used for an agricultural purpose located on lands classified as agricultural lands to be exempt from assessments.

It provides that amendments made by this act to s. 193.461, F.S., first apply to the 2026 ad valorem tax roll.

The bill takes effect July 1, 2025.

II. Present Situation:

General Overview of Property Taxation

The ad valorem tax or “property tax” is an annual tax levied by counties, municipalities, school districts, and some special districts. The tax is based on the taxable value of property as of January 1 of each year.¹ The property appraiser annually determines the “just value”² of property within the taxing jurisdiction and then applies relevant exclusions, assessment limitations, and exemptions to determine the property’s “taxable value.”³ Property tax bills are mailed in

¹ Both real property and tangible personal property are subject to tax. Section 192.001(12), F.S., defines “real property” as land, buildings, fixtures, and all other improvements to land. Section 192.001(11)(d), F.S., defines “tangible personal property” as all goods, chattels, and other articles of value capable of manual possession and whose chief value is intrinsic to the article itself.

² Property must be valued at “just value” for purposes of property taxation, unless the Florida Constitution provides otherwise. FLA. CONST. art VII, s. 4. Just value has been interpreted by the courts to mean the fair market value that a willing buyer would pay a willing seller for the property in an arm’s-length transaction. *See, e.g., Walter v. Schuler*, 176 So. 2d 81 (Fla. 1965); *Deltona Corp. v. Bailey*, 336 So. 2d 1163 (Fla. 1976); *S. Bell Tel. & Tel. Co. v. Dade Cnty.*, 275 So. 2d 4 (Fla. 1973).

³ *See* s. 192.001(2) and (16), F.S.

November of each year based on the previous January 1 valuation, and payment is due by March 31 of the following year.⁴

The Florida Constitution prohibits the state from levying ad valorem taxes,⁵ and it limits the Legislature's authority to provide for property valuations at less than just value, unless expressly authorized.⁶

Ad Valorem Taxation of Tangible Personal Property

Article VII, section 1, also grants exclusive authority to local governments to levy ad valorem taxes on tangible personal property.⁷ The Florida Constitution includes the following exemptions and authorization for exemptions for tangible personal property:

- Section 1 specifies that motor vehicles, boats, airplanes, trailers, trailer coaches, and mobile homes are subject to license taxes, but may not be subject to ad valorem taxes.
- Under section 3, household goods and personal effects are granted an exemption of at least \$1,000.
- Local governments are authorized under section 3 to grant community and economic development ad valorem tax exemptions to new businesses and expansions of existing businesses, which may apply to tangible personal property.
- Also exempt under section 3 is \$25,000 of the assessed value of tangible personal property⁸, and the assessed value of solar or renewable energy devices may be exempt pursuant to general law⁹.
- Under section 4, tangible personal property “held for sale as stock in trade” may be exempted from taxation.¹⁰

Agricultural Land Valuation

Property appraisers annually classify, for assessment purposes, all lands within a county as either agricultural or nonagricultural.¹¹ Only lands that are used primarily for “bona fide agricultural purposes” shall be classified agricultural.¹² In determining whether the use of the land for agricultural purposes is bona fide, the following factors may be taken into consideration:

- The length of time the land has been so used.
- Whether the use has been continuous.
- The purchase price paid.
- Size, as it relates to specific agricultural use, but a minimum acreage may not be required for agricultural assessment.

⁴ Sections 197.162 and 197.322, F.S.; see also FLA. DEP'T OF REVENUE, *Florida Property Tax Calendar* (Dec. 2016), available at: <https://floridarevenue.com/property/Documents/taxcalendar.pdf>.

⁵ FLA. CONST. art. VII, s. 1(a)

⁶ FLA. CONST. art. VII, s. 4.

⁷ See also FLA. CONST. art. VII, s. 9(a).

⁸ Section 196.183, F.S., specifies the conditions for the general exemption of \$25,000 of the assessed value of tangible personal property.

⁹ Section 196.182, F.S., specifies the conditions for exemption of renewable energy source devices.

¹⁰ This exemption for inventory is restated at section 196.185, F.S., and inventory is defined at section 192.001(11)(c), F.S.

¹¹ Section 193.461(1), F.S.

¹² Section 193.461(3)(b), F.S.

- Whether an indicated effort has been made to care sufficiently and adequately for the land in accordance with accepted commercial agricultural practices, including, without limitation, fertilizing, liming, tilling, mowing, reforestation, and other accepted agricultural practices.
- Whether the land is under lease and, if so, the effective length, terms, and conditions of the lease.
- Such other factors as may become applicable.

When the land is classified as agricultural, the property appraiser shall consider the following use factors only:

- The quantity and size of the property;
- The condition of the property;
- The present market value of the property as agricultural land;
- The income produced by the property;
- The productivity of land in its present use;
- The economic merchantability of the agricultural product.
- Such other agricultural factors as may from time to time become applicable, which are reflective of the standard present practices of agricultural use and production.¹³

III. Effect of Proposed Changes:

Section 1 permits any agricultural improvements used for an agricultural purpose located on lands classified as agricultural lands to be exempt from assessments.

Section 2 provides that amendments made by this act to s. 193.461, F.S., first apply to the 2026 ad valorem tax roll.

Section 3 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.

¹³ Section 193.461(6)(a), F.S.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Landowners making any agricultural improvements on agricultural land will be exempt from assessments. This will result in an indeterminate positive fiscal impact as landowners take advantage of ad valorem tax savings.

C. Government Sector Impact:

This could result in a reduction of revenue to local governments. An exact impact has not been determined.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 193.461 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.

By Senator Truenow

13-01434A-25

2025786__

A bill to be entitled

An act relating to improvements to structures on agricultural lands; amending s. 193.461, F.S.; prohibiting assessment of any agricultural improvements used for certain purposes on specified lands; providing applicability; providing an effective date.

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

Section 1. Subsection (9) is added to section 193.461, Florida Statutes, to read:

193.461 Agricultural lands; classification and assessment; mandated eradication or quarantine program; natural disasters.—

(9) Notwithstanding any other law, any agricultural improvements used for an agricultural purpose located on lands classified for assessment purposes as agricultural lands are exempt from assessment under this section.

Section 2. The amendments made by this act to s. 193.461, Florida Statutes, first apply to the 2026 ad valorem tax roll.

Section 3. This act shall take effect July 1, 2025.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Agriculture, *Chair*
Appropriations Committee on Agriculture, Environment,
and General Government
Appropriations Committee on Transportation,
Tourism, and Economic Development
Banking and Insurance
Fiscal Policy
Military and Veterans Affairs, Space, and
Domestic Security
Transportation

SENATOR KEITH TRUENOW

13th District

March 3, 2025

Senator Keith Truenow
304 Senate Office Building
404 So Monroe Street
Tallahassee, FL 32399

Dear Senator Truenow,

I am requesting that SB 786 Improvements to Structures on Agricultural Lands be placed on the next available agenda.

This good bill addresses agricultural lands; classification and assessment; mandated eradication or quarantine program; natural disasters. Notwithstanding any other law, any agricultural improvements used for an agricultural purpose located on lands classified for assessment purposes as agricultural lands are exempt from assessment under this section. The amendments made by this act to s. 193.461, Florida Statutes, first apply to the 2026 ad valorem tax roll.

I appreciate your favorable consideration.

Sincerely,

A handwritten signature in blue ink that reads "Keith Truenow".

Senator Keith Truenow
Senate District 13

KT/dd

cc: Katherine Becker, Staff Director
Evan Denny, Administrative Assistant

REPLY TO:

- ☐ Lake County Agricultural Center, 1951 Woodlea Road, Tavares, Florida 32778 (352) 750-3133
- ☐ 16207 State Road 50, Suite 401, Clermont, Florida 34711
- ☐ 304 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5013

Senate's Website: www.flsenate.gov

BEN ALBRITTON
President of the Senate

JASON BRODEUR
President Pro Tempore

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 980

INTRODUCER: Senator Bernard

SUBJECT: Hunger-Free Campus Pilot Program

DATE: March 10, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Becker	Becker	AG	Favorable
2.			AEG	
3.			FP	

I. Summary:

SB 980, the “Hunger-Free Campus Act,” creates the Hunger-Free Campus Pilot Program within the Department of Agriculture and Consumer Services (department). The program is meant to help fight hunger on the campuses of postsecondary educational institutions. The program is established for one year beginning July 1, 2025.

The bill directs the Commissioner of Agriculture (commissioner) to identify the top three institutions with the highest percentage of Pell Grant-eligible students among all state universities and Florida College System institutions. Those three institutions shall participate in the program.

The commissioner shall develop a survey instrument requiring all participating universities or Florida College System institutions to meet certain requirements, including, but not limited to, establishing a hunger task force, designating a staff member responsible for assisting students in enrollment in the Supplemental Nutrition Assistance Program (SNAP), providing options for students to use SNAP benefits on campus, providing at least one food pantry on campus, and conducting a student study on hunger.

The bill requires each participating state university or Florida College System institution to submit a report to the department describing how it implemented the program. By December 1, 2027, the commissioner shall report on the program to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report shall include, but is not limited to, the impact of the program on establishing hunger-free campuses at participating state universities or Florida College System institutions; the impact of the program on reducing the number of students at such universities and institutions who are experiencing food insecurity; and recommendations regarding future funding and implementation of the program on a long-term basis.

The bill directs the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct a study evaluating food insecurity on the campuses of state universities and Florida College System institutions. The study must include recommendations for any changes to general law, Board of Governors' rules and regulations, or State Board of Education rules needed to address food insecurity on the campuses of state universities and Florida College System institutions, by December 1, 2025.

The bill takes effect July 1, 2025.

II. Present Situation:

Approximately one-third¹ of college students and 23% of undergraduate students² in the United States are food insecure, and more than half of the students enrolled in the Florida College System are low income and first-generation.³ Food insecurity is associated with poor mental and physical health, as well as lower rates of academic success among students. Prior to the coronavirus crisis, the American Association of Collegiate Registrars and Admissions Officers identified food insecurity as a top barrier to student non-completion, and as a result of the pandemic 5.8 out of every 10 students have experienced basic needs insecurity.⁴ Despite recent awareness of food insecurity on college campuses, the National Center for Education Statistics (NCES) reports that 83.8% of students experiencing food insecurity still did not receive any emergency aid.⁵

Supplemental Nutrition Assistance Program (SNAP)

The Food and Nutrition Service (FNS), under the U.S. Department of Agriculture (USDA), administers the Supplemental Nutrition Assistance Program (SNAP).⁶ SNAP, formerly the Food Stamp Program, is the nation's largest domestic food and nutrition assistance program for low-

¹ DeBate et al., *Food Insecurity, Well-being, and Academic Success among College Students: Implications for Post COVID-19 Pandemic Programming*, Ecology of Food and Nutrition (October 7, 2021), available at <https://www.usf.edu/arts-sciences/centers/cafsch/documents/food-insecurity-wellbeing-and-academic-success.pdf> (last visited March 7, 2025).

² Florida College Access Network, *The Real Cost of College in Florida* (2024), available at <https://9a33652e.delivery.rocketcdn.me/wp-content/uploads/2024/07/24-FCAN-CostofAttendance-Brief-web.pdf> (last visited March 6, 2025).

³ Florida Department of Education, *Affordability in the Florida College System* (December 2018), available at <https://www.fldoe.org/core/fileparse.php/7724/urlt/FCS18-Affordability.pdf> (last visited March 7, 2025).

⁴ Florida College Access Network, *Nearly 3 in 5 College Students Struggle with Food, Housing Insecurity Due to Covid-19* (July 1, 2020), available at <https://floridacollegeaccess.org/research-and-data/nearly-3-in-5-college-students-struggle-with-food-housing-insecurity-due-to-covid-19/> (last visited March 7, 2025).

⁵ *Id.*

⁶ The Food Stamp Program (FSP) originated in 1939 as a pilot program for certain individuals to buy stamps equal to their normal food expenditures: for every \$1 of orange stamps purchased, people received 50 cents worth of blue stamps, which could be used to buy surplus food. The FSP expanded nationwide in 1974. Under the federal welfare reform legislation of 1996, Congress enacted major changes to the FSP, including limiting eligibility for certain adults who did not meet work requirements. The Food and Nutrition Act of 2008 renamed the FSP the Supplemental Nutrition Assistance Program (SNAP) and implemented priorities to strengthen program integrity; simplify program administration; maintain states' flexibility in how they administer their programs; and improve access to SNAP. See A Short History of SNAP, UNITED STATES DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE, available at <https://www.fns.usda.gov/snap/short-history-snap> (last visited March 7, 2025).

income Americans.⁷ For low-income households, increased spending on food is consistently and positively associated with diet quality and higher use and intake of both fruits and vegetables.⁸

To be eligible for SNAP, households must have a gross monthly income at or below 130 percent of the poverty line, have a net income at or below the poverty line, and have assets below certain limits based on whether or not the household has a member aged 60 or older who has a disability.⁹ In the 2024 fiscal year, 2,969,000 Florida residents, or 13% of the state population, received SNAP benefits in Florida.¹⁰

To qualify for SNAP benefits, students must meet additional criteria, such as working a paid job for a minimum of twenty hours a week. The US Government Accountability Office (GAO) estimates less than two-fifths of food insecure students meeting the additional requirements to meet SNAP eligibility.¹¹ The US GAO reports that 59% of students potentially eligible for SNAP benefits did not report receiving benefits.¹² Overall, while forms of assistance such as local food pantries and the SNAP exist, many students do not take advantage of them due to the stigma associated, or because they do not qualify.

SNAP Eligible Foods

The Food and Nutrition Act of 2008 defines eligible food under SNAP as any food or food product intended for human consumption except alcoholic beverages, tobacco, hot foods, and hot food products prepared for immediate consumption, with some exceptions.¹³ Nonfood items such as pet foods, soaps, paper products, medicines and vitamins, household supplies, grooming items, and cosmetics are ineligible for purchase with SNAP benefits.¹⁴

Campus Food Pantries

Nearly one third (29%) of college students have missed a meal at least once a week since the beginning of the COVID-19 pandemic, and more than half of all students have used off-campus food banks.¹⁵

⁷ US Department of Agriculture, Economic Research Service, Supplemental Nutrition Assistance Program (SNAP) Overview, available at <https://www.ers.usda.gov/topics/food-nutrition-assistance/supplemental-nutrition-assistance-program-snap/> (last visited March 7, 2025).

⁸ Food Expenditures and Diet Quality Among Low-Income Households and Individuals, UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE, July 2010, available at https://www.fns.usda.gov/sites/default/files/FoodExpendDietQuality_Summary.pdf (last visited March 7, 2025).

⁹ Center on Budget Policy and Priorities, *A Quick Guide to SNAP Eligibility and Benefits*, available at https://www.cbpp.org/research/food-assistance/a-quick-guide-to-snap-eligibility-and-benefits#_ftn5 (last visited March 7, 2025).

¹⁰ Center on Budget and Policy Priorities, *Florida Supplemental Nutrition Assistance Program* (January 21, 2025), available at https://www.cbpp.org/sites/default/files/atoms/files/snap_factsheet_florida.pdf (last visited March 6, 2025).

¹¹ U.S. Government Accountability Office, *Supplemental Nutrition Assistance Program: Estimated Eligibility and Receipt among Food Insecure College Students* (June 24, 2024), available at <https://www.gao.gov/products/gao-24-107074> (last visited March 6, 2025).

¹² *Id.*

¹³ 7 USC § 2012(k); see also 7 CFR § 271.2.

¹⁴ *Id.*

¹⁵ Swipe Out Hunger, *Swipe Out Hunger Acquires the College and University Food Bank Alliance* (Oct. 21, 2021), <https://www.swipehunger.org/cufba/>. (last visited March 7, 2025).

Campus food pantries are often run by campus student support services, student government, or the administrative department, and are for enrolled students facing food insecurity. Pantries may partner with organizations in the community to keep the shelves and freezers stocked and raise donations. Mobile pantries may also directly serve students in high need of hunger-relief.¹⁶

Hunger-Free Campuses

The first Hunger-Free Campus bill was originally introduced in California in 2017 by then Assemblywoman Monique Limón. The Hunger-Free Campus policy provided funding to public colleges addressing student hunger on campus. Since its passage in California,¹⁷ additional states have formally passed Hunger-Free Campus legislation, including New Jersey,¹⁸ Maryland,¹⁹ Minnesota,²⁰ and Massachusetts.²¹

III. Effect of Proposed Changes:

SB 980, the “Hunger-Free Campus Act,” creates the Hunger-Free Campus Pilot Program within the Department of Agriculture and Consumer Services (department).

The program is meant to help fight hunger on the campuses of postsecondary educational institutions. The program is established for one year beginning July 1, 2025.

The bill directs the Commissioner of Agriculture (commissioner) to identify the top three institutions with the highest percentage of Pell Grant-eligible students among all state universities and Florida College System institutions. Those three institutions shall participate in the program.

The commissioner shall develop a survey instrument requiring all participating universities or Florida College System institutions to:

- Establish a hunger task force, which must include representatives from the student body and meet at least three times during the life of the pilot program. The task force shall set at least two goals to address hunger on campus, each accompanied by an action plan.
- Designate a staff member responsible for assisting students with enrollment in the Supplemental Nutrition Assistance Program (SNAP).
- Provide options that enable students to use SNAP benefits on campus or provide students with information on authorized SNAP retailers in the area surrounding the campus where they may use SNAP electronic benefit transfer cards.
- Host an activity or event during Hunger and Homelessness Awareness Week to promote awareness of hunger on the nation’s campuses.

¹⁶ Feeding Florida, *Mobile Pantries*, <https://www.feedingflorida.org/food-access/mobile-pantries>. Feeding Florida consists of 12-member food banks within its mobile pantry program. (last visited 7, 2025).

¹⁷ Cal. Educ. Code § 66027.8 (2017)

¹⁸ N.J. Stat. Ann. § 18A:62-60 (2019)

¹⁹ Md. Code Ann., Educ. § 11-1703 (2021)

²⁰ Minn. Stat. Ann. § 135A.137 (2021)

²¹ Mass. Gen. Laws ch. 15A, § 2 (2021)

- Provide at least one physical food pantry on campus or enable students to receive food at no cost through a stigma-free process. The campus may partner with a local food bank or food paragraph to comply with this requirement.
- Develop a student meal credit donation program or designate funds that might be raised through such a program for free food vouchers.
- Conduct a student survey on hunger, using a survey instrument developed by the commissioner, and submit the results of the survey and a best practices campus profile to the department by a date prescribed by the department for inclusion in a comparative profile of each campus designated as a hunger-free campus.

The bill requires each participating state university or Florida College System institution to submit a report to the department describing how it implemented the program. By January 1, 2027, the commissioner shall report on the program to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report shall include, but is not limited to, the impact of the program on establishing hunger-free campuses at participating state universities or Florida College System institutions; the impact of the program on reducing the number of students at such universities and institutions who are experiencing food insecurity; and recommendations regarding future funding and implementation of the program on a long-term basis.

The department is granted rulemaking authority to implement the program.

The bill directs OPPAGA to conduct a study evaluating food insecurity on the campuses of state universities and Florida College System institutions. The study must include recommendations for any changes to general law, Board of Governors' rules and regulations, or State Board of Education rules needed to address food insecurity on the campuses of state universities and Florida College System institutions.

OPPAGA must consult with the Board of Governors of the State University System, the Department of Education, and any other relevant stakeholders to conduct the study. OPPAGA shall submit a report on its findings to the President of the Senate and the Speaker of the House of Representatives by December 1, 2025.

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.

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 has no impact on state revenues or expenditures. The pilot program is contingent upon legislative appropriation.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an unnumbered section of 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 Bernard

24-01405-25

2025980__

A bill to be entitled

An act relating to the Hunger-Free Campus Pilot Program; providing a short title; establishing the pilot program within the Department of Agriculture and Consumer Services for a specified period; providing the purpose of the pilot program; defining the terms "commissioner" and "department"; requiring the Commissioner of Agriculture to identify the three state universities or Florida College System institutions with the highest percentage of Pell Grant-eligible students for participation in the pilot program; requiring the commissioner to develop a specified survey instrument; providing requirements for participating universities and institutions; requiring participating universities and institutions to submit a report to the department; requiring the commissioner to submit a report to the Governor and the Legislature by a specified date; specifying requirements for the report; authorizing the department to adopt rules; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study to evaluate food insecurity on the campuses of state universities and Florida College System institutions; providing requirements for the office and the study; requiring the office to submit a report to the Legislature by a specified date; providing an effective date.

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

Page 1 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

24-01405-25

2025980__

Section 1. This act may be cited as the "Hunger-Free Campus Act."

Section 2. (1) Subject to legislative appropriation, the Hunger-Free Campus Pilot Program is established within the Department of Agriculture and Consumer Services to support efforts to fight hunger on the campuses of public postsecondary educational institutions. The program is established for a period of 1 year, beginning July 1, 2025.

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

(a) "Commissioner" means the Commissioner of Agriculture.

(b) "Department" means the Department of Agriculture and Consumer Services.

(3) (a) The commissioner shall identify from among all state universities and Florida College System institutions the three that have the highest percentage of Pell Grant-eligible students, which universities or institutions shall participate in the program.

(b) The commissioner shall also develop the survey instrument described in subsection (4).

(4) A participating state university or Florida College System institution shall:

(a) Establish a hunger task force, which must include representatives from the student body and meet at least three times during the life of the pilot program. The task force shall set at least two goals to address hunger on campus, each accompanied by an action plan.

(b) Designate a staff member responsible for assisting students with enrollment in the Supplemental Nutrition

Page 2 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

24-01405-25

2025980

Assistance Program (SNAP) as defined in s. 414.456(1), Florida Statutes.

(c) Provide options that enable students to use SNAP benefits on campus or provide students with information on authorized SNAP retailers in the area surrounding the campus where they may use SNAP electronic benefit transfer cards.

(d) Host an activity or event during Hunger and Homelessness Awareness Week to promote awareness of hunger on the nation's campuses.

(e) Provide at least one physical food pantry on campus or enable students to receive food at no cost through a stigma-free process. The campus may partner with a local food bank or food pantry to comply with this paragraph.

(f) Develop a student meal credit donation program or designate funds that might be raised through such a program for free food vouchers.

(g) Conduct a student survey on hunger, using a survey instrument developed by the commissioner, and submit the results of the survey and a best practices campus profile to the department by a date prescribed by the department for inclusion in a comparative profile of each campus designated as a hunger-free campus.

(5)(a) Each participating state university or Florida College System institution shall submit a report to the department, in a manner prescribed by the department, which describes how it implemented the program and the program results.

(b) The commissioner shall submit a report on the program to the Governor, the President of the Senate, and the Speaker of

24-01405-25

2025980

the House of Representatives by January 1, 2027. The report must include, but need not be limited to, the impact of the program on establishing hunger-free campuses at participating state universities or Florida College System institutions; the impact of the program on reducing the number of students at such universities and institutions who are experiencing food insecurity; and recommendations regarding future funding and implementation of the program on a long-term basis.

(6) The department may adopt rules to implement the program.

Section 3. (1) The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a study to evaluate food insecurity on the campuses of state universities and Florida College System institutions.

(2) The study must include recommendations for any changes to general law, Board of Governors' regulations, or State Board of Education rules needed to address food insecurity on the campuses of state universities and Florida College System institutions.

(3) In conducting the study, OPPAGA shall consult with the Board of Governors of the State University System, the board of trustees of the Florida College System, the Department of Education, and any other relevant stakeholders.

(4) OPPAGA shall submit a report on its findings to the President of the Senate and the Speaker of the House of Representatives by December 1, 2025.

Section 4. This act shall take effect July 1, 2025.

3/11/2025

Meeting Date

Agriculture

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 980

Bill Number or Topic

Amendment Barcode (if applicable)

Name **John Brady**

Phone **850-688-2240**

Address **924 W Pensacola St. Apt. 519-A**

Email **john11brady@gmail.com**

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.

*FSU Student Government
Office of Governmental Affairs*



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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



The Florida Senate

Committee Agenda Request

To: Keith L. Truenow, Chair
Committee on Agriculture

Subject: Committee Agenda Request

Date: March 6, 2025

I respectfully request that **Senate Bill #980**, relating to Hunger-Free Pilot Program, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink that reads "Mack Bernard".

Senator Mack Bernard
Florida Senate, District 24

CourtSmart Tag Report

Room: SB 301

Case No.:

Type:

Caption: Senate Committee on Agriculture

Judge:

Started: 3/11/2025 4:01:07 PM

Ends: 3/11/2025 4:36:20 PM

Length: 00:35:14

4:01:07 PM Chair Truenow calls the meeting to order
4:01:09 PM Roll call
4:01:19 PM Pledge of Allegiance
4:01:44 PM Chair Truenow makes opening remarks
4:02:13 PM Tab 1, SB 178 by Rouson, Agronomic Study on Emerging Crops
4:02:23 PM Senator Rouson explains the bill
4:03:56 PM Debate:
4:03:59 PM Chair Truenow
4:04:13 PM Senator Rouson waives close
4:04:15 PM Roll call
4:04:41 PM Tab 4, SB 980 by Bernard, Hunger-Free Campus Pilot Program
4:04:52 PM Senator Bernard explains the bill
4:06:05 PM Questions:
4:06:08 PM Senator Boyd
4:06:20 PM Senator Bernard
4:06:34 PM Chair Truenow recognizes public appearances
4:07:00 PM Senator Bernard waives close
4:07:07 PM Roll call
4:07:26 PM Chair Truenow passes the gavel to Vice Chair Grall
4:07:33 PM Tab 3, SB 786 by Truenow, Improvements to Structures on Agricultural Lands
4:07:47 PM Senator Truenow explains the bill
4:08:17 PM Senator Truenow waives close
4:08:21 PM Roll call
4:08:37 PM Tab 2, SB 700 by Truenow, Department of Agriculture and Consumer Services
4:08:44 PM Amendment #507790 by Truenow
4:09:01 PM Senator Truenow explains the amendment
4:14:52 PM Questions:
4:14:54 PM Senator Bernard
4:15:08 PM Chair Truenow
4:15:10 PM Senator Bernard
4:15:33 PM Senator Truenow
4:15:47 PM Senator Bernard
4:15:53 PM Senator Truenow
4:15:56 PM Senator Bernard
4:16:01 PM Senator Truenow
4:16:08 PM Senator Bernard
4:16:14 PM Senator Truenow
4:16:23 PM Kathy Mears
4:18:09 PM Senator Bernard
4:18:18 PM Senator Rouson
4:18:40 PM Senator Truenow
4:20:25 PM Senator Rouson
4:20:47 PM Senator Truenow
4:21:06 PM Senator Rouson
4:21:32 PM Senator Truenow
4:22:17 PM Senator Boyd
4:22:31 PM Senator Truenow
4:22:40 PM Chair Grall recognizes public appearances
4:22:44 PM Eric Friday
4:23:24 PM Chair Grall recognizing those waiving speaking
4:24:14 PM Senator Truenow waives close
4:24:21 PM Chair Grall reports the amendment

4:24:25 PM	Back on the bill
4:24:30 PM	Chair Grall recognizes public appearances
4:25:10 PM	Matthew Grocholske
4:26:27 PM	Brandon Edmonston
4:28:34 PM	Eric Friday
4:29:33 PM	Brandon Tucker
4:30:43 PM	Chair Grall recognizes those waiving speaking
4:31:30 PM	Debate:
4:31:32 PM	Senator Rouson
4:32:51 PM	Senator Bernard
4:33:51 PM	Chair Truenow closes on the bill
4:34:53 PM	Roll call
4:35:15 PM	Chair Grall recognizes Senators to record missed votes
4:35:21 PM	Senator Burton
4:35:35 PM	Chair Grall makes closing remarks
4:35:56 PM	Senator Truenow
4:36:12 PM	Senator Truenow moves to adjourn
4:36:14 PM	Meeting adjourned
4:36:21 PM	